

## CMS COP10 HIGHLIGHTS:

### TUESDAY, 22 NOVEMBER 2011

CMS COP10 convened on Tuesday, 22 November, in Bergen, Norway. Working groups on the saker falcon, the strategic plan, marine species, the joint working group on the budget and the future shape of the Convention, and the budget working group with no observers allowed, continued meeting as the CoW addressed a thick agenda of, *inter alia*, national reports, cooperation and synergies of biodiversity-related multilateral environmental agreements (MEAs), the role of IPBES, budget and strategic plans. In the evening, donors convened at the Donor's reception.

#### COMMITTEE OF THE WHOLE

**REPORTS FROM CONVENTION AND AGREEMENT BODIES AND UNEP:** CoW Chair James Lutalo (Uganda) invited delegates to continue discussions on reports from convention, agreement bodies and UNEP on the implementation of CMS. Margaret Oduk, UNEP, presented the report of activities undertaken by UNEP (UNEP/CMS/Inf.10.17).

**DEPOSITARY AND HOST COUNTRY:** GERMANY presented the report of the Depositary for the triennium 2009-2011 (UNEP/CMS/Conf.10.6/Rev.1), noting that six countries have acceded to the CMS since COP9, bringing the total number of parties to 116, as of 1 August 2011. She also described Germany's efforts to encourage more countries to become parties to CMS.

**NATIONAL REPORTS:** The CMS Secretariat introduced documents on the analysis and synthesis of national reports (UNEP/CMS/Conf.10.11 and Annex), noting that 79 reports have been received by the Secretariat, but only those submitted by the 10 June deadline were included in the analysis.

Underscoring that national reports provide a means to assess the status of implementation of the Convention and guide strategic priorities, Kelly Malsch, UNEP-World Conservation Monitoring Center (WCMC), outlined the report's findings on main threats to Appendix I-listed species. Malsch highlighted the four most prominent threats: bycatch; habitat loss; poaching and illegal trade; and man-made obstacles.

**COOPERATION AND SYNERGIES WITH BIODIVERSITY RELATED MEAS:** The CMS Secretariat introduced the relevant document (UNEP/CMS/Conf.10.26. Rev.1) and the draft guidance on the integration of the conservation of migratory species issues to National Biodiversity Strategies and Action Plans (NBSAPs) (UNEP/CMS/Conf.10.27), linked to the guidelines on integration of migratory species into NBSAPs (UNEP/CMS/Res.10.18.Rev.1). She said the CMS Secretariat engages partnerships through formal agreements and MoUs implemented through joint work plans citing cooperation with CITES, UN Convention on Biological Diversity and Ramsar detailed in UNEP/CMS/Inf.35, Inf.36 and Inf.37.

The EU and its member states suggested considering budgetary implications, including additional text aimed at highlighting the need to avoid duplication of efforts.

**CURRENT STATUS AND "FUTURE SHAPE" OF THE CONVENTION: Extension of the ACCOBAMS Area:** The CMS Secretariat presented updates on parties' agreements with ACCOBAMS, saying that a proposal by Spain and Portugal to extend the agreement to cover cetaceans in their geographical area was accepted. She said that even though this creates overlaps with the ASCOBANS area, mechanisms of cooperation are already in place.

**Merger of CMS and ASCOBANS Secretariat functions:** The ASCOBANS Working Group Chair reported that the group had carried out an evaluation of the joint CMS/ASCOBANS Secretariat, which was accepted by the advisory committee in April 2011 and is presented to COP10 in document UNEP/CMS/Inf.10.32.

**CMS STRATEGIC PLAN 2006-2011:** The CMS Secretariat introduced the document UNEP/CMS/Conf.10.21 on the Strategic Plan 2006-2011 focusing on the period of the last triennium. Egypt suggested that activities in the strategic plan be linked with the future shape process. The EU and its member states said that the plan lacked information on difficulties encountered in implementation of activities and asked that these be included.

**STRATEGIC PLAN 2006-2014:** The Secretariat introduced discussion on the updated strategic plan 2006-2014 (UNEP/CMS/Conf.10.22.Rev.1), noting that, on the basis of recommendations of the Standing Committee, the proposal was to include activities for the next triennium in the existing strategic plan by updating and extending the plan to 2014. He then introduced a draft resolution on the CMS Strategic Plan 2015-2020 (UNEP/CMS/Res.10.5.Rev.1), which includes the Terms of Reference for an intersessional working group mandated to work on the new strategic plan.

**EXECUTION OF CMS BUDGET 2009-2011:** The CMS Secretariat introduced the document on the execution of the budget 2009-2011 (UNEP/CMS/Conf.10.18a), highlighting that outstanding country contributions amounted to €309,446 in 2011, and urging countries with payments in arrears to make their contributions.

**RESOURCE MOBILIZATION:** The CMS Secretariat introduced the report on resource mobilization (UNEP/CMS/Conf.10.19), outlining areas of work supported by voluntary contributions, including: work on the future shape of the CMS; outreach; capacity building; negotiation of new instruments; and servicing of CMS instruments, such as the West African elephants and aquatic warbler MoUs. She also listed the actions requested of the COP, *inter alia*, to acknowledge and appreciate financial and in-kind support from donors, urge the provision of additional extra-budgetary resources and be open to new and innovative ways of meeting the Convention's financial needs.

**INTERGOVERNMENTAL PLATFORM ON**

**BIODIVERSITY AND ECOSYSTEM SERVICES:** The CMS Secretariat presented the background note and draft resolution on cooperation between the Inter-governmental Platform on Biodiversity and Ecosystem Services (IPBES) and CMS (UNEP/CMS/Conf.10.47 and UNEP/CMS/Res.10.8).

The EU and its member states noted the importance of CMS liaising with IPBES, to ensure migratory species are included in the Platforms' work, and, subject to available resources, urged the CMS to participate in IPBES' scientific assessments.

**ENHANCED ENGAGEMENT WITH THE GEF:** The CMS Secretariat introduced document UNEP/CMS/Conf.10.41 and draft resolution (UNEP/CMS/Res.10.25), noting that no formal mechanism exists for CMS to access GEF funds. For longer-term support she said CMS would need to be designated as a convention for which the GEF is a financial mechanism.

**CMS ACTIVITIES AND KEY ISSUES: Measures to improve the conservation status of Appendix I and II species:**

**Progress on concerted and other actions for CMS species that are not covered by an Article IV instrument:** The CMS Secretariat presented the report (UNEP/CMS/Conf.10.12), reporting on progress on the Sahelo-Saharan Megafauna Action Plan and the Central Eurasian Arid Mammals Action Plan.

**Development of new and future Agreements:** On development of new and future agreements, the CMS Secretariat presented the report on new agreements (UNEP/CMS/Conf.10.9) and resolution document (UNEP/CMS/Res.10.16) on perspectives for future agreements. She also presented the gap analysis on Central African elephant conservation (UNEP/CMS/Conf.10.46) and a detailed gap analysis report, (UNEP/CMS/Inf.10.27), providing three options for CMS to consider: a legally binding agreement; provision of capacity building support; or facilitated consultation with Central African CMS countries.

**Other measures to promote the conservation of Appendix I species and to promote the conservation and sustainable management of Appendix II species:** The CMS Secretariat introduced the agenda items on other measures to promote the conservation of Appendix I species and to promote the conservation and sustainable management of Appendix II species, and introduced the associated draft resolution on concerted and cooperative actions (UNEP/CMS/Res.10.23). Noting that the list of species in the CMS Appendices continues to increase, with species not having been taken off the list since COP8, she explained the draft resolution reviews the list of species on both Appendices and proposes the removal of species already covered by CMS instruments.

NEW ZEALAND recommended that the ten key actions for remedying problems, listed in UNEP/CMS/Conf.10.36 on management of Appendix II species, be added as an annex to the draft resolution.

**BIRD FLYWAY CONSERVATION POLICY:** Noting the activities of the CMS Flyways Working Group during the intersessional period, the CMS Secretariat introduced the Bird Flyway Conservation Policy (UNEP/CMS/Conf.10.23) and the associated draft resolution on guidance on global flyway conservation and options for policy arrangements (UNEP/CMS/Res.10.10).

Taej Mundkur, Chair of the CMS Flyways Working Group, outlined the mandate, representation, review work and meetings of the working group, and described progress on global coordination and streamlining of work on flyways.

**THESIS AWARD CEREMONY:** The Secretariat then held a COP10 Thesis Award Ceremony, with the winner, Lucy King, presenting on her work on the interaction between the African elephant and the African honeybee and its application as an elephant deterrent.

**WORKING GROUPS**

**SAKER FALCON:** This working group continued discussions in the morning and afternoon. Some noted that failure to list the saker falcon would not be consistent with the mandate given at COP9, citing that the decision was that the saker falcon would be listed unless data provided intersessionally

showed that the population had significantly improved. Another participant stressed that the listing would not contribute to curbing illegal trade.

In the afternoon, on the basis of the discussions, the Secretariat prepared a draft statement indicating that supporting the EU-led uplisting proposal would lead to the designation of species for concerted and cooperative action; whereas turning down the proposal would mean an international task force would be established to develop a coordinated global action plan.

**BUDGET/FUTURE SHAPE:** The joint budget/future shape working group continued its deliberations on the selection of the 16 themed activities developed by the intersessional working group. Begonia Tulloch (ERIC) said the themes contain a number of activities categorized into three timeframes – short (by COP11), medium (by COP12) and high (by COP13). The working group agreed to first rank the themes according to “high,” “medium” and “low” priority and then consider the individual activities. One participant emphasized coherence, noting a number of draft resolutions being considered by COP10, and others urged feeding into the strategic plan discussions.

For Theme 6 (coordinated strategic plan for the CMS family), Theme 11 (coordination of meetings) and Theme 12 (growth of the CMS family), the group was in agreement on “high” priority. For the remaining themes, the group assigned differing levels of priority, noting in some cases the need to consider individual activities under each.

For Theme 3 (enhancing scientific research and information), many favored high priority, referring to significant data gaps, but some preferred medium given the increased workload implications and the existence of, for example, the IPBES. For Theme 5 (global gap analysis and resource analysis), participants favored medium and high, while some lamented this had not been carried out earlier in the process. For Theme 14 (seeking fundraising opportunities), one participant emphasized tapping into innovative financing measures and the group agreed medium and high.

The working group then commenced considering the individual activities, suggesting short-term activities could be prioritized for the budget discussions. The working group then convened in a closed session to discuss the budget and agreed to continue discussions on the future shape on Wednesday.

**MARINE ISSUES:** In the evening, the marine issues working group, chaired by Barry Baker, Australia, continued discussions on marine debris (UNEP/CMS/Res.10.4) and the global programme of work for cetaceans (UNEP/CMS/Res.10.15).

**IN THE CORRIDORS**

The day was a busy one with delegates scattered across different venues, migrating during the day from regional meetings, to the CoW, side events and back to working groups. In their short migrations, while navigating the cobbled streets, some expressed hope for the donor reception given the interest raised by the launch of the Ecological Networks publication on Monday and others highlighted positive interactions with “real conservation” projects and scientists that CMS enables in the spirit of “networking for conservation.” Yet, perched high in a room in the Scandic Hotel, the working group on Saker falcon grappled with the serious question of “to list or not to list” the falcon. This was, in one delegate’s words “a moment of truth” for CMS that could demonstrate whether it is a convention that can generate the political will to deliver on its commitments, such as the one made at CoP9 with regard to the falcons.