

CMS COP12 HIGHLIGHTS: WEDNESDAY, 25 OCTOBER 2017

CMS COP12 resumed Wednesday, 25 October. Participants heard a keynote speech from Erik Solheim, UN Environment Executive Director, and reports from UN Environment, the CMS daughter agreements, and the working groups. The Committee of the Whole (CoW) then continued its work, discussing the remaining aquatic and avian species conservation issues, national reports, synergies and partnerships, and the Strategic Plan for Migratory Species 2015-2023 (SPMS).

In the afternoon, the CoW resumed. Participants discussed: the Manila Declaration on Sustainable Development and Migratory Species; crosscutting conservation issues, including marine debris, climate change, bycatch, and the conservation implications of animal culture and social complexity; the future shape and strategies of CMS and the CMS Family; and taxonomy.

The working groups and the Budget Committee met over the course of the day to continue their work.

UN ENVIRONMENT EXECUTIVE DIRECTOR'S ADDRESS

Erik Solheim, Executive Director, UN Environment, welcomed new parties to the CMS, underlining the importance of Brazil's membership as it is the most megadiverse country. Outlining spiritual, ecosystem, and economic arguments for biodiversity protection, he asked: "Who are we to put ourselves in the place of God and destroy the beauty of the planet?" Solheim highlighted examples of progress, called for embracing the private sector, and stressed that UN Environment will "defend the defenders" of wildlife.

REPORT OF UN ENVIRONMENT

UN Environment reported on key actions supporting CMS implementation. She noted programmatic collaboration, administrative management support, and cited several resolutions adopted at the last UN Environment Assembly (UNEA), including on the themes of the 2030 Agenda, chemicals and waste, microplastics, UN convention synergies, illegal trade of wildlife products, and mainstreaming biodiversity for human wellbeing.

STATEMENTS ON COOPERATION FROM IGOS AND NGOS

AEWA reported that it now has 77 parties, has translated the agreement into Portuguese and Arabic, and has a €5 million joint project with the FAO in North Africa, supported by the European Commission.

The Agreement on the Conservation of Populations of European Bats (EUROBATS) reported that they have increased in size and effectiveness, now providing species' common names in all national languages; a fundamental step to bring the species closer to people.

ACCOBAMS described activities, including addressing: noise pollution, fishing nets, collisions, pollution, watching activities, awareness raising, and establishment of a harmonized monitoring system.

The Agreement on the Conservation of Albatrosses and Petrels (ACAP) described their provision of technical advice on conservation guidelines, eradication of introduced species, advice for artisanal and small scale fisheries, and bycatch.

COMMITTEE OF THE WHOLE

CONSERVATION ISSUES: Aquatic Species: Conservation and Management of Whales and their Habitats in the South Atlantic Region: Brazil and South Africa reported on their bilateral consultations on the action plan (UNEP/CMS/COP12/Doc.24.2.6). They agreed on two amendments: one referencing the role and mandate of the IWC and other relevant international organizations; and the other on the consideration of parties' respective capabilities in implementing the action plan. Hearing no objection, CoW Chair Rod Hay said this was accepted and will be forwarded to the plenary for adoption.

Avian Species: Action Plan for the Yellow-Breasted Bunting: The Secretariat presented document UNEP/CMS/COP12/Doc.24.1.5, noting that the action plan covers species wintering areas where hunting, capture, and trade occur, adding it would be finalized in 2018. The EU supported the draft decision authorizing the Standing Committee to adopt the action plan intersessionally, as contained in the Action Plan for Birds (UNEP/CMS/COP12/Doc.24.1.11). The CoW forwarded it to the plenary for adoption.

Action Plan for the European Turtle Dove: The Secretariat presented document UNEP/CMS/COP12/Doc.24.1.6, noting a drastic decline of the species over 30 years. Since the action plan was not yet ready, the CoW forwarded the draft resolution to plenary to be considered for intersessional work.

Action Plan for the Far Eastern Curlew: Australia presented document UNEP/CMS/COP12/Doc.24.1.7, noting that over 30 years, an 81% species decline has occurred due to the ongoing loss of mudflats in the Yellow Sea. He reported approval of the action plan by all East Asian-Australasian Flyway Partnership (EAAFP) partners, and that it is ready for adoption. The CoW forwarded it for adoption by the COP.

Action Plan for the Baer's Pochard: The Secretariat presented the action plan (UNEP/CMS/COP12/Doc.24.1.8), noting it was endorsed by the Scientific Council in 2016 and requires urgent implementation due to fewer than 200 individuals surviving in the wild. The CoW forwarded the document for adoption by the COP.

Action Plan for the European Roller: The Secretariat presented document UNEP/CMS/COP12/Doc.24.1.9, noting the similarity in conservation actions proposed with the European turtle dove, and that it was not ready for adoption at COP12. The CoW forwarded the draft resolution to plenary to be considered for intersessional work.

Action Plans for Birds: The Secretariat presented UNEP/CMS/COP12/Doc.24.1.11/Rev.1 for adopting action plans for the Baer's pochard, Far Eastern curlew, and yellow-breasted bunting. The resolution also requests the action plans for the European turtle dove and the European roller be adopted during the upcoming intersessional period. It was forwarded for adoption by the COP.

SPMS 2015-2023: Strategic Plan Working Group Chair Ines Verleye (Belgium) introduced UNEP/CMS/COP12/Doc.15, noting that Resolution 11.2 adopted the SPMS. She recommended that COP12: take note of the report; adopt the amendments to Resolution 11.2; endorse the approach taken for the companion volume; adopt the set of indicators contained in Annex B; and endorse the further development of the Indicator Factsheets. Citing the COP11 mandate to develop new or identify existing indicators, she reported the working group developed a set of 19 indicators. Stressing that the data gathering process should not create an extra burden for parties or the Secretariat, the EU proposed deleting Annex 2 draft decisions and decisions under Agenda Item 19.2 on national reporting format. SOUTH AFRICA supported further developing the reporting format to ensure the SPMS is appropriately captured. The CoW established an *ad hoc* working group to address both the SPMS and national reports.

NATIONAL REPORTS: Revision of the Format for National Reports: The Secretariat introduced UNEP/CMS/COP12/Doc.19.2, which aims to assess the implementation of the SPMS and streamline information sharing through a more simplified and coherent method that considers other UN conventions. The EU offered minor editorial suggestions and proposed having the new reporting format available at least one year prior to COP13, to allow appropriate planning. SEYCHELLES supported the document but cautioned against the risks of additional reporting burdens for small island developing states, proposing the extension of reporting deadlines.

SYNERGIES AND PARTNERSHIPS: The Secretariat introduced UNEP/CMS/COP12/Doc.23.1, which reports on progress on Resolution 11.10 (synergies and partnerships) and 11.11 (enhancing the relationship between the CMS Family and civil society). The Secretariat noted revisions to Resolution 11.10 and the repeal of Resolution 11.11. GHANA and BRAZIL called for Resolution 11.11 to be retained since the Secretariat has not completed the task. GHANA added that Wild Migration would take the lead in civil society consultations and report to COP13. The EU said it would submit amendments. WILD MIGRATION said NGOs and civil society are committed to working with the CMS and, if Resolution 11.11 is retained, they will bring this work forward. CoW Chair Hay referred this item to a small discussion group facilitated by the Secretariat.

MANILA DECLARATION ON SUSTAINABLE DEVELOPMENT AND MIGRATORY SPECIES: The Philippines introduced UNEP/CMS/COP12/Doc.27, stressing that COP12 is a crucial opportunity to renew commitment

to migratory species and set standards that will impact legal, political, social, and economic frameworks. He said the Declaration emphasizes the importance of achieving, by 2030, sustainable development in its three dimensions and the significance of the "Our Oceans, Our Future Call for Action" declaration adopted at the June 2017 UN Ocean Conference. He said it also recommends: promoting high-level political awareness and support; improving stakeholder engagement; creating opportunities for livelihood support; integrating the SPMS goals and targets into the work programmes under the Convention; and engaging in preparations for the post-2020 follow-up to the Strategic Plan for Biodiversity. He concluded by asking: "If we will not act, who will? When will we act, if not now?" The EU, MONACO, BRAZIL, and KENYA supported the document. The CoW forwarded the resolution to plenary for adoption.

CROSSCUTTING CONSERVATION ISSUES: Marine Debris: The Secretariat introduced UNEP/CMS/COP12/Doc.24.4.1, noting it had been updated to include microplastics. The CoW agreed to wait until the Aquatic Working Group concluded consideration of this item.

Climate Change and Migratory Species: Chair of the Working Group on Climate Change, Colin Galbraith, introduced UNEP/CMS/COP12/Doc.24.4.2 and provided an overview of the negative impacts of climate change on species, noting the complex ecosystem problems affecting nature and human well-being. The EU called for enhancing action on biodiversity conservation, beyond limiting global warming to a 1.5°C increase. BRAZIL commended the work, suggesting minor editorial changes. MONGOLIA strongly supported the resolution due to its crosscutting nature. Chair Hay suggested the EU and Brazil work bilaterally to finalize the text.

Conservation Implications of Animal Culture and Social Complexity: Chair of the Expert Group on Animal Culture, Giuseppe Notarbartolo di Sciara, introduced UNEP/CMS/COP12/Doc.24.4.3. The EU suggested minor amendments, which were accepted after interventions from ACCOBAMS and WHALE AND DOLPHIN CONSERVATION.

Bycatch: Barry Baker, Scientific Councillor for Bycatch, introduced UNEP/CMS/COP12/Doc.24.4.4, which consolidates previous resolutions. He noted the Aquatic Working Group concluded its work on this document. ARGENTINA asked for revisions on cooperation with other range states and research into the effects of injuries on species conservation. ECUADOR, supporting Argentina, provided an amendment on reporting on solutions. PERU supported both proposals. The IWC noted its Scientific Committee's efforts to address bycatch. SPREP described its bycatch mitigation project. HUMANE SOCIETY INTERNATIONAL said the most recent estimates of bycatch are much too low. The Chair asked the Secretariat and Baker to incorporate the amendments.

Sustainable Boat-based Marine Wildlife Watching Tourism: The Secretariat presented UNEP/CMS/COP12/Doc.24.4.5, which contains guidelines for boat-based wildlife watching of sirenians, pinnipeds, elasmobranchs, seabirds, and marine turtles. The Secretariat reported working with the IWC to develop an online Handbook for Whale Watching, adding that the Aquatic Working Group had considered and concluded this issue after making minor amendments.

The IWC confirmed that the Handbook for Whale Watching will be completed by September 2018. ACCOBAMS described its development of guidelines for monitoring adverse impacts of whale watching activities on cetaceans.

Energy and Migratory Species: The Secretariat introduced UNEP/CMS/COP12/Doc.24.4.6, noting the establishment of a multi-stakeholder task force. He added that the Scientific Council has proposed an additional draft decision. The CoW endorsed the proposed decision with this addition and forwarded it to the plenary for adoption.

Addressing Unsustainable Use of Terrestrial and Avian Wild Meat: The Secretariat introduced document UNEP/CMS/COP12/Doc.24.4.7, noting it is not clear how CMS-listed species are affected by unsustainable use of wild meat. She said that the draft decisions seek to fill the knowledge gap by: preparing an analysis; allowing the COP presidencies of the CMS, CBD, and CITES to raise the issue on the global policy agenda; and cooperating with the FAO on its sustainable wildlife management programme. ACAP drew attention to the harvest of albatross in the South Atlantic. The Terrestrial Working Group Chair reported that the group had addressed the issue and was close to a decision.

Sustainable Tourism and Migratory Species: The Philippines introduced UNEP/CMS/COP12/Doc.24.4.8, noting the proposed resolution appeals to parties to adopt appropriate measures to ensure ecotourism activities do not negatively affect species in their migratory range. The EU suggested rephrasing the text. ECUADOR stressed ecotourism could disrupt population dynamics, especially in breeding sites. NORWAY said the resolution needs a guidance document. The Chair established a contact group, coordinated by the Philippines with input from the EU, Ecuador, and Norway.

Promoting Marine Protected Area Networks in the ASEAN Region: The Philippines introduced UNEP/CMS/COP12/Doc.24.4.9, highlighting the vitality of ecological networks for marine migratory species and emphasized the importance of regional cooperation, especially in Southeast Asia. The CoW forwarded the document to the plenary for adoption.

Promoting Conservation of Critical Intertidal and other Coastal Habitats for Migratory Species: The Philippines introduced UNEP/CMS/COP12/Doc.24.4.10, stressing the urgent need to address coastal habitats and proposed a global conservation forum to address the specificities of this ecosystem. Following a statement from BIRDLIFE INTERNATIONAL, AUSTRALIA reemphasized its commitment to its obligations under the Ramsar Convention. NORWAY supported the draft resolution. The EU and the Philippines agreed to work on small editorial changes.

Improving Ways of Addressing Connectivity in the Conservation of Migratory Species: Scientific Council Chair Fernando Spina introduced UNEP/CMS/COP12/Doc.24.4.11 and recalled that the draft decision proposes, *inter alia*: support for data management, integration of existing datasets, and further research on connectivity. INDIA emphasized the importance of science-based policies. NORWAY called for support for more connectivity science, supported by KENYA, ANGOLA, COSTA RICA, BIRDLIFE INTERNATIONAL, and ECUADOR for South and Central America and the Caribbean. With suggested editorial changes from the EU, the CoW forwarded the draft decision to the plenary.

Transfrontier Conservation Areas for Migratory Species: The Secretariat introduced UNEP/CMS/COP12/Doc.24.4.12, highlighting that although many migratory species occupy large ranges, protected areas provide insufficient space. The draft decision calls for the Transfrontier Conservation Areas (TFCA)

approach to be expanded outside Africa. The Secretariat said the approach had already been discussed in the Terrestrial Working Group. The CoW Chair said they would await the revised text.

Community Participation and Livelihoods: The Secretariat introduced UNEP/CMS/COP12/24.4.13, which includes draft decisions instructing the Secretariat to compile best practice case studies for involving local communities in the conservation of CMS-listed species. She said the Terrestrial Working Group had discussed this and reached consensus. AUSTRALIA called for consistency on references to indigenous peoples and local communities. INDIA supported the draft decision. The Chair said they would await the revised text.

FUTURE SHAPE AND STRATEGIES OF CMS AND THE CMS FAMILY: The Secretariat introduced UNEP/CMS/COP12/Doc.16.2, which includes draft terms of reference for the Scientific Council, written in consultation with the Council, and provisionally adopted by the Standing Committee. The EU supported adoption, suggesting minor amendments. The CoW agreed with these amendments.

The Secretariat introduced UNEP/CMS/COP12/Doc.17.2 on appointment of members of the Sessional Committee of the Scientific Council. The EU requested clarifying the process of appointments, supported appointing alternates, and said renewal is not necessary if the number of COP-appointed councillors remains at nine or below. The Chair suggested approving the recommendation with the EU-proposed amendments.

AMENDMENT OF CMS APPENDICES: Taxonomy and Nomenclature: The Secretariat introduced UNEP/CMS/COP12/Doc.25.3, detailing an analysis of the implications of adopting the taxonomic reference for passerine birds, and proposing updates to fish taxonomy references. The EU raised concerns on: mammal taxonomy; uncertainty for parties that link national legislation to CMS listings; and ACAP's decision not to change taxonomic references. The CoW recommended the issues be taken up by the appropriate working groups.

IN THE CORRIDORS

As CMS COP12 crossed the mid-point, good winds and high spirits continued to propel progress through the agenda. UN Environment Executive Director Erik Solheim provided a morning boost, challenging delegates to elevate the biodiversity agenda to the same level of international awareness as the climate change agenda. Action plans on a number of avian species subsequently breezed through the CoW, as working groups labored to resolve amendments and move resolutions forward for adoption in plenary.

CoW participants expressed relief that “parties with particular interests” resolved Tuesday’s impasse on whales that had threatened to derail progress and widen the geopolitical “continental drift” in the South Atlantic region. Nevertheless, midweek issues threatened to revive the feared “political” spirits, as old controversies re-emerged in the Terrestrial Working Group, where the proposals for inclusion of the leopard and giraffe on Appendix II of the Convention were the focus of debate on the practice of listing only parts of populations and allowing exceptions for others. Some expressed concerns that this precedent does not align with the spirit of the Convention. On this potential impasse, a delegate recalled that parties should not lose perspective and must remember what really matters: species! The Manila Declaration, presented by the host country, harnessed this spirit and reminded all at CMS COP12 “their future is our future.”



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