



SUMMARY OF THE ELEVENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS: 4-9 NOVEMBER 2014

The eleventh meeting of the Conference of the Parties (COP11) of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) met from 4-9 November 2014, in Quito, Ecuador. More than 900 participants attended the meeting.

During the week, COP11 adopted 35 resolutions, including on: the Asiatic lion that, *inter alia*, will work towards an Appendix II listing proposal to be presented at COP12; the Strategic Plan for Migratory Species 2015-2023; the Programme of Work on Climate Change and Migratory Species; the Central Asian Mammals Initiative; renewable energy and migratory species; enhancing the relationship between the CMS family and civil society; the Action Plan for Migratory Landbirds in the African-Eurasian Region; management of marine debris; the Single Species Action Plan for the Loggerhead Turtle in the South Pacific Ocean; fighting wildlife crime and offenses within and beyond borders; and enhancing synergies and common services among CMS family of instruments. After considering proposals submitted by parties to amend the appendices of the Convention, the COP decided to list 31 new species.

More than 27 side-events also took place, including on: CMS and CITES: Advancing the conservation of key species together; Renewable energy, powerlines and migratory species; Marine Debris – the cruel and silent killer; Preventing Poisoning: Time for Action; Central Asian Mammals Initiative: Saving the last Migrations; ICARUS – a new global satellite system to observe small animals; and Falconry and Conservation.

In closing the meeting, Ecuador Minister of Environment Lorena Tapia highlighted that COP11 participants “made borders disappear” by making firm decisions and commitments for action.

A BRIEF HISTORY OF CMS

Migratory species are vulnerable to a wide range of threats, including habitat shrinkage in breeding areas, excessive hunting along migration routes and degradation of their feeding grounds. As a result of international concern over these threats, CMS

was adopted in 1979 and entered into force on 1 November 1983. CMS, also known as the Bonn Convention, recognizes that states must be the protectors of migratory species that live within or pass through their national jurisdictions and aims to conserve terrestrial, marine and avian migratory species throughout their ranges. CMS currently has 120 parties.

The Convention was designed to allow for expansion and revision of commitments and to provide a framework through which parties may act to conserve migratory species and their habitat by: adopting strict protection measures for migratory species that have been characterized as being in danger of extinction throughout all or a significant portion of their ranges (species listed in Appendix I of the Convention); concluding

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agreements for the conservation and management of migratory species that have an unfavorable conservation status or would benefit significantly from international cooperation (species listed in Appendix II); and joint research and monitoring activities. At present, over 100 migratory species are listed in Appendix I.

CMS also provides for the development of specialized regional agreements for Appendix II species. To date, seven agreements and 19 memoranda of understanding (MoUs) have been concluded. The seven agreements aim to conserve: populations of European Bats; cetaceans of the Mediterranean Sea, Black Sea and contiguous Atlantic area; small cetaceans of the Baltic and North Seas; seals in the Wadden Sea; African-Eurasian migratory waterbirds; albatrosses and petrels; and gorillas and their habitats. The 19 MoUs aim to conserve: the Siberian crane; the slender-billed curlew; marine turtles of the Atlantic coast of Africa; marine turtles of the Indian Ocean and Southeast Asia; the Middle-European population of the great bustard; the bukhara deer; the aquatic warbler; West-African populations of the African elephant; the saiga antelope; cetaceans in the Pacific islands region; dugongs; the Mediterranean monk seal; the ruddy-headed goose; grassland birds of southern South America; high Andean flamingos; South Andean Huemul; migratory sharks; and raptors (birds of prey in Africa and Eurasia). These agreements and MoUs are open to all range states of the species, regardless of whether they are parties to the Convention.

Eight Action Plans have also been concluded on the: Central Asian Flyway; Sahelo-Saharan Antelopes; Chinese Crested Tern; Black-faced Spoonbill; Spoon-billed Sandpiper; Madagascar Pond Heron; White-winged Flufftail; and Lesser Flamingo. There are also three initiatives on bycatch, Eurasian Aridland Mammals, and Houbara Bustard, as well as three Special Species Initiatives on the Central Asian Flyway, Central Asian Mammals, and Sahelo-Saharan Megafauna.

COP7: The seventh meeting of the COP (18-24 September 2002, Bonn, Germany) added 20 species to Appendix I and 21 to Appendix II, with the fin, sei and sperm whales and the great white shark being listed on both. COP 7 also adopted resolutions on: electrocution of migratory birds, offshore oil pollution, wind turbines, impact assessment, and by-catch. The COP adopted decisions on, *inter alia*: future action on the Antarctic minke, Bryde's and pygmy right whales; improving the conservation status of the leatherback turtle; an agreement on dugong conservation; the American Pacific Flyway Programme; and the Central Asian-Indian Waterbird Flyway Initiative.

COP8: The eighth meeting of the COP (20-25 November 2005, Nairobi, Kenya) addressed: the review of CMS implementation; sustainable use; the target to significantly reduce the current rate of biodiversity loss by 2010; measures to improve the conservation status of Appendix I species, including projects on Sahelo-Saharan antelopes and the Siberian crane; measures to improve the conservation status of Appendix II species, including raptors, migratory sharks and marine turtles; proposals for amendments to Appendices I and II; the CMS 2006-2011 Strategic Plan; the CMS Information Management Plan; and financial and administrative arrangements. The meeting added 11 species to Appendix I and 16 to Appendix II, with the basking shark, bukhara deer and short-beaked common

dolphin listed on both, and witnessed the signing of new MoUs on the West-African elephant and the saiga antelope.

COP9: COP9 (1-5 December 2008, Rome, Italy) listed 11 species on Appendix I of the Convention, including three dolphin species and the West African manatee, as well as the cheetah, with the exception of the populations of Botswana, Zimbabwe and Namibia for which quotas are in place under the Convention on the International Trade of Endangered Species of Wild Fauna and Flora (CITES). Species listed in Appendix II include the African wild dog, saiga antelope and several dolphin populations. Following intense negotiations, mako sharks, the porbeagle shark and the northern hemisphere population of the spiny dogfish were also listed on Appendix II. The proposal to list the saker falcon on Appendix I was withdrawn, but a resolution was adopted that set out the direction for future work on this species, and proposed listing it at COP10 unless its conservation status improves significantly.

COP10: COP10 (20-25 November 2011, Bergen, Norway) adopted 27 resolutions, including on: synergies and partnerships; overview of the process regarding the "future shape" of CMS, budget and enhanced engagement with the Global Environment Facility (GEF); wildlife disease and migratory species; migratory terrestrial species; global programme of work for cetaceans; and bird flyway conservation policy. The COP listed: under Appendix I, the saker falcon, the red-footed falcon and the far eastern and bristle-thighed curlew; under Appendix II, the argali mountain sheep and bobolink; and under Appendix I and II, the giant manta ray.

COP11 REPORT

CMS COP11 opened on Tuesday morning, 4 November, with a ceremony moderated by Ashlan Gorse Cousteau.

Achmat Hassiem, South Africa, shared his experience of becoming a member of the "Shark Attack Survivors for Shark Conservation" group. He urged participants to establish protection for sharks and rays. Boyan Slat, the Netherlands, described his initiative to clean plastics from the ocean through a floating barrier that can operate in extreme conditions.

Philippe Cousteau, Jr. noted that the spirit of the CMS is inspiring, as migratory species are a reminder that challenges are global. Alfred Oteng-Yeboah (Ghana), Chair, CMS Standing Committee, noted the links between the CMS and the Convention on Biological Diversity (CBD).

Lorena Tapia, Minister of Environment, Ecuador, underlined her country's leadership in environmental management as well as the inclusion of the rights of nature in its national constitution.

John Scanlon, Secretary General, CITES, emphasized that delegates will consider action plans for argali and saker falcon and the Central Asian Mammals Initiative (CAMI), each of which has been developed in collaboration with CITES. He also noted the complementary role of CMS in combating illegal wildlife trade.

Bradnee Chambers, Executive Secretary, CMS, highlighted this COP as a potential watershed event for the Convention and drew attention to COP agenda items, including proposals, resolutions, the new Strategic Plan, and Scientific Council reform.

ADMINISTRATIVE MATTERS: Rules of Procedure:

Standing Committee Chair Oteng-Yeboah then introduced the agenda item on rules of procedure (UNEP/CMS/COP11/Doc.4). Uganda called attention to a potential conflict between clause 7 of Article 7 of the Convention, and Rule 16 of the Rules of Procedure on voting. Following a response by the Secretariat and a brief discussion, Uganda proposed amending Rule 16 to state “all votes on decisions by the COP shall be taken by a two-thirds majority of the votes cast.” Panama and Chile seconded the proposal and delegates adopted the rules of procedure, as amended (UNEP/CMS/COP11/CRP25).

Election of Officers: The following officers were elected: Lorena Tapia (Ecuador) as Chair of the Conference; Øystein Størkersen (Norway) as Chair of the Committee of the Whole (COW); and Ndèye Sene Thiam (Senegal) as Vice-Chair of the COW.

Adoption of the Agenda and Meeting Schedule: Chair Tapia invited the delegates to review the draft provisional agenda and the provisional annotated agenda and schedule (UNEP/CMS/COP11/Doc.6.2). The COP adopted the agenda and schedule.

Establishment of the Credentials Committee and other Sessional Committees: Chair Tapia invited delegates to establish the COW with open-ended membership, in accordance with Rule 24 of the Rules of Procedure, and to establish a Credentials Committee of five members to review the original credentials of official delegations. The COP elected: Kenya (Africa region); the Philippines (Oceania region); Italy (Europe region); Pakistan (Asia region); and Ecuador (South, Central America and Caribbean region). The COP also established a draft budget working group to be chaired by South Africa. A six-member Bureau was also established.

Admission of Observers: The COP admitted international and national agencies and bodies that meet the criteria set out in Article VII, paragraph 9 of the Convention to be represented at this meeting by observers (UNEP/CMS/COP11/Doc.8).

REPORTS AND RECOMMENDATIONS OF THE SUBSIDIARY BODIES OF THE CONVENTION AND

UNEP: Standing Committee: Chair Oteng-Yeboah reported on activities of the Committee since COP10. The COP took note of the oral report.

Scientific Council: Fernando Spina (Italy), Chair, CMS Scientific Council, reported on the activities of the Scientific Council.

Report of the Secretariat: CMS Executive Secretary Chambers presented an overview of the Secretariat’s activities over the previous triennium. He noted that since COP10, four parties had joined the Convention and that, in early 2014, nine parties joined the Sharks Memorandum of Understanding (MoU). He said the Secretariat has increased its outreach activities, including through launching a new website, which provides a single portal for accessing the work of all of “the CMS family.” He noted a new publication to guide focal points on engaging with and implementing CMS, and highlighted the launch of the CAMI, saying it provides a model for bringing parties together for a common regional approach.

Report of UNEP: On Sunday, the UN Environment Programme (UNEP) presented the report of activities undertaken by UNEP (UNEP/CMS/COP11/Doc.9). The COP noted the report.

CMS STRATEGIC PLAN**ASSESSMENT OF THE IMPLEMENTATION OF THE STRATEGIC PLAN 2006-2014 AND STRATEGIC PLAN FOR MIGRATORY SPECIES 2015-2023:**

On Tuesday, the COW considered the document on the status of the implementation of the existing Strategic Plan (UNEP/CMS/COP11/Doc.15.1), and the final draft of the new Strategic Plan (UNEP/CMS/COP11/Doc.15.2). The Secretariat: reviewed the intersessional activities of the Strategic Plan Working Group; discussed the importance of the new draft Strategic Plan in aligning policy priorities across the CMS Family; and introduced the draft resolution contained in the annex to the document, which outlines the intersessional mandate for the Strategic Plan Working Group from 2015-16, including the development of a technical “Companion Volume for Implementation” to support implementation of the new Strategic Plan.

Brazil called for an increased emphasis on implementation of goals and targets in light of disappointing progress on the Aichi Biodiversity Targets, as reported in the Global Biodiversity Outlook 4. The European Union (EU) cautioned that developing indicators could increase the reporting burdens of parties, and suggested amendments to the draft resolution and accompanying Strategic Plan, including that indicators be linked, where possible, to the Aichi Biodiversity Targets and information already provided in national reports.

The amended draft resolution on the Strategic Plan 2015-23 was addressed by the COW on Thursday and was forwarded to plenary. On Sunday, the COP adopted the resolution.

Final Resolution: In the final resolution on the Strategic Plan for Migratory Species 2015-2023 (UNEP/CMS/COP11/CRP1), the COP, *inter alia*:

- adopts the Strategic Plan for Migratory Species 2015-2023 contained in Annex 1;
- requests the Secretariat to integrate the Plan’s goals and targets into work programmes under the Convention;
- urges parties and invites other states, the CMS Family of instruments, and others working towards the conservation of migratory species to integrate the Plan’s goals and targets within relevant policy and planning instruments;
- invites the decision-making bodies of the CMS instruments to consider the Strategic Plan for adoption at their next meetings, and encourages them, as well as other partners and stakeholders, to identify existing or develop new sub-targets for the species and issues relevant to those instruments and organizations that support the achievement of the Strategic Plan’s targets;
- confirms the need for additional intersessional work to strengthen the suite of materials to support implementation of the Strategic Plan, including on the Strategic Plan indicators drawing from existing work, and a Companion Volume on Implementation to provide guidance on implementation of the Strategic Plan;
- decides to extend the mandate of the Strategic Plan Working Group to include the tasks of elaborating on the indicators and Companion Volume during the triennium 2015-2017; and
- recognizes that a wide range of civil society organizations and other stakeholders make an invaluable contribution to implementation of the Convention, and encourages these organizations to report on this work to the COP.

The annexes to the resolution contain the Strategic Plan and the Terms of Reference (ToR) for the Strategic Plan Implementation Working Group, including the objectives and the composition of the group.

FUTURE SHAPE AND STRATEGIES OF CMS AND THE CMS FAMILY

SHORT- AND MEDIUM-TERM ACTIVITIES UNDER RESOLUTION 10.9: On Tuesday, in the COW, the Secretariat introduced the relevant document (UNEP/CMS/ COP11/ Doc.16.1), highlighting key achievements over the last triennium, including: developing a migratory species strategic plan; using an online reporting system; and coordinating capacity-building efforts.

Brazil suggested including a line in the matrix of activities on enhancing synergies with the secretariats of other multilateral environmental agreements (MEAs). Chile and Costa Rica expressed appreciation for a pre-COP training workshop for the South and Central America and Caribbean region, with Chile suggesting including a similar activity in the mid-term workplan.

The EU asked the Secretariat to provide information on the expected cost of planned activities. Noting the Africa region has constraints in coordination on implementation of the Convention, South Africa highlighted the importance of the activity to regionalize conservation efforts.

In response to comments and questions, the Secretariat, *inter alia*, invited the EU to look at the Programme of Work and noted that Switzerland has introduced a resolution on synergies.

On Sunday, the COP took note of the document.

SYNERGIES WITH THE WIDER CMS FAMILY: ANALYSIS FOR SHARED COMMON SERVICES: On Tuesday, in the COW, the Secretariat introduced the relevant document (UNEP/CMS/COP11/Doc.16.2), focusing on the rationale for synergies and merging common services between the CMS and the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA).

Uganda, with Kenya, stressed the lack of quantification of potential benefits and, with Chile and Argentina, the silence concerning potential costs. The EU called for a more comprehensive analysis of related costs and benefits, legal implications and potential barriers. Switzerland and Monaco stressed that merging is meant to improve implementation and not only reduce costs.

The US said that, given the implications of such synergies, all signatories of agreements should be included in the discussion and not just CMS parties.

Deliberations continued in the governance drafting group on Wednesday, where delegates agreed, *inter alia*, on revised preambular text acknowledging the need for more information. On Sunday, in plenary, the COP adopted the resolution without amendment.

Final Resolution: In the final resolution (UNEP/CMS/ COP11/CRP28), the COP:

- requests the Executive Secretary to submit an independent analysis and report on the legal, financial, operational and administrative implications of actions to enhance synergies, before the CMS Standing Committee's 44th meeting and COP 12 in order to establish their benefits and disadvantages;
- invites the Meeting of the Parties to AEWA at its 6th session (MOP6) to consider the independent analysis and report and

take a decision on the way forward, with regard to synergies; and

- requests the CMS Standing Committee to consider the outcome of AEWA's MOP6 and to take the appropriate decision in accordance with this outcome with a view to realizing enhanced synergies.

OTHER STRATEGIC AND INSTITUTIONAL MATTERS OPTIONS FOR THE RESTRUCTURING OF THE

SCIENTIFIC COUNCIL: This item was discussed in the COW on Wednesday, in the drafting group and in a Friends of a Chair group. On Wednesday in the COW, the Secretariat presented key elements of the report on options for restructuring the Scientific Council (UNEP/CMS/ COP11/Doc.17.1), including the draft resolution contained in Annex II. He summarized the constraints of the current Scientific Council system, including expensive meetings with high numbers of sponsored delegates, a lack of resources for intersessional work and an uneven distribution of expertise. He said that the report concluded that the Scientific Council should: use limited resources more efficiently; adapt to the evolving needs of CMS; ensure balanced scientific expertise across all taxa and thematic issues; and support more intersessional activity. He reviewed the four proposed scenarios for a revised Scientific Council: Scenario A involves a smaller Council while maintaining broad and clearly defined expertise; Scenario B includes *ex-officio* members from key partner organizations; Scenario C features stronger regional representation; and Scenario D features broader representative membership compared to Scenarios A-C, but the full membership would meet only once per triennium while a subset with a strong scientific focus would meet intersessionally, and lead the implementation of the COP mandate.

Several countries commented on the outlined options, with Uganda, Egypt, Costa Rica and Ecuador supporting Scenario C. The EU supported Scenario A with amendments. Switzerland supported Scenario B or Scenario A with the inclusion of *ex-officio* members from key partner organizations. The US said that CMS should aim for the best-qualified individuals on the Council, regardless of whether they belong to a party. Delegates agreed to a modified version of Scenario D.

On Sunday, in plenary, the COP adopted the resolution without amendment.

Final Resolution: In the final resolution (UNEP/CMS/ COP11/CRP33), the COP decides that:

- for each intersessional period between two consecutive COPs, a representative selection of the membership of the Scientific Council, to be named the Sessional Committee of the Scientific Council, should be identified, composed of COP-appointed Councillors, and party-appointed Councillors selected regionally;
- the Sessional Committee of the Scientific Council will be composed of nine COP-appointed members with taxonomic and thematic issues expertise and 15 party-appointed members selected within the Standing Committee's geographic areas;
- in appointing members to the Sessional Committee, the following should be achieved: a balanced scientific representation of expertise in taxonomic and cross-cutting thematic areas; a broad understanding of key scientific issues and experience in translating science into policy; and coverage

of the predicted scientific expertise needed by the Convention for the next triennium; and

- all advice, recommendations and other outputs of the Sessional Committee shall be considered by the COP as products of the Scientific Council.

The COP further requests the Scientific Council to revise its Rules of Procedure and its *modus operandi*, and to submit a report on implementation to COP12.

NOMINATIONS FOR THE COP-APPOINTED COUNCILLORS FOR AQUATIC MAMMALS AND BIRDS:

On Sunday, the COP appointed Giuseppe Notarbartolo di Sciara as the Councillor for Aquatic Mammals, and Robert Gray and Stephen Garnett as joint Councillors for Birds.

GAP ANALYSIS OF THE CONVENTION ON MIGRATORY SPECIES: On Tuesday in the COW, the Secretariat introduced the document (UNEP/CMS/COP11/Doc.17.3) on a global gap analysis, which includes issues addressed under CMS and other organizations.

Switzerland said that while the gap analysis should be a regular task for the Scientific Council, it should not constitute a special activity requiring additional financial support. The EU stressed that there are numerous cross-cutting issues not currently addressed under CMS and called for similar considerations to be taken into account in the Companion Volume on Implementation of the Strategic Plan.

On Sunday, in plenary, the COP took note of the document.

BUDGET AND ADMINISTRATION

EXECUTION OF CMS BUDGET 2012-2014: On Tuesday in the COW, the Secretariat introduced the relevant document (UNEP/CMS/COP11/Doc.14.1). On Sunday in plenary, the COP took note of the document.

DRAFT COSTED PROGRAMME OF WORK 2015-2017 AND DRAFT BUDGET FOR 2015-2017: On Tuesday, in the COW, the Secretariat introduced the relevant documents (UNEP/CMS/COP11/Doc.14.2 and 3). He noted the strategic objectives behind the draft budget, including continuity in the investment that parties have made in CMS through the Future Shape Working Group. He explained the three proposed budget scenarios: status quo; status quo plus 3% growth; and status quo plus 5% growth.

France asked the Secretariat to prepare an additional scenario based on the zero nominal growth principle. Chile noted, among other issues, that in the Programme of Work (POW) 2015-2017 there is no line of work for the South and Central America and Caribbean region. Fiji asked for continued funding of the CMS position supporting the work of the Secretariat of the Pacific Regional Environment Programme (SPREP). Deliberations continued throughout the week in the budget committee.

On Sunday in plenary, South Africa, supported by Switzerland and Brazil, and opposed by France, Belgium and Germany, expressed concern regarding a provision that requests the Executive Secretary to prepare budget proposals for consideration by COP12, including, as a minimum, a zero nominal growth budget scenario, a zero real growth budget scenario and a third scenario, if necessary. The COP adopted the resolution without amendment.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP34), the COP:

- adopts the budget for 2015-2017 attached as Annex I and the POW attached as Annex V;
- adopts the scale of contributions of parties as listed in Annex II and decides to apply that scale *pro rata* to new parties;
- urges all parties to pay their contributions as promptly as possible and all parties with arrears to cooperate with the Secretariat in arranging for the payment of their outstanding contributions without delay;
- decides that representatives from countries with contributions in arrears three years or more should be excluded from holding office in Convention bodies and denied voting rights;
- decides that resolutions adopted by this COP that establish, *inter alia*, bodies, mechanisms or activities that have financial implications not provided for in Annex I, are subject to funds from voluntary contributions;
- decides that the Executive Secretary, subject to the approval of the Standing Committee and in urgent cases with the approval of the Chair, may spend or apply funds from implementation of the core budget to activities in the approved costed programme of work not covered in the core budget;
- approves the creation of one part-time (50%) P-2 position of Associate Programme Officer, CAMI, and one part-time (50%) P-2 position of Associate Information Officer;
- requests the UNEP Executive Secretary to assist the Secretariat to undertake a review of the grading of the Secretariat's posts to enable related decisions at COP12;
- confirms that the Secretariat will continue to provide services to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and to the Gorilla Agreement in the next triennium;
- requests the Executive Director of UNEP to extend the duration of the Convention Trust Fund to 31 December 2017;
- decides that the Secretariat, as a last resort, can request the Standing Committee to draw down from the Trust Fund balance; and
- requests the Executive Secretary to prepare budget proposals in the same format for consideration by COP12, including, as a minimum, a zero nominal growth budget scenario, a zero real growth budget scenario and, if necessary, a third scenario.

The final resolution includes five annexes. Annex I contains the budget for the triennium 2015-2017. Annex II outlines the contributions of parties to fund the 2015-2017 budget. Annex III describes the revised ToR of the Finance and Budget Subcommittee. Annex IV describes the ToR for the administration of the Trust Fund for CMS. Annex V states the POW for the triennium 2015-2017.

RESOURCE MOBILIZATION: On Wednesday in the COW, the Secretariat summarized its resource mobilization activities since COP10 (UNEP/CMS/COP11/Doc.14.4) and described efforts in raising both financial and human resources for activities during 2012-2014, including through new and innovative fundraising approaches. On Sunday, in plenary, the COP took note of the document.

PROCEDURAL ISSUES

ARRANGEMENTS FOR MEETINGS OF

CONFERENCE OF THE PARTIES: On Wednesday, in the COW, the Secretariat introduced document UNEP/CMS/COP11/Doc.18.1, including 13 proposals, mostly of an organizational

nature. On Sunday, in plenary, the COP adopted the resolution without amendment.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP8), to ensure the efficient and effective transaction of business at COPs, the COP recommends that, if possible: the Bureau meet in the morning on the day before commencement of the meeting of the COP; and the Standing Committee members convene regional meetings before commencement of the meeting of the COP and also hold regular regional meetings, when necessary, during the meeting.

REPEAL OF RESOLUTIONS: On Wednesday in the COW, the Secretariat introduced the document and draft resolution (UNEP/CMS/COP11/Doc.18.2), proposing, *inter alia*, to change the term “Recommendation” to “Decision.”

Australia asked for further clarification on the proposed definition of “Decision”. The COW Chair invited Australia and the EU to join a Friends of the Chair group to finalize the draft resolution.

On Sunday in plenary, the COP adopted the resolution.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP6), the COP, *inter alia*, adopts new definitions and provides recommendations for drafting resolutions and decisions.

A REVIEW PROCESS FOR THE CONVENTION: On Wednesday in the COW, the Secretariat introduced the related document (UNEP/CMS/COP11/Doc.18.3/ Rev.1). He said CMS is in a small category of MEAs that do not have a formal review process and outlined the processes used by other MEAs to enhance implementation and compliance. He asked delegates to adopt the draft resolution contained in the document’s annex on “Enhancing the Effectiveness of the Convention through a Process to Review Implementation.”

Switzerland, Israel, the International Fund for Animal Welfare, and Wild Migration supported establishing a compliance mechanism. Peru supported the resolution but said it is important to clearly define non-compliance. The EU said the proposal does not provide sufficient justification to establish a working group to elaborate a compliance mechanism, especially given current resource limitations.

COW Chair Størkersen emphasized this process will be voluntary and aims to build capacity and help parties comply.

Following a proposal from New Zealand, supported by the EU, Ecuador, Uganda and Chile, this agenda item was deferred to the drafting group to consider the need for, and modalities of, a process for enhanced implementation.

On Friday, Alfred Oteng-Yeboah, Chair of the Drafting Group reported that views of parties ranged widely in terms of the need for a process to review implementation of the CMS. He reminded parties that the task before them was not to create a review process, but to establish a working group to explore the possibility of creating a review process.

The EU asked for more justification for a review process and requested the terms of reference for the working group that might address the issue. Switzerland and the Born Free Foundation, on behalf of a coalition of non-governmental organizations (NGOs), emphasized the importance of launching an intersessional working group to explore possibilities for a CMS review mechanism.

The CMS Secretariat suggested textual changes in response to the EU’s concerns, to which the EU did not agree, instead

suggesting that the terms of reference for a working group should be proposed to the 44th meeting of the Standing Committee, allowing the Committee to determine whether to proceed with a working group. The Secretariat amended the text accordingly, and the EU and Switzerland supported the revised resolution. The COW endorsed the amended text and forwarded it to the COP, which adopted it on Sunday.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP24), the COP, *inter alia*:

- agrees to launch an intersessional process to explore possibilities for strengthening implementation of the Convention through the development of a review process; and
- instructs the Secretariat to propose terms of reference for a working group to be considered for adoption by the Standing Committee at its 44th meeting.

CMS INSTRUMENTS

IMPLEMENTATION OF EXISTING INSTRUMENTS, CMS AGREEMENTS AND ASSESSMENT OF MOUS: On Wednesday in the COW, the Secretariat introduced relevant documents on: implementation of existing instruments (UNEP/CMS/COP11/Doc.22.1); developing, resourcing and servicing CMS Agreements (UNEP/CMS/COP11/Doc.22.2); and assessment of MoUs and their viability (UNEP/CMS/COP11/Doc.22.3).

The EU noted that MoUs not functioning properly are a problem for both the species and the credibility of the Convention and the MoUs. Switzerland welcomed the report and draft resolution, noting that the introductory part on the criteria for assessing proposals for new agreements needs elaboration in order to provide guidance on the actual use of the criteria. Senegal, with the US, noted that additional MoUs are not a priority as long as existing ones are not fully operational.

On Sunday in plenary, the COP took note of the documents and adopted the resolution on criteria for assessing proposals for new agreements.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP23), the COP:

- instructs the Secretariat and the Scientific Council, and urges parties, to apply the criteria annexed to this resolution in developing and evaluating proposals for future agreements; and
- urges all range states of existing agreements that have not yet done so to sign, ratify or accede, as appropriate, and take an active part in their implementation.

A summary of the criteria for assessing proposals for new agreements is annexed to the resolution. Criteria include: the severity of conservation need; specification of clear defined purpose; absence of better remedies inside and outside the CMS system; funding prospects; synergies and cost effectiveness; likelihood of success; magnitude of likely impact; and provision for monitoring and evaluation.

CONCERTED AND COOPERATIVE ACTIONS: On Wednesday in the COW, the Secretariat introduced the document on concerted and cooperative actions (UNEP/CMS/COP11/Doc.22.4). He highlighted the report’s main recommendations, including a proposal to eliminate the use of cooperative action and only use concerted action as of COP12, which would be applicable to both Appendix I and II species.

The EU supported consolidating the two categories of action and recommended, *inter alia*, implementation of the report be completed by COP12.

On Sunday in plenary, the COP adopted the resolution.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP22), the COP adopts the lists of species, annexed to the decision, designated for concerted and cooperative actions and encourages parties to identify and undertake activities to implement them, including the preparation of species action plans, during 2015-2017.

Annexes I and II contain lists of species designated for cooperative actions during 2015-2017.

CRITERIA FOR AMENDMENTS OF THE

APPENDICES: On Wednesday, the Scientific Council representative reported on progress made in developing guidelines for the assessment of proposals for the amendment of CMS Appendices (UNEP/CMS/COP11/Doc.24.2). Noting the paper on the use of the IUCN Red List Categories in assessing listing proposals to Appendix I and II of the Convention (Annex I), he introduced the draft resolution on guidelines for assessing listing proposals (Annex II).

Chile, supported by Brazil, suggested that an intersessional working group is needed to improve the guidelines. Australia said the Scientific Council should retain the flexibility to decide what species are appropriate for inclusion in the appendices. New Zealand and Ethiopia mentioned the challenges IUCN guidelines can pose for migratory species, whose populations may be abundant but nonetheless at risk. CITES noted that these guidelines will make it easier for CITES and CMS to work together, but said mismatches between the respective appendices of the two conventions represent lost opportunities for sharing action on key species.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP7/Rev.1), the COP, *inter alia*, decides:

- to interpret the term “endangered” as set forth in the Convention, as meaning “facing a very high risk of extinction in the wild in the near future”; and
- that in the interpretation of the term “migratory species” in the Convention, the word “cyclically” in the phrase “cyclically and predictably” relates to a cycle of any nature.

AMENDMENT OF CMS APPENDICES

PROPOSALS FOR AMENDMENT OF APPENDICES

I AND II OF THE CONVENTION: On Thursday, the CMS Secretariat introduced proposals submitted by CMS parties (UNEP/CMS/COP11/Conf.10.15) to add 31 species to Appendices I and II.

Cuvier’s Beaked Whale (Mediterranean population): The EU introduced its proposal to list the Mediterranean population of the Cuvier’s Beaked Whale (*Ziphius cavirostris*) in Appendix I (UNEP/CMS/COP11/Doc.24.I-1), highlighting threats related to underwater noise, fisheries bycatch and marine debris.

Chile, on behalf of South and Central America and the Caribbean, the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), Monaco, and Wild Migration, on behalf of a coalition of NGOs, supported the proposal. Noting the species is listed on CITES Appendix II, CITES said the adoption of the proposal would result in the CMS listing being out of sync with the CITES listing.

Final Decision: On Sunday, the COP agreed to list Cuvier’s Beaked Whale under Appendix I.

Asiatic Lion: On the Asiatic lion (*Panthera leo persica*), Kenya said it had decided to submit a resolution in place of its listing proposal.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP4), the COP, *inter alia*:

- requests range states to consult with each other concerning the population status of *Panthera leo*, and requests the Secretariat to provide assistance in this regard;
- requests range states to consult with the CITES Secretariat to receive information from the ongoing review process for the species; and
- invites range states to work towards an Appendix II listing proposal for presentation to COP12.

Great Bustard: Mongolia presented its proposal to list the Great bustard (*Otis tarda*) in Appendix I (UNEP/CMS/COP11/Doc.24.I-4/Rev.1), saying the species is facing threats across much of its range. Kyrgyzstan, Pakistan, the EU, Ukraine and the International Union for Conservation of Nature (IUCN) supported the listing.

Final Decision: On Sunday, the COP agreed to list the Great Bustard under Appendix I.

Semipalmated Sandpiper: Ecuador, also on behalf of Paraguay, introduced the proposal to list the Semipalmated Sandpiper (*Calidris pusilla*) in Appendix I (UNEP/CMS/COP11/Doc.24.I-5/Rev.1). Chile, the EU and Argentina supported the proposal.

Final Decision: On Sunday, the COP agreed to list the Semipalmated Sandpiper under Appendix I.

Great Knot: The Philippines introduced its proposal to list the Great Knot (*Calidris tenuirostris*) in Appendix I (UNEP/CMS/COP11/Doc.24.I-6). He said a CMS listing would facilitate the development and implementation of additional conservation measures. As range states, New Zealand and Australia supported the listing. Fiji, Chile and the EU also supported the listing.

Final Decision: On Sunday, the COP agreed to list the Great Knot under Appendix I.

European Roller: The EU presented the proposal to include the European Roller (*Coracias garrulous*) in Appendix I (UNEP/CMS/COP11/Doc.24.I-7). Pakistan, Belarus, Israel and Chile supported the proposal. Norway asked for further clarification on how the species meets the Appendix I criteria, which the EU provided.

Final Decision: On Sunday, the COP agreed to list the European Roller under Appendix I.

Sawfish: Kenya presented the proposal to include five species of sawfish (narrow, dwarf, smalltooth, green and largetooth) (*Anoxypristis cuspidate*, *Pristis clavata*, *P. pectinata*, *P. zijsron* and *P. pristis*) in Appendices I and II (UNEP/CMS/COP11/Doc.24.I-8 and II-9). Egypt, Australia, Senegal, South Africa, the EU, the United Arab Emirates (UAE), Ecuador, Fiji, Chile, IUCN and Shark Advocates International, on behalf of a coalition of NGOs, supported the proposal.

Final Decision: On Sunday, the COP agreed to list these five species of sawfish under Appendices I and II.

Reef Manta Ray: Fiji presented the proposal to include the Reef Manta Ray (*Manta alfredi*) (UNEP/CMS/COP11/Doc.24.I-9 and II-10) in Appendices I and II, highlighting its

vulnerability to human exploitation driven by international trade in gill plates, skin and cartilage. Ecuador, Chile, the EU, the US and the Marine Megafauna Association, on behalf of a coalition of NGOs, supported the proposal. South Africa supported listing the reef manta ray in Appendix II only. CITES said the reef manta ray is listed under Appendix II of CITES, noting that if it were also listed in CMS Appendix I, the latter forbids the taking of specimens, which is permitted under CITES. The COW agreed to forward the proposal to plenary for adoption, noting South Africa's reservation.

Final Decision: On Sunday, the COP agreed to list the Reef Manta Ray under Appendices I and II.

Mobula Species: Fiji introduced the proposal to list all species of mobula (*Mobule spp.*) (UNEP/CMS/COP11/Doc.24.I-10 and II-11) in Appendices I and II, noting their conservative life history and vulnerability to overfishing. New Zealand, IUCN, and the Manta Trust, on behalf of a coalition of NGOs, supported the proposal.

Final Decision: On Sunday, the COP agreed to list the Mobula genus under Appendices I and II.

Polar Bear: Norway introduced the proposal to list the polar bear (*Ursus maritimus*) (UNEP/CMS/COP11/Doc.24.I-II-1) in Appendix II. She said an Appendix II listing in CMS would both complement existing polar bear conservation agreements and invite broader collaboration on the issue. She noted two minor amendments to the proposal. Monaco, the EU, the US and Wildlife Migration, on behalf of a coalition of NGOs, supported the proposal. Noting he failed to see the benefits of the proposed listing, Canada welcomed the support of the CMS community in polar bear conservation efforts, especially with regard to the Circumpolar Action Plan. Two Inuit observers highlighted their long-term stewardship of polar bear populations and said an Appendix II listing was not warranted.

Final Decision: On Sunday, the COP agreed to list the Polar Bear under Appendix II.

Red-fronted Gazelle: Senegal, also on behalf of Niger, presented the proposal to include the Red-fronted Gazelle (*Eudorcas rufifrons*) in Appendix I (UNEP/CMS/COP11/Doc.24.I.I-3), noting populations of four out of five subspecies in the family are declining. Ethiopia, Benin and the EU supported the proposal.

Final Decision: On Sunday, the COP agreed to list the Red-fronted Gazelle under Appendix I.

White-eared Kob: Ethiopia presented the proposal to include the White-eared Kob (*Kobus kob leucotis*) in Appendix II (UNEP/CMS/COP11/Doc.24.I-II-12). Egypt, Kenya, Senegal and the EU supported the proposal.

Final Decision: On Sunday, the COP agreed to list the White-eared Kob under Appendix II.

Canada Warbler: Ecuador presented the proposal to include the Canada Warbler (*Cardellina canadensis*) in Appendix II (UNEP/CMS/COP11/Doc.24.I-II-13). Canada, the US, Egypt, the EU and Chile supported the proposal.

Final Decision: On Sunday, the COP agreed to list the Canada Warbler under Appendix II.

Silky Shark: Egypt presented the proposal to include the Silky Shark (*Carcharhinus falciformis*) in Appendix II (UNEP/CMS/COP11/Doc.24.I-II-14/Rev.1), underscoring main threats and rates of decline across the Pacific, Atlantic and Indian

Oceans. Fiji, the EU, Ecuador, Costa Rica, Australia, the US, Senegal and IUCN supported the proposal. Chile and Peru opposed it, highlighting contradictory evidence and overlap with management measures currently in place. In plenary, Chile and Peru joined the consensus on this proposal.

Final Decision: On Sunday, the COP agreed to list the Silky Shark under Appendix II.

Great and Scalloped Hammerhead Sharks: Ecuador, also on behalf of Costa Rica, introduced the proposals to list the great hammerhead shark (*Sphyrna mokarran*) and the scalloped hammerhead shark (*Sphyrna lewini*) (UNEP/CMS/COP11/Doc.24.I-II-6 and 7) under Appendix II, describing the rationale for the listings. The EU, Monaco, Egypt, Defenders of Wildlife, on behalf of a coalition of NGOs, and many others, supported the proposal.

Final Decision: On Sunday, the COP agreed to list the Great and Scalloped Hammerhead Sharks under Appendix II.

Thresher Sharks: The EU introduced the proposals to list bigeye, common and pelagic threshers (*Alopias superciliosus*, *Alopias vulpinus*, *Alopias pelagicus*) (UNEP/CMS/COP11/Doc.24.I-II-8) under Appendix II, citing worldwide declines. Fiji, New Zealand, Australia, Israel, Ecuador, IUCN and PEW, on behalf of a coalition of NGOs, supported the proposals.

Final Decision: On Sunday, the COP agreed to list bigeye, common and pelagic threshers under Appendix II.

European Eel: Monaco introduced the proposal to list the European eel (*Anguilla anguilla*) in Appendix II (UNEP/CMS/COP11/Doc.24.I-II-18./Rev.1). Norway, the EU, Chile, Ecuador, Morocco and the US supported the proposal. Tunisia said it had not been consulted on the proposal, and, with Egypt, proposed an intersessional working group to discuss the proposal.

Final Decision: On Sunday, the COP agreed to list the European eel under Appendix II.

CONSERVATION ISSUES

CONSERVATION OF MIGRATORY SHARKS AND

RAYS: On Thursday in the COW, the Secretariat introduced the agenda item on Conservation of Migratory Sharks and Rays (UNEP/CMS/COP11/Doc.23.2.1). She emphasized the resolution would complement the activities of the Sharks MoU and assist parties in meeting their obligations for species on Appendix I.

Brazil, Ecuador, the UAE, Egypt, Chile, Senegal, Argentina and Humane Society International, on behalf of a coalition of NGOs, supported the draft resolution. The EU and the US expressed their support for this effort but proposed discussing amendments in the Aquatic Working Group.

The COW agreed to forward the draft resolution to the Aquatic Working Group for further discussion. On Sunday, the COW endorsed the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP20), the COP, *inter alia*:

- urges parties to ensure that all fishing and trade of sharks and rays are ecologically sustainable and that a lack of scientific data does not preclude conservation or fisheries management action towards this objective;
- urges parties to take steps to eliminate shark finning where they have not already done so, including implementing measures, such as prohibiting the removal of sharks fins at sea and discarding the carcass at sea, or other measures in line with applicable UN General Assembly resolutions;

- urges parties, where they have not already done so, to develop and implement National Plans of Action for Sharks in accordance with the Food and Agriculture Organization of the UN (FAO) International Plan of Action for Sharks;
- urges CMS parties to comply with existing conservation and management measures, in particular those of Regional Fisheries Management Organizations (RFMOs), where applicable, including compliance with data collection and submission requirements/obligations to allow for reliable stock assessments by the scientific committees of these bodies;
- urges parties to develop and implement guidelines and procedures for implementing CITES' provisions regulating the trade of shark products;
- requests parties to improve the biological and ecological knowledge of migratory elasmobranch populations and identify ways to make fishing gear more selective to support effective conservation measures through research, monitoring and information exchange and promote population assessments and research;
- requests parties to identify and conserve critical habitats and life stages, and migration routes, with a view to contributing to the development and implementation of effective conservation and sustainable management measures;
- urges parties, range states, and cooperating partners to sign the Sharks MoU and engage in conservation and research measures to prevent the unsustainable use of sharks and rays; and
- instructs the Secretariat to continue to liaise with FAO, RFMOs, CITES, civil society and other stakeholders to promote coordinated actions for the conservation and sustainable use of sharks and rays.

ACTION PLAN FOR THE LOGGERHEAD TURTLE IN THE SOUTH PACIFIC OCEAN: On Wednesday, the Aquatic Working Group discussed the draft Single Species Action Plan for the South Pacific Ocean population of Loggerhead Turtles (UNEP/CMS/COP11/Doc.23.2.2 Annex II), and its associated draft resolution (Annex I). On Thursday, Australia introduced the documents to the COW. Ecuador, the EU, Peru, the US, Argentina, Chile and Fiji supported the resolution, with many countries stressing the importance of synergies between CMS and relevant intergovernmental frameworks. COW Chair Størkersen asked Australia to work with parties on amendments in the Aquatic Working Group.

On Sunday, the COW endorsed and the plenary adopted the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP16), the COP, *inter alia*:

- adopts the Single Species Action Plan for the Loggerhead turtle (*Caretta caretta*) in the South Pacific Ocean as submitted to COP11 in document UNEP/CMS/COP11/Doc.23.2.2 Rev.1;
- urges South Pacific parties and other parties with fishing fleets operating in the South Pacific Ocean, and invites South Pacific non-party range states, to implement the Action Plan; and
- requests the COP-appointed Councillor for Marine Turtles to provide guidance for the implementation of the Action Plan and report on progress to COP12.

LIVE CAPTURES OF CETACEANS FROM THE WILD FOR COMMERCIAL PURPOSES: On Thursday in the COW, the Secretariat introduced the document (UNEP/CMS/COP11/Doc.23.2.3). Egypt, Chile, ACCOBAMS, Humane Society International, and the Whale and Dolphin Conservation Society supported the draft resolution. The EU supported the resolution with minor amendments. The Aquatic Working Group continued discussion of the document.

On Sunday, the COW endorsed and the plenary adopted the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP15), the COP, *inter alia*:

- invites parties to develop and implement national legislation prohibiting the live capture of cetaceans from the wild for commercial purposes;
- urges parties to consider taking stricter measures in line with CITES Article XIV with regard to the import and international transit of live cetaceans for commercial purposes that have been captured in the wild;
- requests the Secretariat and the Scientific Council to seek to enhance cooperation and collaboration with CITES and the International Whaling Commission (IWC) on small cetacean species targeted by live captures from the wild;
- urges parties and encourages parties or signatories to relevant CMS instruments and non-party states to actively discourage new live captures from the wild for commercial purposes; and
- encourages parties to share data and information on live captures with the IWC and other appropriate fora.

CONSERVATION IMPLICATIONS OF CETACEAN CULTURE: On Thursday in the COW, the Secretariat introduced UNEP/CMS/COP11/Doc.23.2.4, noting that the loss of migratory cultural memory and habitat knowledge can have devastating implications for populations of socially complex migratory species. Monaco, Chile, the EU, New Zealand, and several NGOs supported the document, with many countries praising CMS for its "innovative" consideration of social complexity as it applies to conservation. Discussion on this document continued in the Aquatic Working Group.

On Sunday, the COW endorsed and the plenary adopted the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP13), the COP, *inter alia*:

- encourages parties to consider culturally transmitted behaviors when determining conservation measures;
- also encourages parties and other stakeholders to assess anthropogenic threats to socially complex mammalian species on the basis of evidence of interactions of those threats with social structure and culture;
- urges parties to apply a precautionary approach to the management of populations for which there is evidence that influence of culture and social complexity may be a conservation issue;
- requests the Scientific Council to establish an intersessional expert working group dealing with the conservation implications of culture and social complexity, with a focus on, but not limited to cetaceans; and
- requests the expert group, subject to availability of resources, to develop a list of priority species listed under CMS for a comprehensive investigation of culture and social structure

and commence more detailed analysis as appropriate, and report its findings and any proposals for future work through the Scientific Council to COP12.

PROGRAMME OF WORK FOR MIGRATORY BIRDS

AND FLYWAYS: On Friday in the COW, the Secretariat introduced document UNEP/CMS/COP11/Doc.23.1.1.

Taej Mundkur, Chair of the CMS Flyways Working Group, highlighted the main themes of the POW on Migratory Birds and Flyways 2014-2023 and the Americas Flyways Framework.

Switzerland, the EU, the US, Ecuador, on behalf of South and Central America and the Caribbean, the Philippines, Kyrgyzstan, Brazil and Egypt supported the draft resolution with minor amendments, with several countries praising its “ambition.” Kyrgyzstan, supported by Pakistan, called for the expansion of AWEA to include the Central Asian flyway region. Ecuador, supported by Brazil, called for a CMS task force to coordinate the implementation of the POW and the Americas Flyways Framework, with Brazil offering to host a task force workshop.

On Sunday, the COW endorsed and the plenary adopted the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP29), the COP, *inter alia*:

- adopts the “POW on Migratory Birds and Flyways 2014-2023” included as Annex 1 and urges parties and signatories to CMS instruments, and encourages non-parties and others, to implement the POW as a matter of priority;
- adopts the “Americas Flyways Framework” included as Annex 2 and urges CMS parties and signatories to CMS instruments in the Americas and invites non-parties and others to implement the Framework in collaboration with the Western Hemisphere Migratory Species Initiative (WHMSI) to protect migratory birds and their habitats throughout the Western Hemisphere;
- calls on the Flyways Working Group and the CMS Secretariat to establish a Task Force, in conjunction with WHMSI, to coordinate the development and implementation of an action plan to achieve the global Programme of Work and Americas Flyways Framework, including provisions for concerted conservation action for priority species, and to report to COP12 and the WHMSI;
- calls on parties to effectively implement the POW, as applicable, and invites non-parties and others, with the support of the Secretariat, to strengthen national and local capacity for flyway conservation including by developing partnerships with key stakeholders and organizing training courses; translating and disseminating documents, sharing protocols and regulations; and understanding the ecological functionality of flyways through research on migratory birds and their habitats; and
- requests the continuation of the open-ended Flyways Working Group to monitor the implementation of the POW and the Americas Flyways Framework, review relevant scientific and technical issues, international initiatives and processes, provide guidance on and input into the conservation and management of flyways at global and flyway level during the intersessional period, and review and update the POW as a basis for the continued prioritization of CMS activities on flyways.

GUIDELINES TO PREVENT POISONING OF

MIGRATORY BIRDS: On Friday in the COW, the Secretariat introduced UNEP/CMS/COP11/Doc.23.1.2. The EU, Peru and the Philippines supported the document. The US said that ammunition is regulated at state level and thus it will not be able to implement those portions of the resolution.

On Sunday, the COW discussed the draft resolution on Preventing Poisoning of Migratory Birds (UNEP/CMS/COP11/CRP31). The Secretariat highlighted changes to the resolution agreed upon in the Avian Working Group, including on adding flexibility in the implementation of the guidelines at the national level. He said the Preventing Poisoning Working Group will continue to discuss the issue during the next intersessional period.

Ecuador and Birdlife International welcomed the draft resolution, with Birdlife International urging the creation of a sub-working group with the objective of preparing a calendar of transition on different kinds of ammunition and giving advice on best practices.

The Federation of Associations for Hunting and Conservation of the EU (FACE) regretted the lack of a distinction between lead shot and bullets, saying the absence of such a distinction may jeopardize the feasibility of the proposed timeline because alternatives to lead bullets are not available for all calibers. He also said a total ban on the use of lead in all ammunition would have a negative impact on the majority of hunters. In response, Israel said an organization such as FACE should be expected to take the lead on phasing out lead ammunition, rather than taking the stance that it is not a problem. He said large numbers of raptors enter Israel with wounds and damage caused by hunting that occurs outside of Israel. He encouraged parties and non-parties to reduce illegal hunting through education and enforcement.

The International Association for Falconry and Conservation of Birds of Prey (IAF) called for, *inter alia*, phasing out lead shot in the medium term, especially in wetlands.

The COW endorsed and the plenary adopted the draft resolution on Sunday.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP31), the COP, *inter alia*:

- adopts the “Guidelines to Prevent the Risk of Poisoning of Migratory Birds” (the Guidelines) contained in document UNEP/CMS/COP11/Doc.23.1.2/Annex 2, agreeing that it is for each party to determine whether or how to implement the recommended actions;
- urges the Secretariat to consult regularly with relevant stakeholders to monitor the impacts of poisoning on migratory birds and to support the elaboration of national strategies and sector implementation plans as necessary;
- calls on parties and non-parties to elaborate strategies to address poisoning or to include measures contained in this resolution and in the Guidelines in their National Biodiversity Strategies and Action Plans (NBSAPs) or relevant legislation, as appropriate, to prevent, minimize, reduce or control the impact of poisoning on migratory bird species;
- calls on parties and invites non-parties and stakeholders, with the support of the Secretariat, to strengthen national and local capacity for the implementation of this resolution, including by developing training courses, translating and disseminating

examples of best practice, sharing protocols and regulations, transferring technology and promoting the use of online tools to address specific issues that are relevant to prevent, reduce, or control poisoning of migratory birds protected under the Convention;

- urges parties, UNEP and other relevant international organizations, as well as industry, bilateral and multilateral donors and others, to consider supporting financially the implementation of this resolution and the Guidelines, including through the coordination provided by the Preventing Poisoning Working Group and the provision of financial assistance to developing countries for relevant capacity building; and
- proposes the continuation of the open-ended Preventing Poisoning Working Group until COP12 under the ToR in Annex 2, renewing its membership to incorporate expertise from geographical regions currently absent as well as representatives of industry and governments, to address the impact of other sources of poisoning, and geographic gaps, and to monitor the implementation of the Guidelines.

ILLEGAL KILLING, TAKING AND TRADE OF

MIGRATORY BIRDS: On Friday in the COW, the Secretariat introduced document UNEP/CMS/COP11/Doc.23.1.3. Ecuador, the EU and Egypt supported the document, with the EU and Egypt highlighting the importance of collaboration in addressing this issue. On Sunday, the COW endorsed and the plenary adopted the draft resolution.

Final Resolution: In the resolution on the prevention of illegal killing, taking and trade of migratory birds (UNEP/CMS/COP11/CRP30), the COP, *inter alia*:

- calls on parties, non-parties and other stakeholders to cooperate to address the illegal killing, taking and trade of migratory birds through support of, and collaboration with, existing international initiatives and mechanisms to address these issues, as well as establishing task forces targeted at facilitating concerted action to eliminate illegal killing, taking and trade of shared populations of migratory birds in those areas where such problems are prevalent;
- calls on the Secretariat to convene an Intergovernmental Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean to facilitate the implementation of the existing guidelines and action plans, any necessary new guidelines and action plans relating to the Mediterranean and to consider whether any new guidelines, action plans or other recommendations are necessary;
- calls also on the Secretariat to explore with parties and non-party range states and others in South and Central America and the Caribbean the potential to convene an Intergovernmental Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in that region;
- urges parties and invites non-parties to promote and ensure synergies between work to implement the Guidelines to Prevent Poisoning of Migratory Birds, in particular in relation to poisoned baits, and to prevent illegal killing of birds; and
- calls on the Secretariat to report progress, on behalf of the Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean and other similar initiatives elsewhere in the world, on implementation and, as

much as possible, on assessment of the efficacy of measures taken, to COP12 in 2017.

CONSERVATION OF LANDBIRDS IN THE AFRICAN-EURASIAN REGION: On Friday in the COW, Olivier Biber, Chair of the African-Eurasian Migratory Landbirds Working Group, introduced UNEP/CMS/COP11/Doc.23.1.4, noting it includes the action plan to improve the conservation status of migratory landbirds, a conservation policy achievement matrix and an implementation matrix. The Avian Working Group also discussed this topic.

On Sunday, the COW endorsed and the plenary adopted the Africa-Eurasian Migratory Landbirds Action Plan (AEMLAP).

Final Resolution: The resolution on “Improving the Conservation Status of Migratory Landbird Species in the African-Eurasian Region” (UNEP/CMS/COP11/CRP11), adopts the AEMLAP, which aims to develop an initial overarching, strategic framework for action at the international level to conserve, restore and sustainably manage populations of migratory landbird species and their habitats. The Plan covers 34 globally threatened migratory landbird species, 124 Least Concern migratory landbird species with decreasing global population trends and 346 Least Concern migratory landbird species with increasing, stable or unknown global population trends.

The AEMLAP includes sections on, *inter alia*: threats to migratory landbird species; a list of actions; a classification key for actions; habitat conservation; taking and trade; other threats, including diseases and collisions; research and monitoring; and education and information.

CONSERVATION OF THE SAKER FALCON: On Friday in the COW, Colin Garbraith, Chair of the Saker Falcon Task Force, introduced the Task Force’s summary report (UNEP/CMS/COP11/Doc.23.1.5.1) and the Saker Falcon Global Action Plan (SakerGAP) (UNEP/CMS/COP11/Doc.23.1.5.2). He highlighted objectives, expected outcomes, key issues and the unique characteristics of the SakerGAP, noting its holistic, inclusive approach.

The UAE noted its continuing support for the Task Force. Pakistan, Egypt and the EU approved the summary report and supported the draft resolution and the SakerGAP. The EU and CITES highlighted challenges in implementing the SakerGAP. IAF noted its lead in taking forward the first Flagship Project to develop an online information portal to engage falcon hospitals, falconers and trappers. On Sunday, the COW endorsed and the plenary adopted the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP27), the COP, *inter alia*:

- adopts the ten-year SakerGAP, as contained in UNEP/CMS/COP11/Doc.23.1.5.2, as the basis for action on the conservation and management of the Saker Falcon in the coming triennium and beyond, with the overall goal “to re-establish a healthy and self-sustaining wild Saker Falcon population throughout its range, and to ensure that any use is sustainable”;
- decides to continue the Concerted Action for the Saker Falcon during the next triennium at least, to enable initial implementation of the SakerGAP;

- further decides to continue the Saker Falcon Task Force, under the auspices of the Coordinating Unit of the CMS Raptors MoU, and instructs the Task Force to: actively promote the implementation of the SakerGAP, including by continuing to facilitate engagement, communication, cooperation and collaboration between the stakeholders;
- further develop, refine and implement an adaptive management and monitoring framework to improve the present conservation status of the Saker Falcon through, *inter alia*, regulated and sustainable use; and keep under review the option to down-list the species;
- welcomes the offer by the IAF to lead in taking forward the first Saker Falcon Task Force Flagship Project; and
- recommends the following reporting framework and timeline for the Task Force: 1) Report to the Second Meeting of Signatories of the CMS Raptors MoU; 2) Report to the 19th Intersessional CMS Scientific Council Meeting; and 3) Review progress on implementing the SakerGAP and report to COP12.

BIRD TAXONOMY: The Avian Working Group discussed the document UNEP/CMS/COP11/Doc.23.1.6 on the Taxonomy and Nomenclature of Birds Listed on the CMS Appendices and recommended it for adoption. On Sunday, the plenary adopted the draft resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP12), the COP, *inter alia*, adopts the reference recommended by the 18th meeting of the CMS Scientific Council as the CMS standard reference for bird taxonomy and nomenclature for non-Passerine species: *Handbook of the Birds of the World/BirdLife International Illustrated Checklist of the Birds of the World, Volume 1: Non-passerines*, by Josep del Hoyo, Nigel J. Collar, David A. Christie, Andrew Elliot and Lincoln D.C. Fishpool (2014).

CENTRAL ASIAN MAMMALS INITIATIVE: On Friday in the COW, the Secretariat introduced the document on the CAMI (UNEP/CMS/COP11/Doc.23.3.1) as well as the Guidelines on Wildlife-friendly Infrastructure Design for Central Asia and the Draft Action Plan for the Conservation of Argali (Docs 23.3.2 and 3). Kyrgyzstan introduced the CAMI POW.

Switzerland said that conservation issues in Central Asia have been neglected for too long and, with Kyrgyzstan, Tajikistan and Pakistan, encouraged parties to adopt the CAMI. The EU, supporting the CAMI, suggested establishing a CMS Central Asia post. CITES recognized the importance of coordinating implementation of the CAMI. The Wild Sheep Foundation and Conservation Force welcomed the opportunity to support the implementation of the Argali Action Plan. The COW forwarded the document to plenary for adoption. On Sunday, the COP adopted the resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP17), the COP:

- adopts the CAMI POW and endorses the concept of CAMI as an innovative and integrative approach, building on a regional programme that identifies synergies based on common or shared work programmes, geography, species and interests in line with Future Shape decisions;
- adopts the Guidelines for Addressing the Impact of Linear Infrastructure on Large Migratory Mammals in Central Asia;

- adopts the International Single Species Action Plan for the Conservation of argali; and
- instructs the Secretariat, subject to funding, to take up the role of coordinating the implementation of the POW and to establish a post for an officer within the CMS Secretariat to coordinate the CAMI.

CROSS-CUTTING CONSERVATION ISSUES

ECOLOGICAL NETWORKS: This issue was discussed on Wednesday in the COW and in a working group. The Secretariat introduced the documents (UNEP/CMS/COP11/Docs.23.4.1.1 and 23.4.1.2). The EU, with Ukraine, supported the adoption of the proposed resolution. The Philippines, supported by Birdlife International, proposed highlighting the need to address threats to important sites across the ecological network. On promoting coordinated conservation and management measures across a migratory range, Argentina proposed deleting reference to “within and beyond the limits of national jurisdiction.” On Sunday, the COP adopted the final resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP18), the COP:

- endorses the recommendations made in the strategic review on ecological networks, included in Annex I to the resolution;
- encourages parties to provide financial resources and in-kind support to underpin and strengthen existing ecological network initiatives within the CMS Family of instruments, including the Western/Central Asian Site Network for the Siberian Crane and other Migratory Waterbirds, the Critical Site Network of African Eurasian Waterbird Agreement and the newly launched CMS/Indian Ocean and South-East Asia (IOSEA) Network of Sites of Importance for Marine Turtles, and the East Asian-Australasian Flyway Site Network;
- urges parties to monitor adequately ecological networks to allow early detection of any deterioration in quality of sites, rapid identification of threats and timely action to maintain network integrity; and
- encourages parties, other range states and relevant organizations to apply the IUCN World Commission on Protected Areas Best Practice Guideline on Transboundary Conservation.

PROGRAMME OF WORK ON CLIMATE CHANGE

AND MIGRATORY SPECIES: This issue was discussed in the COW on Wednesday. Costa Rica introduced its draft resolution and the programme of work prepared by the Scientific Council’s Climate Change Working Group (UNEP/CMS/COP11/Doc.23.4.2). Colin Galbraith, Scientific Councillor for Climate Change, provided an overview of CMS’s climate change work.

Ecuador supported the resolution and draft programme of work. The EU supported the resolution, with some amendments, and the continuation of the Working Group, but noted, together with Australia, that the draft programme of work requires further elaboration. Egypt endorsed the resolution and draft programme of work but noted that the latter has no timeframe. On Sunday, the COP adopted the final resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP2), the COP:

- adopts the POW on Climate Change and Migratory Species;
- requests parties and signatories to the CMS instruments to assess what steps are necessary to help migratory species cope with climate change; and

- calls on parties and non-parties and stakeholders to strengthen national and local capacity for the implementation of the POW and the protection of species affected by climate change.

RENEWABLE ENERGY TECHNOLOGIES

DEPLOYMENT AND MIGRATORY SPECIES: This issue was discussed in the COW on Wednesday. Jan van der Winden, Bureau Waardenburg, introduced the review and guidelines (UNEP/CMS/COP11/Doc.23.4.3.1). He said there are already some impacts on migratory species from renewable energies, especially from biomass, hydropower and wind energy. The Secretariat then introduced the draft resolution on renewable energy and migratory species, highlighting one bracketed paragraph and the recommendation to establish an energy task force.

Brazil, Egypt, South Africa, Argentina and Chile supported the draft resolution, although some delegations suggested amendments. On Sunday, the COP adopted the resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP10), the COP:

- endorses the document “Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment”;
- urges parties and encourages non-parties to implement these voluntary guidelines as applicable
- urges parties to implement, as appropriate, a series of priorities in their development of wind, solar, ocean energies, hydropower and geo-energy; and
- instructs the Secretariat to convene a multi-stakeholder Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation.

INVASIVE ALIEN SPECIES: This issue was discussed on Thursday in the COW. The Secretariat introduced UNEP/CMS/COP11/Doc.23.4.4, which includes a review of the impact of invasive alien species (IAS) on species listed under CMS and explores potential future work on IAS. Australia supported CMS’s work on IAS and proposed a minor amendment recognizing the CBD’s work on the topic. Peru, Costa Rica, Senegal, Fiji and the EU supported the resolution. New Zealand proposed an amendment recognizing existing work on the topic. On Sunday, the COP adopted the final resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP5), the COP:

- calls on parties and non-parties to address threats from IAS with a focus on CMS-listed species;
- instructs the Secretariat to encourage parties and non-parties to ensure effective collaboration in relation to issues concerning IAS among national authorities and focal points that deal with, among others, the CBD, CITES and the Ramsar Convention; and
- urges the Scientific Council to address at its future meetings options for enhanced cooperation, policy coherence and implementation with regard to work on IAS, in a manner consistent with their mandates, governance arrangements and agreed programmes of the Scientific Council and other MEAs.

SUSTAINABLE BOAT-BASED WILDLIFE WATCHING

TOURISM: This issue was discussed on Thursday in the COW and in the Aquatic Working Group. The Secretariat introduced UNEP/CMS/COP11/Doc.23.4.5, highlighting potential benefits, associated risks and impacts. On Sunday, the COP adopted the final resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP9), the COP:

- urges parties to adopt appropriate measures, such as national guidelines, codes of conduct, and, if necessary, national legislation, binding regulations or other regulatory tools to promote ecologically sustainable wildlife watching; and
- recommends that parties take into account that boat-based wildlife watching activities should be conducted in a way to avoid negative effects on the long-term survival of populations and habitats, and to have minimal impact on the behavior of watched and associated animals.

MANAGEMENT OF MARINE DEBRIS: This issue was discussed on Thursday in the COW and in the Aquatic Working Group. The Secretariat introduced UNEP/CMS/COP11/Doc.23.4.6, noting the draft resolution is based on three reviews on: knowledge gaps related to impacts, sources and pathways; best practices from commercial marine vessels; and public awareness and education campaigns. On Sunday, the COP adopted the resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP14), the COP:

- calls on parties to incorporate marine debris targets when developing marine debris management strategies, including targets relating directly to impacts on migratory species;
- requests the Scientific Council to further the Convention’s work on marine debris issues and investigate the feasibility of close cooperation with other biodiversity-related agreements by means of a multilateral working group; and
- strongly encourages parties to address the issue of abandoned, lost or otherwise discarded fishing gear, by following the strategies set out under the FAO Code of Conduct for Responsible Fisheries.

WILDLIFE CRIME: On Thursday in the COW, Ghana, also on behalf of Monaco, introduced document UNEP/CMS/COP11/Doc.23.4.7/Rev.1. The EU recognized the role CMS may play fighting wildlife crime, including *in situ* management, capacity building, national law enforcement and creation of alternative livelihoods. He supported the draft resolution with minor amendments.

Brazil suggested additional measures to minimize damage from wildlife crime and, opposed by Israel, disagreed with the link made between wildlife crime and threats to national and regional security. South Africa, with CITES, said that efforts to reduce demand should be limited to illegally sourced products and species. COW Chair Størkersen asked Monaco, leading a Friends of the Chair group, to collate all suggested amendments and to bring a revised text back to the COW for further consideration.

On Sunday, COW Chair Størkersen introduced the draft resolution on Fighting Wildlife Crime and Offenses within and beyond Borders. Brazil, opposed by the US, welcomed the lack of reference to the linkages between wildlife crime and national and regional security and terrorism. On Sunday, the COP adopted the resolution.

Final Resolution: In the resolution (UNEP/CMS/COP11/CRP19), the COP:

- encourages parties and non-parties to take measures to increase awareness of wildlife crime and offenses among their

enforcement, prosecution and judicial authorities and civil society;

- urges parties and invites non-parties to strengthen national and transboundary law enforcement with emphasis on interdisciplinary cooperation and intelligence sharing;
- recommends that parties and non-parties work to reduce demand for illegally obtained wildlife specimens and products within their domestic markets and utilize the CMS framework to exchange knowledge and lessons learned regarding successful demand-side reduction strategies; and
- encourages the many stakeholders addressing wildlife crime affecting migratory species to collaborate closely.

COMMUNICATION, INFORMATION AND OUTREACH IMPLEMENTATION OF OUTREACH

AND COMMUNICATION PLAN 2012-14 AND COMMUNICATION, INFORMATION AND OUTREACH

PLAN 2015-17: On Friday in the COW, the Secretariat introduced the related documents (UNEP/CMS/COP11/Doc.19.1 and 19.2). He presented the draft resolution, highlighting three priority activities designed to enhance the strategic focus and overall coherence of CMS and AEWA communications, namely: development of a communications strategy and common branding; strengthening the joint team; and initiating the development of a Communication, Education and Public Awareness (CEPA) Programme.

The AEWA Secretariat invited parties to support the resolution to increase the visibility of CMS and AEWA. The EU called for consideration of integration with CEPA as developed under the CBD and the Ramsar Convention, and, with Senegal, supported the draft resolution.

The COW endorsed the resolution with minor amendments by the EU and forwarded it to plenary for adoption. On Sunday, in plenary, the COP took note of the Implementation of Outreach and Communication Plan 2012-2014 and adopted the resolution.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP21), the COP:

- endorses the CMS Communication, Information and Outreach Plan for 2015-2017; and
- requests the CMS Executive Secretary to continue to work closely with the AEWA Executive Secretary to guide the work of the new joint CMS and AEWA unit.

ANALYSIS AND SYNTHESIS OF NATIONAL

REPORTS: On Friday in the COW, the Secretariat introduced document UNEP/CMS/COP11/Doc.19.3. Noting that 2014 marked the inaugural use of the CMS online reporting system, Patricia Cremona, UNEP-World Monitoring Centre (WCMC), said that national reports provide a means to assess the status of the implementation of the CMS and ascertain future priorities.

Egypt, South Africa, Kenya and Costa Rica supported the resolution and praised the “innovative” online reporting system. South Africa also called for a more user-friendly system, and Kenya noted that printed reports were not as clear as the online version.

On Sunday, in plenary, the COP took note of the document.

WORLD MIGRATORY BIRD DAY: On Friday in the COW, Kenya introduced its proposal on World Migratory Bird Day (UNEP/CMS/COP11/Doc.19.4). The EU and Ecuador supported the proposal, with Ecuador suggesting a celebration in October. On Sunday, in plenary, the COP adopted the resolution.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP26), the COP invites the UN General Assembly to consider declaring the second weekend in May of each year as World Migratory Bird Day.

CAPACITY BUILDING

IMPLEMENTATION OF THE CAPACITY-BUILDING STRATEGY 2012-2014 AND CAPACITY BUILDING STRATEGY 2015-2017: On Friday in the COW, the Secretariat introduced UNEP/CMS/COP11/Doc.20.1 and 20.2. He stressed the importance of training, highlighted pre-COP workshops held in Chile, Fiji, Zimbabwe and Kyrgyzstan, and requested support to host workshops during the intersessional period. He called for more regional action and training to increase recruitment of new parties. The EU, Argentina, on behalf of Central and South America and the Caribbean, New Zealand and UNEP appreciated the activities and supported the documents.

On Sunday, in plenary, the COP took note of the document on implementation of the capacity-building strategy 2012-2014, and adopted the activities included in the document on the capacity-building strategy 2015-2017.

SYNERGIES AND PARTNERSHIPS

REPORT ON SYNERGIES AND PARTNERSHIPS: On Friday in the COW, the Secretariat encouraged parties to read the report (UNEP/CMS/Doc.21.1). CITES requested that reference to meetings of the Chairs of the Scientific Advisory Bodies of the Biodiversity-related Conventions be included in the document. The COW took note of the document, with CITES’ addition.

DRAFT RESOLUTION ON SYNERGIES AND PARTNERSHIPS: Switzerland introduced the draft resolution contained in UNEP/CMS/COP11/Doc.21.2, noting that this resolution, *inter alia*, requests the Secretariat to continue developing effective and practical cooperation with relevant stakeholders, including other biodiversity instruments and international organizations. The EU supported the resolution, with amendments. On Sunday, in plenary, the COP adopted the amended resolution.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP32), the COP:

- requests the Executive Secretary to inform biodiversity-related agreements about the Strategic Plan for Migratory Species 2015-2023 and pursue further activities related to synergies and partnerships within that framework;
- welcomes the joint work plan between the CMS and CITES Secretariats and further requests the Secretariat to prepare proposals to strengthen cooperation, coordination and synergies with other biodiversity-related conventions; and
- further requests the Secretariat to take action to strengthen implementation of CMS through the processes on the revision of NBSAPs.

DRAFT RESOLUTION: ENHANCING THE RELATIONSHIP BETWEEN CMS FAMILY AND CIVIL

SOCIETY: On Wednesday, in the COW, Ghana introduced the draft resolution (UNEP/CMS/COP11/Doc.21.3/Rev.1), saying it creates a formal avenue for NGOs to engage with CMS. He noted that because NGOs will carry out the tasks, no additional burdens are placed on the Secretariat.

Brazil suggested the resolution focus on more equal engagement. Australia suggested strengthening the reporting mechanisms for NGOs.

Deliberations continued in the governance drafting group on Wednesday. The COW addressed the amended draft resolution on Thursday and forwarded it to plenary, where it was adopted on Sunday.

Final Resolution: In the final resolution (UNEP/CMS/COP11/CRP3), the COP invites the CMS Secretariat, parties, other governments, and NGO partners to, *inter alia*, review options for furthering the relationship between the CMS family and civil society, including: mechanisms to enable NGO-facilitated work to be reported across the CMS family; models for further NGO involvement in CMS processes; and modalities for further strategic engagement with NGOs to provide implementation and capacity-building expertise.

STATEMENTS ON COOPERATION

On Friday, the Secretariat invited the COW to consider in concert three documents on: biodiversity-related MEAs (UNEP/CMS/COP11/Doc.13.1), other intergovernmental bodies (UNEP/CMS/COP11/Doc.13.2), and NGOs (UNEP/CMS/COP11/Doc.13.3). CITES stressed that all biodiversity-related conventions must work together to achieve goals. ASCOBANS, ACCOBAMS, the Agreement on the Conservation of Populations of European Bats (EUROBATS), AEW and the Permanent Commission for the South Pacific reported on activities relevant to CMS.

HIGH-LEVEL MINISTERIAL PANEL

On Monday, a High-Level Ministerial Panel focused on reconciling the apparently conflicting philosophies of the “green economy in the context of sustainable development and poverty eradication” and the “rights of nature.” The panel was moderated by Philippe Cousteau, Jr.

Lorena Tapia, Minister of Environment, Ecuador, noted that Ecuador was the first country in the world to include in its national constitution the “rights of nature,” a legal approach that considers humans and nature as equal members of an integral system of life. Noting that this event was the first high-level segment at a CMS COP, CMS Executive Secretary Chambers, called for panelists to concentrate on complementarity, rather than philosophical differences, between these two approaches to addressing the ecological crisis, namely the “green economy” and the “rights of nature.”

Minister Tapia concluded the panel by acknowledging all the work done to demonstrate the importance of assigning rights to nature.

For more detailed coverage, see <http://www.iisd.ca/vol18/enb1854e.html>

SIGNING CEREMONY

During a signing ceremony held on Wednesday, Sweden signed the MoU on the Conservation of Migratory Sharks (Sharks MoU). Switzerland and the Czech Republic signed the MoU on the Conservation of Migratory Birds in Africa and Eurasia (Raptors MoU). The Environment Agency of Abu Dhabi, on behalf of the UAE, signed a Partnership Agreement extension, including a US\$1.3 million financial contribution. Humane Society International signed a Partnership Agreement.

OTHER MATTERS

DEPOSITARY AND HOST COUNTRY: Germany, as the CMS Depositary, introduced the document (UNEP/CMS/COP11/Doc.11.1), noting that four countries have acceded to the CMS since COP10—Zimbabwe, Swaziland, Fiji, and Kyrgyzstan—bringing the total number of parties to 120. She also said that Afghanistan and Brazil are making arrangements to become parties to the CMS. The COP noted the report.

ARRANGEMENTS FOR HOSTING THE 11TH AND 12TH MEETINGS OF THE CONFERENCE OF THE PARTIES: On Sunday, the COP addressed the draft resolution on Arrangements for Hosting the 11th and 12th Meetings of the Conference of the Parties (UNEP/CMS/COP11/CRP35). The COP welcomed the offer by the Philippines to host COP12. Several parties and NGOs made closing statements praising CMS for such a remarkable number of species listings and resolutions adopted.

CLOSING PLENARY

The COP adopted a draft report of the meeting with the understanding that the Secretariat will be entrusted to finalize the text in the weeks following the meeting. Several parties and NGOs made closing statements praising CMS for adopting such a remarkable number of species listings and resolutions. In closing the meeting, Minister Tapia highlighted that COP11 participants “made borders disappear” by making firm decisions and commitments for action. CMS Executive Secretary Chambers thanked Ecuador for its hospitality and support as well as all COP11 participants.

The COP was gavelled to a close at 2:08 pm.

A BRIEF ANALYSIS OF CMS COP11

“Time for action” was the motto of the eleventh meeting of the Conference of the Parties to the Convention on Migratory Species, and parties responded accordingly. The record number of migratory species listing proposals at COP 11 (32 in total, with 31 adopted) points to an increasing commitment among CMS parties and signatories to address transboundary biodiversity loss. Parties also established the Central Asian Mammals Initiative (CAMI), which offers new models of cooperation among range states to protect migratory species. Other adopted resolutions at COP11 emphasize the benefits of exploring synergies, both internally and externally, such as the resolution on wildlife crime and the resolution on partnerships and synergies.

Nevertheless, all these actions and initiatives are ineffective without adequate implementation, and this is where the call for action faltered at COP11. CMS is one of the few multilateral environmental agreements (MEAs) without a formal review process and compliance mechanism. The proposal at COP11 to establish an intersessional process and working group to investigate the modalities of such a mechanism and its establishment, however, met with what one participant called a “surprising” amount of debate, with a few parties digging in their heels and refusing to establish such a group.

This brief analysis reviews the CMS COP 11 discussions on synergies and species, with an eye to how these discussions will evolve in the future, and assesses the debate on a compliance and review mechanism.

SYNERGIES COP

At the beginning of COP11, some delegates highlighted the potential for this COP to become the “Synergies COP.” The Strategic Plan 2006-2014 calls on the Secretariat to “enter into cooperative activities in pursuit of shared targets with relevant MEAs and key partners increased.” It also urges enhancing effectiveness through reviewing and enhancing its own institutions. The Strategic Plan 2015-2023 extends this sentiment.

In carrying out the mandate of the Strategic Plan 2006-2014, both “internal” and “external” synergies have been pursued, to lesser or greater effect. Internally, there has been greater cooperation between agreements and instruments within the CMS family. Arising from Decision 10.9 (Future Structure and Strategies of the CMS and the CMS Family) and a proposal by the ninth meeting of the AEWa Standing Committee to merge common services between the two Secretariats, an analysis of the potential for merging common services was conducted. While some aspects of shared services between the two instruments have been piloted, namely communications and outreach, others, such as a joint Executive Secretary position, are still to be discussed at CMS COP12 as well as at the upcoming Ninth Meeting of the Parties to AEWa.

The discussions in the CMS COP11 drafting group on governance issues, established on the first day, reflected a concern that discussions on synergies should focus less on those within the CMS family and rather address synergies “on the ground,” particularly in light of the importance of implementation. Some noted that achieving synergies at the implementation level is a lot harder than it seems. Others, however, pointed out that seeking synergies within the CMS family, including through the use of common services between the instruments, is an obvious “low-hanging fruit” to grab. This type of synergy is especially relevant in times where budgetary constraints are becoming an increasingly important issue.

The resolution on wildlife crime urges continued collaboration between CMS and CITES, which builds on the CMS-CITES Joint Work Programme 2015-2020, exemplifies an external synergy. As both conventions encourage the listing of animals, coordination between the two is critical to ensure that action under one convention is consistent with action under the other. The CITES Secretariat reminded delegates of this point frequently during the discussions on listing proposals, as some parties proposed CMS listings that were inconsistent with current CITES listings. For example, the Reef Manta Ray is listed under CMS Appendix I, which prohibits any taking of the animal or specimens. Under CITES, the Reef Manta Ray is listed under Appendix II, which allows specimens to be taken for research. These listings conflict, presenting parties with implementation challenges, and underscoring the importance of coordinating positions across relevant conventions to achieve greater effectiveness and coherence.

SPECIES AND SPECIES INITIATIVES

CMS COP11 was a watershed moment for species listings. Delegates easily reached agreement on an unprecedented amount of listing proposals, with 31 new species being listed in the CMS appendices. This achievement indicates an increased political willingness among parties to address species conservation.

CMS also agreed on the establishment of the Central Asian Mammals Initiative (CAMI). The CAMI offers insight into the potential synergies that can be achieved through close stakeholder collaboration, and also serves as an example of how single species action plans can be brought into the conversation. The Initiative has been developed to include 14 countries, eight of which are parties to the Convention, as a way for CMS to support efforts in those countries. It also addresses 15 species, 11 of which are CMS-listed species. More significantly, the Central Asia region initiated the CAMI, which sets a remarkable precedent as the first regionally-driven collaboration for species protection under CMS.

The development of the CAMI illustrates how parties can take steps to bring together all stakeholders and link single species action plans that are likely to benefit from more holistic management. In this case, countries in the region came together to address species conservation irrespective of their status as parties to the Convention. Another benefit of the Initiative is that it includes species not currently listed in the CMS appendices. This could further advance the potential of on-the-ground synergies that may otherwise be difficult to realize. Further, CAMI also provides for more cost-effective cross-border protection of species.

For any initiative to prove successful, much less become the model for future regional cooperation under the CMS, it needs buy-in from all stakeholders. As the stakeholders themselves agreed on the CAMI Programme of Work, it seems likely that action taken under the Initiative will benefit migratory species conservation in Central Asia.

COMPLIANCE

Many have recognized that MEAs are, in general, strengthened through having a review and compliance mechanism. While CMS has a national reporting mechanism, it lacks other aspects of a compliance mechanism, such as procedures to settle disputes and to consider and respond to parties’ difficulties in implementation. The original draft resolution (UNEP/CMS/COP11/Doc.18.3) proposed establishing an intersessional process to consider approaches to such a mechanism and establish a working group to provide a draft review process for consideration at COP12.

Several participants expressed opposition to the establishment of the intersessional process. A few parties, members of the Secretariat and NGOs expressed surprise at the opposition; as some noted, a compliance mechanism is “not about punishment,” but rather about identifying gaps in implementation and building capacity. Objections raised by parties primarily centered on resource concerns. Given that the budget debate focused on discussions of zero nominal growth versus zero real growth, it was not surprising that participants voiced concerns regarding resource constraints and additional burdens on the Secretariat. However, the consideration of establishing a mechanism and presenting a draft to COP12 would not have resulted in additional increases in parties’ contributions. In addition, a few parties volunteered funding for exploring possible avenues for a review mechanism, potentially eliminating such concerns. One party, however, explained that its concerns did not stem solely from an unwillingness to commit any additional funding. Instead, the party concerned said it was unwilling to commit

resources without seeing a clear breakdown of the cost of such a mechanism versus its potential benefits.

On Saturday night, before the last day of the COP, a coalition of NGOs circulated an email to all participants expressing their “extreme disappointment” in the potential and, in their view, likely, delay of establishing a review mechanism. They emphasized the detrimental effect it could have on the conservation of migratory species and urged parties to take more concrete action to establish a compliance mechanism.

The eventually agreed-on resolution (UNEP/CMS/COP11/CRP24) offers a less concrete and less effective way forward that places no obligation on parties and organizations to contribute to this intersessional process. Delegates reached a compromise that instructs the Secretariat to propose terms of reference for a working group to be considered for adoption at the 44th meeting of the CMS Standing Committee. It also asks the Standing Committee to review progress on this issue and report back to COP12. As one resigned party said, this compromise delays the establishment of a compliance mechanism as a draft review process by several years. If the Standing Committee does not present a draft at COP12, in three years’ time, the mechanism’s establishment will be delayed by at least six years.

TIME FOR ACTION?

Was it truly “time for action” at COP11? The answer is both yes and no. Three major aspects of COP11—species listings and initiatives, exploiting synergies and a potential compliance mechanism—sought to strengthen the Convention and support its unique position of dealing with migratory species conservation. CMS COP11 did strengthen implementation through the CAMI’s establishment as well as through seeking potential synergies within the CMS family and with other conventions.

At the same time, the inability of parties to agree on a more defined intersessional process to establish a compliance mechanism calls into question their willingness to genuinely strengthen CMS, hinting that political will for migratory species’ conservation and management may be weakening. For CMS to tackle the real and urgent threats facing migratory species, parties need to take additional steps and demonstrate their commitments, whether through agreement on a compliance mechanism, ensuring that decisions taken at CMS complement existing CITES listings (or, conversely, proposing complementary listings at the next CITES COP), or through regionally driven agreements such as the CAMI. Although “time for *some* action” might better summarize the spirit of CMS COP11, solid and promising foundations for progress were established in Ecuador, paving the way for synergies, regional cooperation and more action down the road.

UPCOMING MEETINGS

IUCN World Parks Congress 2014: The theme of the sixth International Union for Conservation of Nature World Parks Congress is “Parks, people, planet: inspiring solutions.” The Congress aims to encourage discussion on, and create original approaches for, conservation and development. **dates:** 12-19 November 2014 **location:** Sydney, Australia **contact:** Congress Secretariat **phone:** +61-2-9254-5000 **fax:** +61-2-9251-3552 **email:** info@worldparkscongress.org **www:** <http://worldparkscongress.org/>

INTERPOL Environmental Compliance and Enforcement Committee Meetings: INTERPOL will host the Environmental Compliance and Enforcement Committee, together with the Wildlife Crime, Fisheries Crime and Pollution Crime Working Groups. These meetings will be dedicated to developing practical law enforcement responses and to coordinating projects focused on such areas as capacity building and intelligence gathering across the environmental crime spectrum. **dates:** 25-27 November 2014 **location:** Lyon, France **contact:** INTERPOL Secretariat - Environmental Crime Unit **email:** environmentalcrime@interpol.int **www:** <http://www.interpol.int/Crime-areas/Environmental-crime/Events>

Lima Climate Change Conference: The 20th session of the Conference of the parties (COP 20) to the UNFCCC and 10th session of the Conference of the Parties serving as the Meeting of the Parties (CMP) to the Kyoto Protocol will take place in Lima, Peru. Also meeting will be SBSTA 41, SBI 41 and ADP 2.7. **dates:** 1-12 December 2014 **location:** Lima, Peru **contact:** UNFCCC Secretariat **phone:** +49-228-815-1000 **fax:** +49-228-815-1999 **email:** secretariat@unfccc.int **www:** http://unfccc.int/meetings/lima_dec_2014/meeting/8141.php

44th Bern Convention Standing Committee Meeting: The aims of the Bern Convention Standing Committee are to conserve wild flora and fauna and their natural habitats and to promote European co-operation in that field. Participants are expected to discuss issues such as invasive alien species, protected areas, illegal killing of birds, among others. The Committee will also assess the complaints submitted by citizens and NGOs for presumed breaches of the Convention by parties. **dates:** 2-5 December 2014 **location:** Strasbourg, France **contact:** Ivana d’Alessandro **phone:** +33-390-21-51-51 **email:** Ivana.DALESSANDRO@coe.int **www:** http://www.coe.int/t/dg4/cultureheritage/nature/Bern/Institutions/StandingCommittee_122014_en.asp

CBD Expert Workshop to Prepare Practical Guidance on Preventing and Mitigating the Significant Adverse Impacts of Marine Debris on Marine and Coastal Biodiversity and Habitats: Organized by the Convention on Biological Diversity Secretariat with support from the European Commission, this workshop will bring together nominated experts to discuss the impacts of marine debris on marine and coastal biodiversity and habitats. **dates:** 2-4 December 2014 **location:** Baltimore, US **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/doc/?meeting=MCBEM-2014-03>

First Arctic Biodiversity Congress: Organized by the Arctic Council’s Conservation of Arctic Flora and Fauna (CAFF), the goals of the Arctic Biodiversity Congress include presenting and discussing the main scientific findings in the Arctic Biodiversity Assessment (ABA); facilitating interdisciplinary discussion, action and status updates on the ABA recommendations among scientists, government officials, policy makers, traditional knowledge holders, indigenous peoples and industry representatives; and advising CAFF on national and international implementation of the ABA recommendations and on development of an ABA Implementation Plan for the Arctic Council Ministerial Meeting in 2015. **dates:** 2-4 December

2014 **location:** Trondheim, Norway **contact:** CAFF Secretariat **phone:** +354-462-3350 **email:** caff@caff.is **www:** <http://www.arcticbiodiversity.is/congress>

WIPO Workshop for Indigenous Peoples and Local Communities on Intellectual Property and Traditional Knowledge: Organized by the World Intellectual Property Organization (WIPO), this workshop will include about 14 participants from each of the seven geo-cultural regions recognized by the UN Permanent Forum on Indigenous Issues. **dates:** 3-5 December 2014 **location:** Geneva, Switzerland **contact:** WIPO Secretariat **fax:** +41-22-338-8120 **email:** grtkf@wipo.int **www:** <http://www.wipo.int/tk/en/indigenous/workshop.html>

Third Session of the Intergovernmental Platform on Biodiversity and Ecosystem Services Plenary: The third session of the IPBES plenary will review progress made on the adopted IPBES work programme for 2014-2018, including the related budget and institutional arrangements for its implementation. In addition, the third session of the IPBES plenary will select the members of the Multidisciplinary Expert Panel (MEP) based on the nominations received from governments. **dates:** 12-17 January 2015 **location:** Bonn, Germany **contact:** IPBES Secretariat **email:** secretariat@ipbes.net **www:** <http://www.ipbes.net>

Eighth Meeting of Partners of the East Asian-Australasian Flyway Partnership (EAAFP): The 8th Meeting of Partners to the East-Asian Australasian Flyway Partnership is hosted by the Ministry of Environment, Japan, and Kushiro City. **dates:** 16-21 January 2015 **location:** Hokkaido, Japan **contact:** East Asian-Australasian Flyway Partnership Secretariat **phone:** +82-32-458-6500 **fax:** +82-32-458-6508 **email:** secretariat@eaaflyway.net **www:** <http://www.eaaflyway.net/the-partnership/partners/meetings-of-partners/mop-8/>

Ninth Ad Hoc Open-ended Informal Working Group to Study Issues Relating to the Conservation and Sustainable Use of Marine Biodiversity beyond areas of national jurisdiction: This meeting aims to make recommendations to the UN General Assembly on the scope, parameters and feasibility of an international instrument under the UN Convention on the Law of the Sea. **dates:** 20-23 January 2015 **location:** UN Headquarters, New York **contact:** UN Division for Ocean Affairs and the Law of the Sea **email:** doalos@un.org **www:** <http://www.un.org/Depts/los/biodiversityworkinggroup/biodiversityworkinggroup.htm>

Ramsar COP12: The 12th Meeting of the Conference of the Contracting parties to the Ramsar Convention on Wetlands (COP12) will meet in Uruguay. **dates:** 1-9 June 2015 **location:** Punta del Este, Uruguay **contact:** Ramsar Secretariat **phone:** +41-22-999-0170 **fax:** +41-22-999-0169 **email:** ramsar@ramsar.org **www:** <http://www.ramsar.org/>

AEWA MOP6: The 6th Session of the Meeting of the Parties (MOP6) to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) will mark the 20th Anniversary of AEWA. **dates:** 9-14 November 2015 **location:** Bonn, Germany **contact:** UNEP/AEWA Secretariat **phone:** +49-228-815-2413 **fax:** +49-228-815-2450/2470 **email:** aewa@unep.de **www:** <http://www.unep-aewa.org/>

Second Meeting of the UN Environment Assembly: The UN Environment Assembly (UNEA) of UNEP will convene for the second time in 2016, representing the highest level of governance of international environmental affairs in the UN system. **dates:** 23-27 May 2016 **location:** Nairobi, Kenya **contact:** Jiri Hlavacek, UNEP **phone:** +254-20-7621234 **email:** unepinfo@unep.org **www:** <http://www.unep.org/>

CITES COP17: The Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora will convene for its seventeenth session. **dates:** October 2016 **location:** South Africa **contact:** CITES Secretariat **phone:** +41-22-917-81-39/40 **fax:** +41-22-797-34-17 **email:** info@cites.org **www:** <http://www.cites.org/>

CBD COP13, Cartagena Protocol COP/MOP 8, and Nagoya Protocol COP/MOP 2: These meetings are expected to take place concurrently in 2016. **dates:** November 2016 **location:** Los Cabos, Mexico **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/>

CMS COP12: The twelfth meeting of the Conference of the Parties (COP12) to the Convention on the Conservation of Migratory Species of Wild Animals will be held in 2017. **dates:** TBC, 2017 **location:** the Philippines **contact:** CMS Secretariat **phone:** +49-228-815-2401 **fax:** +49-28-815-2449 **email:** secretariat@cms.int **www:** <http://www.cms.int>

For additional meetings and updates, please visit <http://biodiversity-l.iisd.org/>

GLOSSARY

ACCOBAMS	Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area
AEWA	Agreement on the Conservation of African-Eurasian Migratory Waterbirds
ASCOBANS	Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas
CAMI	Central Asian Mammals Initiative
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COP	Conference of the Parties
COW	Committee of the Whole
FAO	UN Food and Agriculture Organization
IAF	International Association for Falconry and Conservation of Birds of Prey
IUCN	International Union for the Conservation of Nature
MEA	Multilateral environmental agreement
MoU	Memorandum of Understanding
NBSAP	National Biodiversity Strategy and Action Plan
NGOs	Non-governmental organizations
POW	Programme of Work
ToR	Terms of Reference
UAE	United Arab Emirates
UNEP	United Nations Environment Programme