

**SUMMARY OF THE TWELFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS: 22-28 OCTOBER 2017**

The twelfth meeting of the Conference of the Parties (COP12) to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) met from 22-28 October 2017, in Manila, the Philippines. Guided by the theme “Their Future is Our Future: Sustainable Development for Wildlife and People,” over 1,000 participants, including from 91 parties and many non-parties, intergovernmental and non-governmental organizations (IGOs and NGOs), attended the first CMS COP to be held in Asia.

COP12 adopted 54 resolutions, including the Manila Declaration on Sustainable Development and Migratory Species. Other resolutions adopted included those on: a Review Mechanism; consolidation and partial repeal of resolutions; the budget; the Strategic Plan for Migratory Species 2015-2023 (SPMS); the prevention of illegal killing, taking and trade of migratory birds; sustainable boat-based marine wildlife watching; energy and migratory species; community participation and livelihoods; aquatic wild meat; concerted actions for, among others, the whale shark, mobulid rays, and the European eel; and the adoption of the African Elephant Action Plan. The COP adopted 34 proposals to amend the Convention’s appendices, four of which were subjected to a vote—for the first time in the Convention’s history.

Preceding COP12, on Sunday, 22 October, a day of high-level events took place, where dignitaries and participants gathered to address how implementation of CMS can help achieve the UN Sustainable Development Goals (SDGs). A leaders’ breakfast was held in the morning, followed by a high-level panel discussion in the afternoon. At Champions Night, the Migratory Species Champion Programme recognized five new champions for their contributions to advancing wildlife conservation.

**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 124 parties.

The Convention was designed to allow for expansion and revision of commitments and 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 range (species listed in Appendix I of the Convention); concluding 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 500 migratory species are listed on the Appendices.

CMS also provides for the development of specialized regional agreements for Appendix II species. To date, seven such 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

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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 (deer); migratory sharks; raptors (birds of prey in Africa and Eurasia); and the manatee and small cetaceans of Western Africa and Macaronesia. These agreements and MoUs are open to all of the species' range states, 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. COP7 also adopted resolutions on: electrocution of migratory birds, offshore oil pollution, wind turbines, impact assessment, and bycatch. 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; measures to improve the conservation status of Appendix II species; 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. MoUs on the West African elephant and the saiga antelope were also signed.

**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 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. However, 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; wildlife disease and migratory species; migratory terrestrial species; a 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:** COP11 (4-9 November 2014, Quito, Ecuador) adopted 35 resolutions, including on: the SPMS; the Programme of Work on Climate Change and Migratory Species; the Central Asian Mammals Initiative; renewable energy and migratory species; the Action Plan for Migratory Landbirds in the African-Eurasian Region; management of marine debris; fighting wildlife crime and offenses within and beyond borders; and enhancing synergies and common services among the CMS Family of instruments. COP11 also listed 31 new species on the Appendices.

## COP12 REPORT

On Monday morning, 23 October, Nadya Yuti Hutagalung, UN Environment (UNEP) Goodwill Ambassador, hosted the opening ceremony. Cynthia Villar, Senator and Chair, Senate Committee on Environment and Natural Resources, the Philippines, drew attention to her country's megadiversity. Zach Beaudoin, winner of the CMS-UN Foundation essay competition on the COP12 theme, noted that although the 2030 Agenda for Sustainable Development is key, "it needs teeth for its bite to be effective." Yann Arthus-Bertrand, UNEP Goodwill Ambassador, stressed that nature is not separate from man and decried environmental destruction and species loss.

Following the opening ceremony, CMS Standing Committee Chair Øystein Størkersen (Norway), presided over the opening of COP12.

Tarsicio Granizo Tamayo, Minister of Environment, Ecuador, on behalf of the COP11 host country, highlighted several initiatives in South America enhancing the coexistence between humans and nature.

Roy Cimatu, Secretary of Environment and Natural Resources, the Philippines, stated that cross-boundary cooperation among range states is imperative for the conservation of migratory species.

Ibrahim Thiaw, UNEP, argued that without a healthy environment there are no healthy people or healthy economies. John Scanlon, CITES Secretary-General, called attention to the CMS-CITES Joint Work Programme 2015-2020. Cristiana Paşca Palmer, Executive Secretary, Convention on Biological Diversity (CBD), provided an update on CMS-CBD joint activities and highlighted the Collaborative Partnership on Sustainable Wildlife Management, in which CBD, CMS and CITES participate.

CMS Executive Secretary Bradnee Chambers said COP12 would focus on strengthening the Convention to deliver policies with more streamlined programmes that respond to parties' expectations.

Following the conclusion of the plenary on Monday, the Committee of the Whole (COW) convened and met each day through Saturday morning. The plenary reconvened at 10:00 am on Saturday to adopt all resolutions and decisions. This summary is organized according to the agenda.

## ORGANIZATIONAL MATTERS

**RULES OF PROCEDURE:** CMS Standing Committee Chair Størkersen introduced the Rules of Procedure (UNEP/CMS/COP12/Doc.4/Rev.1) on Monday. The Secretariat cited pending

issues in the review of the rules and introduced a draft decision asking for the Secretariat to submit revised rules at COP13 (UNEP/CMS/COP12/Doc.4/Rev.1/Annex 2). This was adopted.

**Establishing a COP Presidency:** The Philippines presented document UNEP/CMS/COP12/Doc.4.2 on Thursday, saying it calls for establishing the office of a “Presidency” and proposes its roles and functions. The European Union (EU) expressed interest in developing this document further. The EU and the Philippines agreed to continue work on the document, which was revised and adopted.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP41), the COP:

- decides the host country of the meeting of the COP shall be designated as the Presidency during the intersessional period following the meeting it hosted, and be given the roles and functions set out in the resolution;
- urges the Presidency to provide a report on its activities to the subsequent COP; and
- urges the Presidency to provide a report on its activities to the Standing Committee at its regular meetings during the relevant intersessional period.

**ELECTION OF OFFICERS:** On Monday, parties elected by acclamation: Roy Cimatu (the Philippines) as COP12 Chair; Rod Hay (New Zealand) as Vice-Chair and COW Chair; and Ariuntuya Dorjsuren (Mongolia) as COW Vice-Chair.

#### **ADOPTION OF THE AGENDA AND MEETING**

**SCHEDULE:** Chair Cimatu invited delegates to review the draft provisional agenda and annotations (UNEP/CMS/COP12/Doc.6.1/Rev.4 and Doc.6.2/Rev.1), which the COP adopted.

#### **ESTABLISHMENT OF THE CREDENTIALS**

**COMMITTEE AND OTHER SESSIONAL COMMITTEES:** Chair Cimatu invited delegates to establish the COW and the Credentials Committee. The COP elected the Republic of Congo, Ghana, Saudi Arabia, Norway, and Uruguay to the Credentials Committee.

The COP also established a Budget Committee, chaired by Øystein Størkersen (Norway), and the following working groups: institutional, chaired by Narelle Montgomery (Australia); review of decisions, chaired by James Njogu (Kenya); aquatic species, chaired by Barry Baker (CMS Appointed Councillor); avian species, chaired by Rob Clay (CMS Appointed Councillor), and terrestrial species, chaired by Alfred Oteng-Yeboah (CMS Appointed Councillor).

**ADMISSION OF OBSERVERS:** The COP admitted observers in accordance with Article VII, paragraph 9 of the Convention (UNEP/CMS/COP12/Doc.8/Rev.1).

### **REPORTS**

#### **REPORTS AND RECOMMENDATIONS OF THE SUBSIDIARY BODIES OF THE CONVENTION AND**

**UNEP: Standing Committee and Scientific Council Reports:** On Monday, Standing Committee Chair Størkersen described the two Standing Committee meetings since COP11, highlighting: collaboration among the CMS Family; stronger partnerships with other multilateral environmental agreements (MEAs) and UN entities; and work on the strategic plan, finance and budget, and reporting templates.

Scientific Council Chair Fernando Spina (Italy) discussed the Council’s activities, including: Council restructuring; preparations for the scientific aspects of COP12; work on illegal killing, trapping, and trade; a draft decision on connectivity in the conservation of migratory species; and work on animal culture and social complexity.

The COP took note of the reports.

**UNEP Report:** On Wednesday, Erik Solheim, Executive Director, UNEP, addressed participants and, among others, outlined spiritual, ecosystem, and economic arguments for biodiversity protection. Elizabeth Mrema, UNEP, reported on key actions supporting CMS implementation (UNEP/CMS/COP12/Doc.9). The COP took note of the report.

**REPORT OF THE DEPOSITARY:** On Saturday, Germany introduced document UNEP/CMS/COP12/Doc.11.1, containing the Report of the Depositary for 2015-2017. She said that since COP11, four countries have acceded to the Convention: Afghanistan, Brazil, United Arab Emirates, and Iraq, noting that as of 3 July 2017, there are 124 parties to the Convention—123 countries and the EU. She also noted that Australia had submitted reservations with respect to the listing of a number of shark species on Appendix II, while the Czech Republic had submitted the withdrawal of its reservations to Appendices I/II. She stated that the Dominican Republic is currently making arrangements to become a party to CMS.

#### **STATEMENT FROM STATES AND ORGANIZATIONS:**

On Saturday, states and organizations addressed the plenary. Mongolia, on behalf of Asia, emphasized that political boundaries cannot be a reason for inaction, calling for enhanced regional cooperation on information sharing. Maldives signaled its intention to accede to CMS before COP13 in 2020. Brazil, as a new party, reaffirmed its commitment to the Convention and congratulated all for the work advanced during COP12.

The EU highlighted the vital advancements of CMS governance during the meeting, noting improvements on the Review Mechanism and National Legislation Programme. He urged countries to waive their right to confidentiality when submitting information whenever possible and invited NGOs to contribute to a more effective CMS.

India noted that environmental protection is the duty of every Indian citizen and appreciated the progress at COP12. Senegal encouraged NGOs to support the conservation of listed species. Uganda declared that Africa will make the outcomes of CMS COP12 a reality in the region.

Bahrain highlighted its role as a biodiversity hotspot despite being a small island, and appreciated the learning opportunities during COP12. Malawi highlighted regional initiatives with Zambia to protect migratory species and a national plan on elephants, noting that his country expects to be a party to CMS by the end of 2017. Australia highlighted the outstanding work of the host country and thanked all parties for their effective work.

Noting its close relationship to CMS, the Secretariat of the Pacific Regional Environment Programme (SPREP) highlighted collaboration on the Dugong and Seagrass Conservation Programme. The International Whaling Commission (IWC) outlined issues of cooperation with CMS, including: bycatch and entanglement; whale watching and in-water interaction with cetaceans; underwater noise; marine debris; and aquatic wild meat. UNEP said it would continue collaborating with the CMS Secretariat on a number of endorsed resolutions, particularly strengthening work on the National Legislation Programme. CITES said that new listings adopted at COP12 create some challenging divergences between the CITES and CMS appendices.

The International Council for Game and Wildlife Conservation (CIC) reiterated recommendations that the review process should bring clarity to the CMS “field of responsibility,” particularly on interpretation of the term “migratory.” Stressing that financial resources and facilitation are needed, Wild Migration, on behalf

of a group of NGOs, requested parties, donors, and others to provide the necessary resources to implement the outcomes of COP12. Defenders of Wildlife expressed concern about the lack of concrete action to conserve sharks and rays under the appendices and argued that CMS parties have a special responsibility to lead the way on these species groups.

**STATEMENTS ON COOPERATION FROM IGOs AND NGOS:** This item was taken up on Wednesday. The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), the Agreement on the Conservation of Populations of European Bats (EUROBATS), the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) and the Agreement on the Conservation of Albatrosses and Petrels (ACAP) all described their activities and how they contribute to CMS implementation. The COP took note of the reports.

### ADMINISTRATIVE AND BUDGETARY MATTERS

**EXECUTION OF CMS BUDGET 2015-2017:** The Secretariat introduced the document on Monday (UNEP/CMS/COP12/Doc.14.1). She detailed implementation challenges, including staff budgeting, information technology, contractual services, and new policies for strict cash management. CMS Executive Secretary Chambers clarified that the core budget provides only for Secretariat support, stating that other activities are funded through voluntary contributions. The COW took note of the report.

**BUDGET AND PROGRAMME OF WORK 2018-2020:** CMS Executive Secretary Chambers introduced the documents on Monday (UNEP/CMS/COP12/Doc.14.2, Annexes 1-5). He presented three budget scenarios: zero nominal growth (scenario one); zero real growth (scenario two); and 4% increase on scenario two (scenario three). On scenario one, where there is no foreseen increase of the 2015-2017 budget, he said all existing staff posts could be retained, but no funds would be available to provide for the work of the subsidiary bodies and COP13 arrangements, including interpretation, report writing, and travel support for developing country delegates. He said the second scenario would fall short in supporting CMS information management and outreach activities. He recommended the third scenario, which he said is best suited to support Secretariat functions and services.

Costa Rica, Israel, Mongolia, Switzerland, and Tanzania expressed preference for scenario three. The budget and programme of work were forwarded to the Budget Committee, which met throughout the week. Chair Størkersen presented the report to the COW on Saturday and the draft resolution was approved and forwarded to plenary, where it was subsequently adopted.

**Final Outcome:** The resolution (UNEP/CMS/COP12/CRP33) adopts the budget for the triennium 2018-2020, representing a 2.3% increase over the zero real growth budget with budgets of €2,559,888 for 2018, €2,611,088 for 2019, and €2,985,226 for 2020, contained in Annex 1. The resolution also, *inter alia*:

- adopts the scale of contributions of parties to the Convention, as contained in Annex 2;
- urges parties to promptly pay their contributions, noting with concern that a number of parties have not paid their contributions for 2017 and prior years;
- sets the threshold of eligibility for funding delegates to attend Convention meetings at 0.200% of the scale of assessments, excluding the EU, other European countries, and countries with payments in arrears of three years or more;

- decides that countries with contributions in arrears of three years or more should be excluded from holding office in Convention bodies and denied the right to vote, and requests the Executive Secretary to explore innovative approaches to resolve their arrears;
- encourages parties to make voluntary contributions to the trust fund to support developing countries or to support special activities;
- endorses the Programme of Work for 2018-2020 in Annex 5 (UNEP/CMS/COP12/CRP33.1);
- approves the upgrading of the part-time position of associate information officer to full-time;
- confirms that the CMS Secretariat will continue to provide Secretariat services to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and the Gorilla Agreement in the next triennium and will serve as the permanent Secretariat of the MoU on the Conservation of Migratory Sharks (Sharks MoU); and
- requests UNEP to incorporate aspects of the Convention's programme of work into UNEP's programme of work, and extend the duration of the Convention Trust Fund, and related matters.

**RESOURCE MOBILIZATION:** On Monday, the Secretariat reported on fundraising for the 2018-2020 triennium (UNEP/CMS/COP12/Doc.14.3), highlighting voluntary and in-kind contributions for implementation of priority actions. The COW took note of the report.

### STRATEGIC AND INSTITUTIONAL MATTERS

**STRATEGIC PLAN FOR MIGRATORY SPECIES 2015-2023:** Strategic Plan Working Group Chair Ines Verleye (Belgium) introduced UNEP/CMS/COP12/Doc.15 on Wednesday, recalling that Resolution 11.2 adopted the SPMS. She recommended that COP12: take note of the report; adopt the proposed amendments to Resolution 11.2; endorse the approach taken for the Companion Volume on Implementation, which accompanies the SPMS; adopt the set of indicators contained in Annex B; and endorse the further development of the Indicator Factsheets (UNEP/CMS/COP12/Inf.26). Citing the COP11 mandate to develop new or identify existing indicators, she reported the working group developed a set of 19 indicators.

The COW established an *ad hoc* working group to address the SPMS and national reports, which submitted a draft resolution for adoption.

**Final Outcome:** The final resolution (UNEP/CMS/COP12/CRP21) adopts the amended SPMS, as contained in Annex 1, and its list of indicators. The resolution also:

- requests the Secretariat to integrate the SPMS goals and targets into the CMS work programmes;
- urges parties and invites other relevant multilateral and civil society organizations to integrate the SPMS into relevant policy and planning instruments, and report on this work to the COP;
- invites decision-making bodies of the CMS instruments to consider the SPMS for adoption;
- encourages CMS instruments and other stakeholders to identify existing or develop new sub-targets for relevant species;
- requests the Secretariat to maintain a register of sub-targets and provide the SPMS Companion Volume as an online resource;

- requests the Secretariat to consider amendments to the format for national reports and to assess implementation of the SPMS and its indicators; and
- invites UNEP, parties, multilateral donors, and others to provide financial assistance for the implementation of this resolution.

**FUTURE SHAPE AND STRATEGIES OF CMS AND THE CMS FAMILY: Enhancing synergies and common services among CMS Family instruments:** On Thursday, CMS Executive Secretary Chambers introduced UNEP/CMS/COP12/Doc.16.1, noting it contains the full report of the implementation of Resolution 11.3 on the sharing of common services and synergies. AEW stressed the success of the common communication team. The COW took note of the report.

**Restructuring of the Scientific Council:** On Wednesday, the Secretariat introduced UNEP/CMS/COP12/Doc.16.2, which includes draft terms of reference (ToR) 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 approved these amendments.

**Final Outcome:** In its resolution (UNEP/CMS/COP12/CRP37), the COP sets out criteria for and operation of the Scientific Council under five sub-sections. The ToR for the CMS Scientific Council are set out in an annex. Two decisions are appended to the resolution.

On **composition**, the COP, *inter alia*:

- reaffirms that the Scientific Council will continue to be composed of members appointed by individual parties and the COP;
- decides that, for each intersessional period, a representative selection of the Scientific Council membership will be named to the Sessional Committee of the Scientific Council and is to be appointed at each ordinary COP meeting on the basis of a recommendation from the Secretariat;
- further decides that, for future triennia, unless otherwise decided by the COP, the Sessional Committee of the Scientific Council will be composed of nine COP-appointed members with expertise in taxonomic and thematic issues, and fifteen party-appointed members selected within the Standing Committee's geographic regions;
- recommends the COP identify, from the pool of party-appointed Councillors, up to three alternate members for each region;
- decides the COP shall aim to achieve a balanced scientific representation of expertise in taxonomic and cross-cutting thematic areas, a selection of individuals with a broad understanding of key scientific issues and concrete experience in translating science into policy in their regions, and coverage of the predicted scientific expertise needed by the Convention for the next triennium;
- requests the Secretariat to provide for a consultative process on the composition of the Sessional Committee, in order to elaborate its recommendation in consultation with the Standing Committee;
- decides that the advice, recommendations, and all other outputs of the Sessional Committee shall be considered as products of the Scientific Council itself;
- decides to evaluate the results of the present restructuring of the Scientific Council with a view to confirming or reviewing it during COP14; and

- determines that continuity between the groups and during the intervals between meetings of the COP should be provided by a scientific member of the Secretariat.

On **participation in meetings**, the COP, *inter alia*:

- decides to formalize the involvement of the advisory bodies to CMS Agreements in Scientific Council deliberations;
- agrees that COP-appointed Scientific Councillors shall be entitled to be observers at COP meetings;
- emphasizes the need to establish close links between the Scientific Council and the network of scientists and experts in equivalent bodies of those conventions with which a MoU is in place, namely, the CBD and the Ramsar Convention on Wetlands of International Importance; and
- invites a number of bodies and organizations to participate as observers in Scientific Council meetings and to consider establishing close working cooperative arrangements on matters of common interest.

On **tasks**, the COP adopts the ToR for the Scientific Council contained in Annex 1.

On **expenses**, the COP determines that COP-appointed members' expenses relating to attendance at meetings of the Council and its working groups must be met from the Convention budget as a high priority, and parties are expected to finance the expenses of their own nominees, except in case of the Chair, in relation to travel undertaken as requested by the COP, the Scientific Council, or the Secretariat; and members from developing countries.

On **final provisions**, the COP repeals Resolutions 1.4, 3.4, 4.5, 6.7, 7.12, and 11.4.

**ELECTIONS AND APPOINTMENTS:** Regional groups presented their nominations for the Standing Committee and Scientific Council on Saturday, which were accepted by the COP.

**Standing Committee:** The Secretariat presented UNEP/CMS/COP12/Doc.17.1 on election of parties to the Standing Committee. Parties elected: Tanzania, Republic of Congo, and South Africa for Africa; Mongolia and Kyrgyzstan for Asia; Norway, France, and Georgia for Europe; Bolivia and Costa Rica for South and Central America and the Caribbean; and Fiji for Oceania.

**Scientific Council:** The Secretariat introduced UNEP/CMS/COP12/Doc.17.2 on appointing members of the Sessional Committee of the Scientific Council. The EU requested clarifying the process, supported appointing alternates, and said renewal is not necessary if the number of COP-appointed councillors remains at nine or below.

Parties elected: Kenya, South Africa and Senegal for Africa; Mongolia, Saudi Arabia and Sri Lanka for Asia; Brazil, Paraguay and Costa Rica for South and Central America and the Caribbean; New Zealand, the Philippines and Australia for Oceania; and France, Georgia and Norway for Europe.

## INTERPRETATION AND IMPLEMENTATION OF THE CONVENTION

**IMPLEMENTATION OF THE PROGRAMME OF WORK 2015-2017:** On Monday, CMS Executive Secretary Chambers presented the report on the implementation of the Programme of Work 2015-2017 (UNEP/CMS/COP12/Doc.18/Rev.1). He focused primarily on marine, terrestrial, and avian species, informing that approximately €4 million of voluntary funds had been raised by the Secretariat to undertake this task. The COP took note of the report.

**NATIONAL REPORTS: Analysis and synthesis of national reports:** On Tuesday, the Secretariat introduced the summary and full analysis of the national reports (UNEP/CMS/COP12/Doc.19.1 and Inf.30). He noted that 91 out of 124 parties submitted reports, and described the analysis and the recommendations contained therein.

Pakistan noted the importance of transboundary cooperation. The EU said the Secretariat should seek parties' views in response to the recommendations. Ecuador described its process to recognize areas that need strengthening. Switzerland called for reporting synergies within the CMS Family and other MEAs. Kenya asked for support for reporting. UNEP noted its work supporting the analysis and called for parties to approve a budget that allows this type of analysis to continue. The Committee took note of the report.

**Revision of the format for national reports:** On Wednesday, the Secretariat introduced UNEP/CMS/COP12/Doc.19.2, which assesses the implementation of the SPMS in relation to national reporting and streamlines information sharing through a more simplified and coherent method that considers other UN conventions. The EU 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 extension of reporting deadlines. The COW established an *ad hoc* working group to address national reports and the SPMS, which submitted draft decisions for adoption.

**Final Outcome:** The COP adopted three decisions (UNEP/CMS/COP12/CRP22), in which it:

- convenes an informal advisory group, composed of parties, with two per region, and the chairs of the Standing Committee and Scientific Council, for the intersessional period to COP13 to provide feedback on the revision of the national report format;
- asks the Secretariat to develop a proposal for the Standing Committee at its 48th meeting on the revision of the format, to be submitted to COP13; and
- requests the Standing Committee to consider and, if appropriate, endorse the proposals produced by the Secretariat, so the new format can be issued at least a year in advance of the submission of national reports for COP13.

**NATIONAL LEGISLATION TO IMPLEMENT CMS PROVISIONS:** The Secretariat introduced document UNEP/CMS/COP12/Doc.20 on Tuesday, noting that national actions must be advanced to implement CMS. The EU proposed merging this document with document UNEP/CMS/COP12/Doc.22/Rev.1 on a review process for CMS. Opposed by several parties, the matter was forwarded to the Institutional Working Group to be considered in conjunction with a review process for CMS. This working group drafted a resolution that the COW endorsed on Saturday.

**Final Outcome:** In its resolution (UNEP/CMS/COP12/CRP31), the COP establishes a National Legislation Programme to support strengthening the implementation of the Convention through national legislation and support parties in developing or improving relevant national legislation. It also sets out the elements of the National Legislation Programme in Part II.

The COP also adopted four decisions:

- directing the Secretariat, *inter alia*, to undertake an inventory of present information on parties' current legislation, develop a questionnaire pre-filled with existing information to

complement the inventory, and submit the draft template and draft questionnaire for review and decision by the Standing Committee at its 48th meeting;

- directing the Standing Committee, at its 48th meeting, to review and decide on the template for communicating initial information and the draft questionnaire;
- directing parties to review the implementation of the review mechanism at COP13; and
- encouraging parties to complete the information in the pre-filled questionnaire, updating any information provided through national reports.

**REVIEW OF DECISIONS:** On Monday COW Chair Hay noted that Resolution 11.6 directed the Secretariat to prepare a list of resolutions and recommendations that should be completely repealed or repealed in part, where resolutions or paragraphs were outdated, redundant, or superseded.

The Secretariat introduced document UNEP/CMS/COP12/Doc.21/Rev.2, noting: Annex 1 contains resolutions or recommendations previously repealed by other resolutions or recommendations; Annex 2 contains resolutions or recommendations that should be repealed in full; Annex 3 contains resolutions or recommendations that should be repealed in part; and Annex 4 contains resolutions and recommendations to retain without changes. She also noted Resolution 11.6 directs the Secretariat to establish registers of resolutions by theme and whether the resolution or decision is in force. However, she added, a thematic register may no longer be necessary. The items were referred to the Review of Decisions Working Group for further consideration. The relevant resolutions and recommendations were endorsed by the COW on Thursday and Saturday.

**Final Outcome:** The COP adopted UNEP/CMS/COP12/Doc.21/Rev.2, which takes note of advice for future resolutions in paragraphs 25-30 and on creation of a register (in paragraphs 7-11); and the resolutions and recommendations previously repealed in Annex I, those to repeal in full in Annex II, and those to retain in full in Annex IV.

The COP repealed in part the following resolutions and recommendations contained in Annex III:

- Resolution 3.1 (Rev.COP12), Listing of Species in the Appendices of the Convention (UNEP/CMS/COP12/Doc.21.1.1 and CRP103);
- Resolution 5.1 (Rev.COP12), Endorsement of Action Plans for Selected Appendix I and II Migratory Birds (UNEP/CMS/COP12/Doc.21.1.4);
- Recommendation 5.4 (Rev.COP12), Progress on the Agreement on the Conservation and Management of the Houbara Bustard (UNEP/CMS/COP12/Doc.21.1.6, Annex II);
- Resolution 7.2 (Rev.COP12), Impact Assessment and Migratory Species (UNEP/CMS/COP12/Doc.21.1.8, Annex II, and CRP104);
- Resolution 7.3 (Rev.COP12), Oil Pollution and Migratory Species (UNEP/CMS/COP12/Doc.21.1.9, Annex II, and CRP106);
- Resolution 7.5 (Rev.COP12), Wind Turbines and Migratory Species (UNEP/CMS/COP12/Doc.21.1.10, Annex II, and CRP105);
- Recommendation 7.3 (Rev.COP12), Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa (UNEP/CMS/COP12/Doc.21.1.11 Annex II);
- Recommendation 7.4 (Rev.COP12), Regional Coordination for Small Cetaceans and Dugongs of Southeast Asia and Adjacent Waters (UNEP/CMS/COP12/Doc.21.1.12 Annex II);

- Recommendation 8.12 (Rev.COP12), Improving the Conservation Status of Raptors and Owls in the African-Eurasian Region (UNEP/CMS/COP12/Doc.21.1.16, Annex II);
- Resolution 8.18 (Rev.COP12), National Biodiversity Strategies and Action Plans, (UNEP/CMS/COP12/Doc.21.1.18, Annex II);
- Resolution 9.9 (Rev.COP12), Marine Migratory Species (UNEP/CMS/COP12/Doc.21.1.19, Annex II);
- Recommendation 9.2 (Rev.COP12), Sahelo-Saharan Megafauna (UNEP/CMS/COP12/Doc.21.1.20, Annex II);
- Recommendation 9.3 (Rev.COP12), Tigers and Other Asian Big Cats (UNEP/CMS/COP12/Doc.21.1.21, Annex II);
- Resolution 10.8 (Rev.COP12), Cooperation between the Intergovernmental Panel on Biodiversity and Ecosystem Services (IPBES) and CMS (UNEP/CMS/COP12/Doc.21.1.22, Annex II);
- Resolution 10.25 (Rev.COP12), Enhancing Engagement with the Global Environment Facility (UNEP/CMS/COP12/Doc.21.1.24, Annex II);
- Resolution 11.6 (Rev.COP12), Review of Decisions (UNEP/CMS/COP12/Doc.21.1.25, Annex II);
- Resolution 11.8 (Rev.COP12), Communication, Information and Outreach Plan (UNEP/CMS/COP12/Doc.21.1.26, Annex II and CRP107);
- Resolution 11.18 (Rev.COP12), Saker Falcon Global Action Plan (UNEP/CMS/COP12/Doc.21.1.31, Annex II);
- Resolution 10.15 (Rev.COP12), Global Programme of Work for Cetaceans (UNEP/CMS/COP12/Doc.21.1.28, Annex II and CRP109);
- Resolution 11.23 (Rev.COP12), Conservation Implications of Cetacean Culture (UNEP/CMS/COP12/Doc.21.1.32, Annex II); and
- Resolution 11.27 (Rev.COP12), Renewable Energy and Migratory Species (UNEP/CMS/COP12/Doc.21.1.33, Annex II and CRP110).

The COP repealed the following in full:

- Recommendation 4.3, Conservation Status of the Corncrake (UNEP/CMS/COP12/Doc.21.1.2)
- Recommendation 5.3, Development of an Action Plan for the Great Cormorant in the African-Eurasian Region (UNEP/CMS/COP12/Doc.21.1.5); and
- Resolution 8.10, Implementation of the CMS Information Management System (UNEP/CMS/COP12/Doc.21.1.15).

The COP also recommended that the Standing Committee review UNEP/CMS/COP12/CRP111 and that the Scientific Council review the following recommendations:

- Recommendation 7.5, Range State Agreement for Dugong Conservation (UNEP/CMS/COP12/Doc.21.1.13);
- Resolution 6.3, Southern Hemisphere Albatross Conservation (UNEP/CMS/COP12/Doc.21.1.7); and
- Recommendation 8.16, Migratory Sharks (UNEP/CMS/COP12/Doc.21.1.17).

The COP also consolidated resolutions on the following:

- National Reports (UNEP/CMS/COP12/Doc.21.2.1, Annex II and CRP101);
- Wildlife Disease and Migratory Species (UNEP/CMS/COP12/Doc.21.2.9, Annex II and CRP102);
- The Role of Ecological Networks in the Conservation of Migratory Species (UNEP/CMS/COP12/Doc.21.2.11, Annex II); and
- Agreements under Articles IV and V of the Convention (UNEP/CMS/COP12/Doc.21.2.12, Annex II).

**OPTIONS OF A REVIEW PROCESS FOR CMS:** On Tuesday, intersessional Institutional Working Group Chair Montgomery presented on developing a review process for CMS (UNEP/CMS/COP12/Doc.22/Rev.1). The intersessional working group, she said, agreed that the scope should relate to Appendix I-listed species, communicating range state status to the Secretariat, payment of budgetary contributions, and national reporting.

The EU, with BirdLife International, said both parties and non-parties should be involved in a review process. New Zealand said the principles of accountability, transparency, and objectivity are important. Brazil urged for focus on conservation actions. Switzerland noted the AEWI Implementation Review Process provides a good example of best practice.

The item was referred to the COP12 sessional Institutional Working Group. Discussions focused on criteria for the review process, actors allowed to submit information, and modalities of communication between the Secretariat and stakeholders. This item was discussed in conjunction with the National Legislation Programme, and merged into the same resolution.

**Final Outcome:** In its resolution (UNEP/CMS/COP12/CRP31), the COP establishes a review mechanism to facilitate compliance with the obligations set out in Articles III.4, III.5, III.7, and VI.2 of the Convention (implementation matters). It also sets out the elements of the Review Mechanism for Specific Implementation Matters, in part I, addressing: general principles, bases for the review process, handling and screening of implementation matters by the Secretariat, bodies of review, handling of implementation matters by the Standing Committee, and procedures for review.

**SYNERGIES AND PARTNERSHIPS:** On Wednesday, the Secretariat introduced UNEP/CMS/COP12/Doc.23.1, which reports on progress on implementing 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. Wild Migration confirmed, noting the commitment of NGOs and civil society to work with CMS. COW Chair Hay referred this item to a small discussion group facilitated by the Secretariat, which submitted a revised resolution for adoption.

**Final Outcome:** The resolution (UNEP/CMS/COP12/CRP42) stresses the importance of supporting the objectives of biodiversity-related MEAs to improve national collaboration, communication, and coordination with relevant organizations and processes.

The resolution also calls on the Secretariat to: inform biodiversity-related agreements about the SPMS; develop cooperation with relevant stakeholders; identify and engage potential strategic partners; work with governments and civil society organizations to enhance the relationship between the CMS Family and civil society; facilitate non-formalized collaborations with partners such as the Food and Agriculture Organization of the United Nations (FAO); and pursue strengthened partnerships with the private sector. The resolution also identifies cooperation between the Secretariat, the CMS Family, and the Scientific Council to enhance engagement with expert committees and processes, welcomes the CMS-CITES

Joint Work Programme, and identifies ways to strengthen cooperation with CBD, the Ramsar Convention, and the Biodiversity Liaison Group.

In the resolution, parties are urged to: provide adequate resources to develop and strengthen partnerships; establish close collaboration at the national level between focal points for relevant conventions, as well as international organizations; and improve coherence in implementation of biodiversity-related conventions.

The resolution also repeals Resolutions 7.9, 8.11, 9.6, and 10.21.

**CONSERVATION ISSUES: Avian species: *Prevention of Illegal Killing, Taking and Trade of Migratory Birds:***

On Tuesday, the Secretariat introduced UNEP/CMS/COP12/Doc.24.1.1/Rev.2, noting the establishment of an Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) and its programme of work 2016-2020, as well as the development of a scoreboard to measure and benchmark the progress on the eradication of illegal killing, taking and trade of migratory birds at the national level by the Mediterranean countries.

The Philippines questioned how CMS would engage non-parties in the East Asian-Australasian Flyway Partnership (EAAFP). The EU said that the scoreboard should not be accompanied by a reporting process under CMS. The COW referred the document to the Avian Working Group. The COW endorsed the resolution on Saturday morning.

**Final Outcome:** In resolution UNEP/CMS/COP12/CRP27/Rev.1, the COP, among others:

- calls on the Secretariat to convene a meeting of the Intergovernmental Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean in partnership with the Secretariats of AEW, the MoU on the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptors MoU), the African-Eurasian Migratory Landbirds Action Plan and the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), and other stakeholders, to facilitate the implementation of the existing guidelines and action plans, and determine if any new guidelines and action plans are need;
- establishes, if resources allow, an Intergovernmental Task Force on Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway (ITTEA) and adopts the ToR included in Annex 2 to the Resolution;
- urges parties to ensure adequate national legislation is in place and properly implemented according to CMS rules and other international appropriate instruments;
- requests the Task Force to develop comparable methodologies to monitor data on illegal killing, taking, and trade of migratory birds facilitating the exchange of best practices;
- calls on parties, with the support of the Secretariat, to promote, *inter alia*, training courses, disseminating best practice, sharing protocols and regulations, transferring technology, and promoting the use of online tools among parties and relevant stakeholders; and
- calls on the Secretariat to ensure, supported by the Secretariats of the EAAFP and the Arctic Migratory Birds Initiative (AMBI), the undertaking and completion, if resources are available, of a situation analysis on the illegal hunting of migratory birds in South East Asia for reporting to COP13 by Birdlife International.

Five accompanying decisions were also adopted. On the MIKT, the COP invites parties that are members of the MIKT, to:

- periodically use the scoreboard set out in Annex 1 as a national tool to self-assess progress in addressing the illegal killing of wild birds; and
- provide the Secretariat with the information identified in the scoreboard, for the purposes of discussion within the MIKT, to facilitate information sharing and best practice.

The COP also invites parties, IGOs and NGOs to implement the MIKT Programme of Work 2016-2020 and directs the Secretariat, in cooperation with the Bern Convention Secretariat, to compile, in the intersessional period prior to COP13, the information duly provided by the parties under the first part of this decision, and share that information with MIKT members.

On the ITTEA, the COP encourages parties, IGOs, and NGOs to provide financial support to the operations of the ITTEA and its coordination, and directs the Secretariat, subject to the availability of external resources, to convene ITTEA in line with the ToR contained in Annex 2 of Resolution 11.16 (Rev. COP12).

***Migratory Landbirds in the African-Eurasian Region:***

On Tuesday, the Secretariat introduced UNEP/CMS/COP12/Doc.24.1.2/Rev.1, which was also considered in the Avian Working Group.

**Final Outcome:** The COP in its resolution (UNEP/CMS/COP12/CRP32):

- adopts the “African-Eurasian Migratory Landbirds Action Plan (AEMLAP);”
- urges parties to: promote sustainable land use through practices set out in the Abuja Declaration on Sustainable Land Use for People and Biodiversity, including Migratory Birds in West Africa, agreed in November 2016, and implement the Guidelines to Prevent Poisoning of Migratory Birds;
- calls on parties and non-parties to recognize the benefits of sustainable land use to migratory birds and support international processes that can deliver this objective, such as the 2030 Agenda for Sustainable Development;
- urges parties and encourages non-parties to implement the AEMLAP and address issues of habitat loss and degradation through the development of policies that manage and restore natural and semi-natural habitats, including working with local communities;
- calls on parties and the Scientific Council to report progress in implementing the AEMLAP during each COP and to organize regional workshops to share best practices and lessons learned in the effective conservation of migratory landbirds and report progress at COP13; and
- requests parties to provide voluntary financial contributions to implement the Programme of Work 2016-2020 and organize at least one meeting in the intersessional period before COP13 to review this programme.

**Advances in the Prevention of Bird Poisoning:** The Secretariat introduced document UNEP/CMS/COP12/Doc.24.1.3/Rev.2. The EU suggested also addressing lead poisoning in the Avian Working Group.

**Final Outcome:** In its resolution (UNEP/CMS/COP12/CRP29), the COP *inter alia*:

- adopts the “Guidelines to Prevent the Risk of Poisoning to Migratory Birds” (the Guidelines) in Annex 2 to document UNEP/CMS/COP11/Doc.23.1.2;
- calls on parties and non-parties to elaborate strategies to address poisoning in their National Biodiversity Strategies and Action Plans (NBSAPs) to prevent, minimize, reduce or control the impacts of poisoning on migratory bird species;

- instructs the Secretariat to liaise with the Bern Convention Secretariat and other relevant international organizations for updating the Guidelines, as necessary; and
- adopts the ToR of the Preventing Poisoning Working Group, which has a Lead Work Group, and invites the International Union for Conservation of Nature (IUCN) and its Species Survival Commission to cooperate actively with CMS and the Preventing Poisoning Working Group on a global analysis of the impact of poisoning on wildlife.

**Conservation of African-Eurasian Vultures:** On Tuesday, the Secretariat introduced COP12/Doc.24.1.4/Rev.2, asking parties to: support adoption of the resolution in Annex 1, the decisions in Annex 2, and the Multi-species Action Plan to Conserve African-Eurasian Vultures (Vulture MsAP).

**Final Outcome:** The COP adopted resolution UNEP/CMS/COP12/CRP7/Rev.1, which:

- adopts the Vulture MsAP 2017-2029 to address: bird poisoning challenges in conjunction with the CMS Preventing Poisoning Working Group and in line with the Guidelines to Prevent Poisoning of Migratory Birds, the impact of electrocution and collisions associated with energy infrastructure with the support of the CMS Energy Task Force, and the illegal killing, taking, and trade in vultures;
- urges parties to mobilize resources required to implement the Vulture MsAP;
- requests the Secretariat through the Raptors MoU to facilitate continuation of the Vulture Working Group and its associated structures; and
- calls on parties and invites non-party range states and stakeholders to strengthen national and local capacity with the support of the Secretariat for the implementation of the Vulture MsAP.

**Action Plan for the Yellow-breasted Bunting:** On Wednesday, the Secretariat introduced UNEP/COP12/Doc.24.1.5. The EU supported the draft decision authorizing the Standing Committee to adopt the action plan intersessionally, according to the Action Plan for Birds (UNEP/CMS/COP12/Doc.24.1.11).

The COP noted the development of the action plan for the yellow-breasted bunting.

**Action Plan for the European Turtle Dove:** On Wednesday, the Secretariat introduced document UNEP/CMS/COP12/Doc.24.1.6, highlighting the drastic decline of this species over the last three decades.

The COP noted the development of the action plan for the turtle dove.

**Action Plan for the Far Eastern Curlew:** On Wednesday, Australia presented document UNEP/CMS/COP12/Doc.24.1.7, noting a decline in the species caused by the ongoing loss of mudflats in the Yellow Sea. He reported approval of the action plan by all EAAFP partners, saying that the Action Plan is ready for adoption. The COW forwarded it for adoption by the COP.

**Final Outcome:** The COP adopted the Action Plan contained in Annex 1 of the document.

**Action Plan for the Baer's Pochard:** On Wednesday, the Secretariat introduced document UNEP/CMS/COP12/Doc.24.1.8. The COW forwarded the Action Plan for adoption by the COP.

**Final Outcome:** The COP adopted the Action Plan included in Annex 1 of the document.

**Action Plan for the European Roller:** On Wednesday the Secretariat introduced document UNEP/CMS/COP12/Doc.24.1.9.

**Final Outcome:** The COP adopted the Action Plan contained in Annex 1 of the document.

**Action Plan for the Americas Flyways:** On Thursday, the Secretariat introduced the documents (UNEP/CMS/COP12/Doc.24.1.10 and Doc.21.2.8), noting that the related draft resolution establishes a working group, which will meet in Brazil in 2018. Ecuador emphasized the importance of migratory routes as ecological networks. India suggested adding a plan to revitalize the Central Asian Flyway (CAF) and received support from Brazil and Sri Lanka. The item was referred to the Avian Working Group for discussion. The COW forwarded the draft resolution to plenary for adoption.

**Final Outcome:** In its resolution (UNEP/CMS/COP12/CRP34), the COP, *inter alia*:

- adopts the Action Plan for the Americas Flyways contained in Annex 3 to the resolution, and urges parties and signatories to CMS instruments, and encourages non-parties, organizations, and stakeholders, to implement the Action Plan and support the efforts of the Americas Flyways Task Force to coordinate its implementation;
- instructs the Secretariat to implement those activities assigned to it in the Programme of Work and requests parties, other UN organizations and multilateral donors to provide necessary financial assistance;
- urges parties to afford high priority to the conservation of sites and habitats highly important to migratory birds, expanding and strengthening existing flyway site networks;
- welcomes the offer of India to develop, in consultation with the CMS and AEWA Secretariats and CAF range states, a mid-term plan for further development and operations of the CAF Action Plan for Waterbirds;
- urges parties to afford high priority to the conservation of sites and habitats highly important to migratory birds, expanding and strengthening existing flyway site networks and supporting transboundary collaboration to implement existing site management plans and develop new ones, supporting the development of a Global Critical Site Network Tool modeled on the redeveloped Critical Site Network Tool for the African-Eurasian region;
- requests the Secretariat to strengthen links with the Secretariat of the Arctic Council's Working Group on the Conservation of Arctic Flora and Fauna (CAFF); and
- repeals Recommendation 7.7, Resolution 10.10, and Resolution 11.14.

**Action Plans for Birds:** On Wednesday, the Secretariat introduced UNEP/CMS/COP12/Doc.24.1.11/Rev.1 containing action plans for a number of avian species.

**Final Outcome:** The resolution (UNEP/CMS/COP12/CRP30):

- adopts the species action plans in documents UNEP/CMS/COP12/Doc.24.1.7 (Action Plan for the Far Eastern Curlew), UNEP/CMS/COP12/Doc.24.1.8. (Action Plan for the Baer's Pochard), and UNEP/CMS/COP12/Doc.24.1.9. (Action Plan for the European Roller);
- urges parties and invites non-party range states to implement relevant provisions of the action plans and provide technical/financial support to assist with the implementation of the plans; and
- requests parties to report on progress of implementation via their national reports.

**Aquatic Species: Important Marine Mammals Areas**

**(IMMAs):** On Tuesday, Giuseppe Notarbartolo di Sciara, Councillor for Aquatic Mammals, introduced UNEP/CMS/COP12/Doc.24.2.1. He noted IMMAs are not marine protected areas (MPAs) but use scientific criteria to identify areas that may merit protection. The EU, Australia, Argentina, the Philippines,

India, Costa Rica, ACCOBAMS, Wildlife Conservation Society (WCS) (on behalf of a group of NGOs), SPREP, and Fiji supported the draft resolution, with a few amendments.

On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP8), the COP, *inter alia*:

- acknowledges the IMMAs' criteria and identification process described in the IMMA Guidance Document for CMS-listed pinnipeds, sirenians, otters, polar bears, and cetaceans;
- requests range states to identify specific areas where IMMAs could be beneficial, and to support the IUCN Joint Marine Mammal Protected Areas Task Force to advance IMMA approaches; and
- invites CBD, the International Maritime Organization and IUCN to use IMMAs for the determination of Ecologically or Biologically Significant Areas, Particularly Sensitive Sea Areas and Key Biodiversity Areas.

**Marine Noise:** On Tuesday, the Secretariat introduced UNEP/CMS/COP12/Doc.24.2.2, which includes a draft resolution that consolidates previous resolutions, incorporates recent developments, and adopts the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities. Norway, Argentina, the EU, the IWC, ACCOBAMS, and OceanCare (on behalf of a group of NGOs) supported accepting the draft resolution, noting the importance of this topic, and suggested amendments. The Chair forwarded the document to the Aquatic Working Group for further discussion. On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP9), the COP, *inter alia*:

- urges parties and invites non-parties that exercise jurisdiction over any part of the range of marine species listed on the CMS appendices to take special care and to undertake relevant environmental assessments on the introduction of activities that may lead to noise-associated risks for CMS-listed marine species and their prey;
- endorses the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities, and invites parties to ACCOBAMS and ASCOBANS to consider adopting them;
- requests the Scientific Council with the Joint Noise Working Group of CMS, ACCOBAMS, and ASCOBANS to review and update these Guidelines regularly;
- recommends parties, the private sector, and other stakeholders apply the Best Available Techniques and the Best Environmental Practice;
- encourages parties to integrate the issue of anthropogenic noise into the management plans of MPAs in accordance with international law, including UN Convention on the Law of the Sea; and
- requests the Secretariat and calls upon parties to contribute to the work of the International Maritime Organization Marine Environment Protection Committee on noise from commercial shipping.

**Aquatic Wild Meat:** On Tuesday, the Secretariat presented document UNEP/CMS/COP12/Doc.24.2.3/Rev.1. India, Ecuador, and Peru supported the document. The EU proposed that the definition of aquatic wild meat should not be restricted to legally caught sources and urged collaboration with the IWC. Brazil welcomed delegates to the 67th IWC meeting, to be held in Brazil in 2018.

On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP2), the COP, *inter alia*:

- requests the Scientific Council to establish a thematic working group dealing with aquatic wild meat, to provide expert advice to the CMS parties; and
- recommends that parties, non-party range states, and other stakeholders cooperate to increase collaboration and information sharing, increase scientific knowledge of impacts of subsistence use, and provide adequate financial, technical, and capacity support to ensure the sustainable harvesting of CMS-listed species for aquatic wild meat.

**Live Capture of Cetaceans from the Wild for Commercial**

**Purposes:** On Tuesday, the Secretariat presented document UNEP/CMS/COP12/Doc.24.2.4/Rev.2, noting the Aquatic Working Group had concluded discussions on this item. India, Peru, Argentina, and ACCOBAMS supported the document. Ecuador, for South and Central America and the Caribbean, requested clarification on implications of endorsing the best practice guidelines for countries where live capture does not occur. The Secretariat confirmed that there would be no legal implications as guidelines are voluntary.

On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP3), the COP, *inter alia*:

- invites parties that have not already done so, to develop and implement national legislation, prohibiting this practice;
- urges parties to consider taking stricter measures in line with CITES Article XIV with regard to the import and international transit of live cetaceans captured in the wild for commercial purposes;
- endorses the Best Practice Guidelines designed to aid parties in improving existing national legislation or developing new laws relating to the capture, transit or import of cetaceans;
- requests the Secretariat and the Scientific Council to enhance cooperation and collaboration with CITES and the IWC on small cetacean species targeted by live capture from the wild; and
- encourages parties to share data and information on live captures with the IWC and other appropriate fora.

**Recreational In-Water Interaction with Aquatic Mammals:**

On Tuesday, the Secretariat presented the document and draft resolution in UNEP/CMS/COP12/Doc.24.2.5. The Philippines reported that it has banned interactions with aquatic mammals since the 1990s due to safety concerns for aquatic species and tourists. The EU supported the draft resolution, calling for reference to the work of the IWC on whalewatching. Peru, Ecuador, ACCOBAMS, and Humane Society International supported the resolution. On Thursday, the COW approved the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP10/Rev.1), the COP, *inter alia*:

- urges parties to adopt appropriate measures, such as national guidelines, codes of conduct, national legislation, binding regulations or other regulatory tools, to promote, address and regulate all such activities;
- recommends that measures adopted by the parties also cover opportunistic in-water encounters with aquatic mammals, and ensure the safety of marine wildlife and human participants; and
- encourages parties to facilitate research assessing the long-term effects and biological significance of disturbances and use these predictions to inform management decisions.

**Conservation and Management of Whales and their Habitats in the South Atlantic Region:** The Aquatic Working Group on Tuesday discussed the Action Plan contained in Annex 3 of document UNEP/CMS/COP12/Doc.24.2.6 and agreed to forward it to the COW. In the COW on Tuesday, Brazil introduced the Action Plan. The EU, Peru, Angola, Australia, Argentina, Costa Rica, and Uruguay supported the Action Plan. South Africa requested bilateral discussions with Brazil to clarify the potential implications of ongoing discussions with the IWC on the proposed South Atlantic Whale Sanctuary.

On Wednesday, Brazil and South Africa reported that 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.

On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP5), the COP, *inter alia*:

- adopts the Action Plan for the Protection and Conservation of South Atlantic Whales;
- calls on range states to strengthen existing measures under CMS and other relevant MEAs to address threats and promote the conservation of great whale species in the South Atlantic;
- encourages parties to redouble their efforts to increase public awareness of, and support for, great whales conservation along migratory routes, and to strengthen national and local capacity to implement the Action Plan; and
- requests the Secretariat and the Scientific Council to work with the Scientific and Conservation Committees of the IWC to increase understanding of cetaceans' contribution to the functioning of marine ecosystems.

**Terrestrial Species: Conservation of African Carnivores:**

**Joint CMS-CITES African Carnivores Initiative:** On Tuesday in the COW, the Secretariat introduced UNEP/CMS/COP12/Doc.24.3.1.1, noting that the initiative will increase coherence between the Secretariats on conservation of four species: African lion, cheetah, leopard, and African wild dog. She reported that the added value of addressing the four species together would include: increased conservation measures; pooled funds and expertise; avoidance of duplication of efforts; and coordination of support across range states. The EU supported the document with minor changes. Ethiopia called for recognizing diversity in conservation strategies of the range states due to socio-economic and political conditions. CITES noted that the four species face similar threats on the African continent. The draft decisions were referred to the Terrestrial Working Group, and endorsed by the COW on Thursday.

**Final Outcome:** The COP adopted six decisions (UNEP/CMS/COP12/CRP18), which:

- urges parties and range states to recognize the importance of the African Carnivores Initiative in implementing CMS resolutions and decisions relating to the African lion, the cheetah, the leopard and the African wild dog. It also urges parties to seek synergies, including through the Joint CMS-CITES Work Programme to implement complementary CITES resolutions and decisions;
- encourages parties, IGOs and NGOs to provide financial and technical support to the range state parties and to the Secretariat for their work through the African Carnivores Initiative in implementing the relevant CMS resolutions and decisions;

- directs the Standing Committee to consider the report of the Secretariat and make any recommendations it considers appropriate to COP13;
- directs the Scientific Council Sessional Committee to consider the report of the Secretariat and determine at its 3rd and 4th sessions whether specific actions are required, and make recommendations to the Standing Committee at its 48th and 49th meetings, if appropriate; and
- directs the Secretariat to establish the African Carnivores Initiative and work with the CITES Secretariat to jointly support parties to CMS and CITES in its implementation, support range state parties in their work through this initiative in implementing relevant CMS resolutions and decisions, and report to the Scientific Council at its 3rd and 4th sessions and the Standing Committee at its 48th and 49th meetings on the progress in implementing these decisions.

**Conservation and Management of Cheetah and African**

**Wild Dog:** On Tuesday Burkina Faso, on behalf of Algeria, Benin, and Niger, introduced UNEP/CMS/COP12/Doc.24.3.1.2/Rev.1. She highlighted the similarity of the conservation threats facing both species. The EU suggested changes to the text and the COW referred the draft decisions to the Terrestrial Working Group.

On Saturday, the COW endorsed the draft decisions with a minor amendment suggested by South Africa.

**Final Outcome:** The COP adopted six decisions (UNEP/CMS/COP12/CRP36), which:

- instruct the Secretariat to collaborate with range states, the IUCN, and other relevant partners to: support the implementation and regular revision of existing joint cheetah and African wild dog conservation plans and strategies; reinforce international cooperation on the management of the two species; support relevant capacity building and skill building; assist parties to share information about trade in the species; and promote fundraising to support effective implementation;
- request that parties develop and implement evidence-based strategies that reduce livestock depredation and disease transmission by the two species and that parties: promote wildlife-based generation mechanisms; ensure legislation that protects the two species is in place; enforce protection within protected areas; ensure that all large-scale infrastructure development allows the two species to pass through safely; consider land-zoning options to maintain and restore important areas for the two species' conservation outside protected areas; and investigate opportunities to include the two species in relevant educational curricula;
- request that, in support of CITES decisions 17.235 and 17.238, range and consumer states of African wild dog are encouraged to share with Burkina Faso information about: measures implemented to prevent illegal trade in African wild dog; trade in African wild dog, including levels and sources of specimens; and collaboration amongst range states on, *inter alia*, habitat conservation, ecological corridors, management of infectious disease, and human-wildlife conflict;
- instruct the Scientific Council to make recommendations to the Standing Committee at its 48th or 49th meetings based on the report submitted in accordance with the decisions above, including recommendations concerning possible amendments to the list of cheetah populations presently excluded from CMS Appendix I to reflect current conservation status; and

- instruct the Standing Committee to consider at its 48th and 49th meetings the reports submitted by the Secretariat, the Scientific Council, and the parties, and to report to COP13 on the progress in implementing the decision.

**Conservation of the African Wild Ass:** On Tuesday the Secretariat introduced UNEP/CMS/COP12/Doc.24.3.2 on the Roadmap for Conservation of the African Wild Ass. After acceptance of editorial changes, the COW forwarded the resolution to plenary for adoption.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/Doc.24.3.2), the COP, *inter alia*:

- encourages current and former range states to implement the Roadmap for the Conservation of the African Wild Ass, as the principal strategy for conservation of the African wild ass;
- urges current and former range states to include conservation measures stated in the roadmap within their NBSAPs;
- invites range states to develop and implement national legislation to increase the protection of the African wild ass;
- requests Ethiopia and Eritrea to monitor existing populations and report to the COP and the IUCN Equid Specialist Group on the progress of implementation of the roadmap; and
- encourages parties, IGOs, NGOs and donors to provide the necessary financial and technical support to range states and the Secretariat to implement the actions set out by the roadmap.

**Adoption of the African Elephant Action Plan:** On Tuesday in the COW, Kenya introduced UNEP/CMS/COP12/Doc.24.3.3/Rev.1, noting that the resolution was already under discussion in the Terrestrial Working Group. The draft decision was forwarded to the COP for adoption on Saturday morning.

**Final Resolution:** In the resolution (UNEP/CMS/COP12/CRP28), the COP, *inter alia*:

- adopts the African Elephant Action Plan, as the principal strategy for the conservation of African elephants;
- instructs the Secretariat to liaise with the African Elephant Fund Steering Committee to: cooperate with the CITES Secretariat and UNEP to promote fundraising for the Action Plan's implementation, and explore opportunities for partnerships with CITES and UNEP to support the range states in its implementation; and
- encourages parties, donors, IGO, NGOs, and other stakeholders to provide financial contributions to the African Elephant Fund.

**Crosscutting Conservation Issues: Marine Debris:** On Wednesday in the COW, the Secretariat introduced UNEP/CMS/COP12/Doc.24.4.1, noting that it had been updated to include microplastics. The COW agreed to wait until the Aquatic Working Group concluded consideration of this item.

On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP17), the COP, *inter alia*:

- stresses the importance of the precautionary approach, where there are threats of serious or irreversible damage;
- encourages parties to identify coastal and oceanic locations where marine debris aggregates so as to identify any potential areas of concern;
- encourages parties to establish or continue monitoring programmes, with particular regard to: prevalence of debris type, sources and pathways of debris; geographic distribution, impacts on migratory species, identification of most threatened species, presence and effects of microplastics, and population-level effects on the welfare of migratory species;

- requests the Secretariat to work with the UNEP Regional Seas Programme to support standardization and implementation of methods for monitoring studies;
- calls upon parties and invites other stakeholders to address the issue of abandoned, lost, or otherwise discarded fishing gear; and
- calls upon parties to establish and implement policies, regulatory frameworks and measures consistent with the waste hierarchy and the circular economy concept to achieve prevention and environmentally sound management of waste.

**Climate Change and Migratory Species:** On Wednesday in the COW, the 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. The EU called for enhancing action on biodiversity conservation, beyond limiting global warming to a 1.5°C increase. Mongolia and Brazil supported the resolution, with the latter suggesting minor editorial changes.

Chair Hay suggested the EU and Brazil work bilaterally to finalize the text. On Saturday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP40), the COP, *inter alia*:

- reaffirms the Programme of Work on Climate Change and Migratory Species;
- urges parties, despite the uncertainty surrounding the scale of impact of climate change on migratory species, not to delay related decision making and action;
- calls on parties to ensure any climate change mitigation and adaptation action and land-use planning has appropriate social and environmental safeguards in place at all stages, and takes into account the needs of CMS-listed species;
- requests parties and signatories to the CMS instruments to assess what steps are necessary to help migratory species cope with climate change;
- requests the Scientific Council and the Working Group on Climate Change to address key gaps in knowledge and future research directions, in particular through the analysis of existing long-term and large-scale datasets; and
- proposes the continuation of the Climate Change Working Group after COP12.

In its decisions, the COP, *inter alia*:

- calls on parties and the Scientific Council to report on progress in implementing the Programme of Work, including monitoring and the efficacy of measures taken, to COP13 and COP14; and
- requests the Secretariat to ensure the integration of elements of the Programme of Work into the Companion Volume on the SPMS to ensure mainstreaming of climate change, avoiding duplication, and enhancing synergies and cooperation.

**Conservation Implications of Animal Culture and Social Complexity:** On Wednesday in the COW, Giuseppe Notarbartolo di Sciara, Chair of the Expert Group on Animal Culture and Social Complexity, 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.

On Thursday, the COW accepted the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP12), the COP, *inter alia*:

- requests the Expert Working Group to develop a list of priority species listed on the CMS Appendices for a comprehensive investigation of culture and social structure;

- requests the Expert Working Group to develop a taxonomy of culture across other taxa of relevance to CMS to assist in determining priority species for case studies; and
- instructs the Secretariat to convene a workshop to assist the Expert Working Group to: develop a list of key factors for identifying priority species and populations listed under CMS where social learning may influence their conservation, identify species or populations in need of concerted action, and explore opportunities for engagement across the CMS daughter agreements.

**Bycatch:** On Wednesday in the COW, Scientific Councillor for Bycatch, Barry Baker, introduced UNEP/CMS/COP12/Doc.24.4.4, which consolidates previous resolutions. He noted the Aquatic Working Group had 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. Peru supported both proposals. Humane Society International said the most recent estimates of bycatch are too low.

The Chair asked the Secretariat and Baker to incorporate the amendments. On Saturday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP25), the COP, *inter alia*:

- urges parties to: assess the risk of bycatch from their fisheries, implement best practice mitigation measures, and regularly review the effectiveness of their implementation;
- requests parties to strengthen measures within fisheries under their control, both within their territorial waters and exclusive economic zones, and by vessels fishing on the high seas under their flag, to minimize incidental mortality of migratory species listed in Appendices I and II;
- calls on parties, working through regional fisheries management organizations and agreements to: raise the ongoing problem of bycatch of migratory species; compile information regarding fishing activities in waters under their jurisdiction, and encourage research proposals in geographical areas where information is lacking;
- encourages parties to conduct research to identify and improve mitigation measures to avoid or reduce bycatch; and
- requests the Secretariat to: undertake studies to assist interested developing countries determine bycatch levels; organize a series of specialist workshops; and make information accessible to relevant range states for migratory species threatened by bycatch.

**Sustainable Boat-Based Marine Wildlife Watching:** On Wednesday in the COW, 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 added that the Aquatic Working Group had considered and concluded this issue after making minor amendments. ACCOBAMS described its development of guidelines for monitoring adverse impacts of whalewatching activities on cetaceans.

On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP13), the COP, *inter alia*:

- urges parties in whose jurisdiction boat-based wildlife watching takes place, to adopt appropriate measures to promote ecologically sustainable wildlife watching;
- recommends that parties account for the guiding principles on which boat-based wildlife-watching activities should be conducted, including that the activities: should not have

negative effects on the long-term survival of populations and habitats, and should have minimal impact on the behavior of animals;

- strongly encourages parties to ensure that measures account for the size and status of any wildlife-watching programme and the specific needs of all affected species; and
- encourages parties to ACCOBAMS, the IWC, SPREP, and UNEP to implement fully the guidelines and principles already adopted in these fora.

**Energy and Migratory Species:** On Wednesday in the COW, 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 had proposed an additional draft decision (UNEP/CMS/COP12/Doc.24.4.6/Add.1).

The COW endorsed the proposed decision with this addition and forwarded it to the plenary for adoption.

**Final Outcome:** In the decision (UNEP/CMS/COP12/CRP11), the COP, *inter alia*, encourages parties to contribute to implementing the Energy Task Force Work Plan, including through the provision of financial and technical assistance to support the on-going operations of the Energy Task Force.

The decision also encourages the Energy Task Force, with input from the Scientific Council, to investigate best practices in methods for cumulative assessment, produce guidance, make suggestions on improving collective understanding of impacts, and report to COP13.

**Addressing Unsustainable Use of Terrestrial and Avian Wild Meat:** On Wednesday in the COW, the Secretariat introduced document UNEP/CMS/COP12/Doc.24.4.7/Rev.1, noting it is not clear how CMS-listed species are affected by the 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 CMS, CBD, and CITES to raise the issue on the global policy agenda, and cooperating with FAO on its sustainable wildlife management programme. ACAP drew attention to the harvest of albatross in the South Atlantic. The Terrestrial Working Group addressed this issue. On Saturday, the COW endorsed the draft decisions.

**Final Outcome:** The COP adopted five decisions (UNEP/CMS/COP12/CRP39), which:

- instructs the Secretariat to: prepare an analysis on the direct and indirect impacts of wild meat consumption on terrestrial and avian species listed on CMS; cooperate with the partners of the Collaborative Partnership on Sustainable Wildlife Management, including: the Secretariats of CITES and CBD, the FAO, the Centre for International Forestry Research (CIFOR), Centre de Coopération Internationale en Recherche Agronomique pour le Développement, and WCS;
- requests parties to: provide information and data on the impact of wild meat consumption, support discussion on wild meat in global policy fora, and support governance towards a sustainable wild meat sector;
- instructs the Scientific Council to consider the analysis on the direct and indirect effects of wild meat consumption on CMS-listed species;
- instructs the Standing Committee to consider, at its 48th and 49th meetings, the report submitted by the Secretariat and any recommendations from the Scientific Council, and make recommendations at COP13; and
- urges parties, IGOs, and NGOs to provide voluntary financial contributions and technical support for the implementation of the decisions.

**Sustainable Tourism and Migratory Species:** On Wednesday, 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. 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. On Saturday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP24), the COP, *inter alia*:

- urges parties to adopt appropriate measures to ensure ecotourism activities do not negatively affect species, including national action plans, codes of conduct, binding protocols, and legal frameworks;
- encourages parties to perform regular appraisals of enacted measures to account for any new research or relevant information, and adapt regulations as required; and
- requests the Scientific Council to monitor the uptake of national guidelines, disseminate examples of good practice, and assemble specific guidelines for sustainable tourism relating to specific taxonomic groups.

**Promoting MPA Networks in the Association of Southeast Asian Nations (ASEAN) Region:** On Wednesday in the COW, the Philippines introduced UNEP/CMS/COP12/Doc.24.4.9, highlighting the vitality of ecological networks for marine migratory species and emphasizing the importance of regional cooperation, especially in Southeast Asia. The COW forwarded the document to the plenary for adoption.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/Doc.24.4.9), the COP, *inter alia*:

- calls upon parties to continue development of transboundary area-based conservation measures, including MPAs, particularly in the ASEAN Region;
- urges parties to promote the establishment of MPA networks through collaboration with: the Partnerships in Environmental Management for the Seas of East Asia, the Coral Triangle Initiative, the ASEAN Working Groups on National Conservation and Biodiversity, Coastal and Marine Environment, and mechanisms associated with ASEAN State Officials for Environment; and
- strongly encourages the participation of the ASEAN member states to support government implementation of marine biodiversity conservation actions at the regional, national, and local levels.

**Promoting Conservation of Critical Intertidal and other Coastal Habitats for Migratory Species:** On Wednesday in the COW, the Philippines introduced UNEP/CMS/COP12/Doc.24.4.10, stressing the urgent need to address coastal habitats and proposing a global conservation forum to address these ecosystems. 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. On Saturday, the COW endorsed the draft resolution.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP26), the COP, *inter alia*:

- urges parties to give urgent protection to remaining intertidal wetlands, especially in coastal regions that are suffering high rates of wetland loss, notably in Asia, paying particular

attention to sites that form part of the networks of migratory species;

- urges parties to withdraw or modify any perverse incentives to convert intertidal or other coastal wetland habitats, and implement sustainable coastal engineering measures for climate change adaptation;
- requests the Secretariat to work with other relevant MEAs to initiate a global Coastal Wetland Forum, to raise the profile of intertidal wetland conservation; and
- requests the Scientific Council to establish a multi-stakeholder working group to develop global guidance on the conservation, wise use, and management of sustainable coastal wetlands.

**Improving Ways of Addressing Connectivity in the**

**Conservation of Migratory Species:** On Wednesday, Scientific Council Chair 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 more support for 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.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP112), the COP, *inter alia*:

- urges parties and invites others to give special attention to connectivity issues when planning, implementing, and evaluating actions designed to support the conservation and management of migratory species, particularly when: devising strategic conservation objectives; identifying, prioritizing, developing, and managing protected areas; strengthening and expanding ecological networks; evaluating the sufficiency and coherence of ecological networks; and monitoring and assessing the effectiveness of the protection and management the areas and networks;
- encourages parties and invites others to intensify efforts to address threats to the conservation status of migratory species that are manifested as threats to connectivity, including: barriers to migration, fragmented resources and disrupted processes, genetic isolation, population non-viability, altered behavior patterns, shifts in range caused by climate change, and inconsistencies in management across and beyond national jurisdictions;
- requests the Secretariat to facilitate the sharing of information on connectivity within and between the instruments of the CMS Family, biodiversity-related MEAs, and others;
- invites parties, other states, and relevant organizations to provide support for long-term maintenance of large-scale databases on migratory species distributions, movements, and abundance; and
- urges parties and invites others to foster the development of radio receiver systems that could be deployed worldwide.

In the three accompanying decisions, the COP:

- requests parties to review the means by which the measures for addressing connectivity in conservation of migratory species can be applied more effectively through their national policies and plans;
- requests parties to support the development of the African-Eurasian Bird Migration Atlas and the proposed CMS Global Atlas of Migratory Animal Movements, as well as further redevelopment and application of the African-Eurasian Critical Site Network tool;

- instructs the Scientific Council to enhance scientific understanding of connectivity issues through tasks, including: reviewing the scope for existing major databases to support relevant analyses and syntheses of information; investigating options for relevant data and knowledge holding capabilities; investigating and reporting on linkages between migratory species connectivity and ecosystem resilience; and assessing the need to develop focused objectives for new research; and
- requests the Secretariat to explore options for a working mechanism to promote sharing and review of information on connectivity, develop proposals on guidance, mobilize support for interested parties, and identify opportunities for tracking migratory species.

**Transfrontier Conservation Areas for Migratory Species:** On Wednesday in the COW, the Secretariat introduced UNEP/CMS/COP12/Doc.24.4.12, highlighting that protected areas still provide insufficient space for migratory species. The draft decision calls for the Transfrontier Conservation Areas (TFCAs) 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. On Thursday, the COW endorsed the draft resolution.

**Final Outcome:** The COP adopted four decisions (UNEP/CMS/COP12/CRP19), which invite parties to:

- identify transboundary habitats of CMS-listed species, which could be considered as TFCAs;
- consider developing jointly with neighboring range states bi- or multilateral arrangements to improve the conservation of habitats and species; and
- enable the participation of local communities and stakeholders in the development of TFCAs.

The Secretariat is directed to support parties in implementation. Parties, IGOs and NGOs are requested to provide financial and technical support for implementation.

**Community Participation and Livelihoods:** On Wednesday in the COW, 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 decisions. On Thursday, the COW endorsed the draft decisions.

**Final Outcome:** The COP adopted three decisions (UNEP/CMS/COP12/CRP4), which:

- instruct the Secretariat to prepare a study of best-practice cases of community involvement in the conservation and management of CMS-listed species, including factors such as land rights, management responsibilities, authority over distribution of benefits by communities, and spiritual values; and to cooperate with the CITES Secretariat to facilitate organization of workshops and side-events to showcase livelihood experiences and lessons learned;
- request the Secretariat to support parties and report to the Standing Committee at the COP;
- invites parties to cooperate with the Secretariat in compiling information on instruments to promote community involvement in the conservation of CMS-listed species; and
- invites parties, IGOs and NGOs to provide financial and technical support to the Secretariat to develop the study.

**AMENDMENT OF CMS APPENDICES: Proposals for amendment of Appendices I and II of the Convention:** On Thursday, the COW considered the proposals submitted for inclusion of species on Appendix I and/or II. For each species, the state(s) proposing the listing introduced the proposal and the COW endorsed and forwarded the proposals to the plenary for adoption. The COW took up avian and aquatic species first to allow the Terrestrial Working Group time to conclude its work on terrestrial species, however it was unable to reach consensus on four species. Thus, the COW endorsed 16 avian, six aquatic, and eight terrestrial species proposals by consensus, and voted to endorse four terrestrial species proposals.

#### **Avian Species Listings:**

- Christmas frigatebird (*Fregata andrewsi*) on Appendix I (UNEP/CMS/COP12/Doc.25.1.11), proposed by the Philippines;
- black noddy (*Anous minutus*) subspecies *worcesteri* on Appendix II (UNEP/CMS/COP12/Doc.25.1.12), proposed by the Philippines;
- steppe eagle (*Aquila nipalensis*) on Appendix I, proposed by Mongolia (UNEP/CMS/COP12/Doc.25.1.13(a)) and Saudi Arabia (UNEP/CMS/COP12/Doc.25.1.13(b));
- four vulture species occurring in Asia (the red-headed vulture (*Sarcogyps calvus*), white-rumped vulture (*Gyps bengalensis*), Indian vulture (*Gyps indicus*), and slender-billed vulture (*Gyps tenuirostris*)), on Appendix I (UNEP/CMS/COP12/Doc.25.1.14), proposed by Pakistan;
- five vulture species occurring in Sub-Saharan Africa (white-headed vulture (*Trigonoceps occipitalis*), hooded vulture (*Necrosyrtes monachus*), white-backed vulture (*Gyps africanus*), cape vulture (*Gyps coprotheres*), and Rüppell's vulture (*Gyps rueppelli*)) on Appendix I (UNEP/CMS/COP12/Doc.25.1.15), proposed by Kenya;
- lappet-faced vulture (*Torgos tracheliotos*) on Appendix I, proposed by Israel (UNEP/CMS/COP12/Doc.25.1.16(a)) and Saudi Arabia (UNEP/CMS/COP12/Doc.25.1.16(b));
- yellow bunting (*Emeberiza sulphurata*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.17), proposed by the Philippines;
- great grey shrike (*Lanius excubitor excubitor*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.18/Rev.1), proposed by the EU; and
- lesser grey shrike (*Lanius minor*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.19/Rev.1), proposed by the EU.

#### **Aquatic Species Listings:**

- whale shark (*Rhincodon typus*) on Appendix I (UNEP/CMS/COP12/Doc.25.1.20), proposed by the Philippines;
- dusky shark (*Carcharhinus obscurus*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.21/Rev.1), proposed by Honduras;
- blue shark (*Prionace glauca*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.22/Rev.1), proposed by Samoa;
- angelshark (*Squatina squatina*) on Appendices I and II (UNEP/CMS/COP12/Doc.25.1.23), proposed by Monaco;
- common guitarfish (*Rhinobatos rhinobatos*) on Appendix II and the Mediterranean Sea population in Appendix I (UNEP/CMS/COP12/Doc.25.1.24 (a-d)), proposed by Israel; and
- white-spotted wedgefish (*Rhynchobatus australiae*): on Appendix II (UNEP/CMS/COP12/Doc.25.1.25/Rev.1), proposed by the Philippines.

**Terrestrial Species Listings:**

- four species of bats of the genus *Lasiurus* on Appendix II (UNEP/CMS/COP12/Doc.25.1.2), proposed by Peru;
- Gobi bear (*Ursus arctos isabellinus*) on Appendix I (UNEP/CMS/COP12/Doc.25.1.5), proposed by Mongolia;
- Caspian seal (*Pusa caspica*) on Appendices I and II (UNEP/CMS/COP12/Doc.25.1.6), proposed by Iran;
- African wild ass (*Equus africanus*) on Appendix I and II (UNEP/CMS/COP12/Doc.25.1.7(a)), proposed by Eritrea, and on Appendix I (UNEP/CMS/COP12/Doc.25.1.7(b)) proposed by Ethiopia; and
- Przewalski's horse (*Equus ferus przewalskii*) on Appendix I (UNEP/CMS/COP12/Doc.25.1.8), proposed by Mongolia.

Iran withdrew its proposal to list chinkara (*Gazella bennettii*), noting that it will reintroduce it at COP13 (UNEP/CMS/COP12/Doc.25.1.9).

Togo, on behalf of Chad and Niger, introduced the proposal to list the **lion** (*Panthera leo*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.3). South Africa, Tanzania, Zimbabwe, and Uganda opposed the proposal, arguing that the lion is not a migratory species and the proposal does not meet the criteria for CMS listing. Kenya, Senegal, the EU, Angola, Peru, WCS, and the Born Free Foundation supported the proposal. All four opposing countries blocked consensus unless their lion populations were excluded from the listing, but the proposal's proponents rejected this amendment. By a vote of 72 in favor, 4 opposed, and 3 abstentions, the COW approved the proposal.

The Republic of Congo introduced the proposal to list the **chimpanzee** (*Pan troglodytes*) on Appendices I and II (UNEP/CMS/COP12/Doc.25.1.1). Côte d'Ivoire, Senegal, Peru, the EU, Burkina Faso, and Togo supported the proposal. Uganda and Burundi opposed, requesting an amendment to exclude their populations. The proposal's proponents rejected this amendment. By a vote of 71 in favor, 3 opposed, and 4 abstentions, the COW approved the proposal. Uganda said it would enter a reservation to the proposal.

Iran, on behalf of Ghana, Kenya, and Saudi Arabia, introduced the proposal to list the **leopard** (*Panthera pardus*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.4). South Africa, Zimbabwe, and Uganda opposed the proposal, arguing that the leopard is not a migratory species and the proposal does not meet the criteria for listing. Senegal moved to vote on the proposal rather than exclude one or more countries' leopard populations. Humane Society International said leopards systematically cross national boundaries and meet the scientific criteria of the Convention. Following a vote of 68 in favor, 4 opposed, and 8 abstentions, the COW approved the proposal. Uganda and Zimbabwe said they would enter reservations to the proposal.

Angola introduced the proposal to list the **giraffe** (*Giraffa camelopardalis*) on Appendix II (UNEP/CMS/COP12/Doc.25.1.10). Zimbabwe, South Africa, Uganda, and Tanzania opposed the proposal, arguing that the giraffe is not a migratory species and does not meet the criteria for listing. Senegal, Kenya, the EU, the Gambia, Liberia, Burkina Faso, Cabo Verde, and Pro-Wildlife (on behalf of a group of NGOs) supported this proposal. Following a vote of 68 in favor, 4 opposed, and 6 abstentions, the COW approved the proposal.

**Revision of the template and guidelines for the drafting of proposals for the amendment of the appendices:** On Thursday, the Secretariat introduced UNEP/CMS/COP12/Doc.25.2, noting the Standing Committee had approved updates to the template and sought guidance from the COP to confirm their use. Israel, the

EU, Brazil, Australia, New Zealand, South Africa, and Uganda suggested changes. The COW accepted them and forwarded the document to plenary for adoption.

**Final Outcome:** In Resolution 11.33 (Rev.COP12), as contained in UNEP/CMS/COP12/CRP23, the COP decides:

- to interpret the term “endangered” in Article I, paragraph 1(e) of the Convention as “facing a very high risk of extinction in the wild in the near future”;
- that in the interpretation of the term “migratory species” in Article I, paragraph 1(a) of the Convention, the word “cyclically” in the phrase “cyclically and predictably” relates to a cycle of any nature, such as astronomical (circadian, annual etc.), life or climatic, and of any frequency; and the word “predictably” implies that a phenomenon can be anticipated to recur in a given set of circumstances, although not necessarily regularly in time;
- the parties shall act in the best interest of the conservation of the species concerned and, when considering proposals to amend Appendix I or II, adopt measures that are proportionate to the anticipated risks to the species;
- to adopt the format for proposals to amend CMS Appendices, contained in Annex 2; and
- that this resolution replaces Resolutions 2.2 and 5.3.

**Taxonomy and Nomenclature:** On Wednesday, 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 some concerns and the COW recommended the issues be taken up by the appropriate working groups.

The Avian Working Group submitted revisions, which were accepted by the COW on Saturday.

**Final Outcomes:** In the resolution (UNEP/CMS/COP12/CRP20), the COP:

- adopts the list of standard references included in Annex 1 to be recognized and used as the bases on which the CMS Appendices and amendments thereto, are prepared;
- reaffirms the rules adopted by the Convention for the treatment of cases of synonymy, species splitting, and species aggregation (lumping) as a result of a change of standard nomenclatural reference;
- urges other MEAs to adopt the same standard taxonomic reference for passerine birds; and
- repeals Recommendations 6.1 and 9.4, and Resolutions 10.13 and 11.19.

The associated decision requests the Secretariat, in consultation with the Scientific Council and the Depositary, to adapt the CMS Appendices according to the new bird reference adopted and the rules outlined in the resolution on taxonomy and nomenclature.

**IMPLEMENTATION OF THE CONCERTED ACTIONS**

**PROCESS: Concerted Actions:** On Tuesday, the Secretariat introduced document UNEP/CMS/COP12/Doc.26.1, which consolidates 13 resolutions and recommendations on Concerted Actions into a single resolution. The document also proposes adjustments aimed at streamlining the procedures for the management of the Concerted Actions tool and creates a more transparent process for monitoring and assessing implementation. The Secretariat noted that the Scientific Council suggested some amendments to the draft decision (UNEP/CMS/COP12/Doc.26.1/Add.1).

The EU supported the consolidated resolution and recommended the Scientific Council's amendments be incorporated. With this, the COW accepted the draft resolution

and decisions, including the recommendations of the Scientific Council.

**Final Outcome:** In the resolution (UNEP/CMS/COP12/CRP1), the COP:

- determines that Concerted Actions are priority conservation measures, projects, or institutional arrangements undertaken to improve the conservation status of selected Appendix I and Appendix II species or selected groups of these species that a) involve measures that are the collective responsibility of parties acting in concert; or b) are designed to support the conclusion of an instrument under Article IV of the Convention and enable conservation measures to be progressed in the meantime or represent an alternative to such an instrument;
- adopts the Guidelines to the Implementation of the Concerted Actions Process and the Format for Proposing Concerted Actions contained in Annexes 1 and 2, respectively;
- requests the Scientific Council to propose for each COP a list of species for Concerted Actions and sets out additional tasks for the Scientific Council to undertake on Concerted Actions;
- decides to review, at each COP, progress in implementing Concerted Actions, in accordance with the Guidelines;
- instructs the Secretariat and Scientific Council to encourage and assist parties to take Concerted Actions to implement the provisions of the Convention, where possible through existing instruments of bilateral or multilateral cooperation;
- urges parties to provide the in-kind and financial means required to support targeted conservation measures aimed at implementing Concerted Actions for the species listed in Annex X to this resolution; and
- adopts the lists of species designated for Concerted Actions contained in Annex X to this resolution.

The resolution also repeals Resolutions 3.2, 4.2, 5.1, 6.1, 7.1, 8.29, 9.1, 10.23, and 11.13 and Recommendations 5.2, 6.2, 7.1, and 8.28.

In the two associated decisions, the COP directs the Scientific Council to: determine whether species previously listed for Cooperative Actions, but for which no activity has yet begun, should remain listed in the new unified Concerted Actions list or be deleted; and review the projects and initiatives already begun as Cooperative Actions under earlier decisions; and report to the Standing Committee at its 48th and 49th meetings on progress in implementing this decision.

The decisions also direct the Secretariat to develop a template to be used by the members of the Council or alternative experts nominated by the Scientific Council to provide a concise written report to each meeting on progress in the implementation of actions for the species or taxonomic group concerned.

**Designation of Species for Concerted Actions for the Triennium 2018-2020:** On Thursday, the Secretariat presented document UNEP/CMS/COP12/Doc.26.2, noting the Scientific Council has reviewed and supported the list of species (COP12/Doc.26.2/Add.1). The document and the proposals for concerted actions of specific species were considered by the appropriate working groups and submitted to the COW on Thursday, for its endorsement.

**Final Outcome:** The list of species designated for Concerted Actions during the triennium 2018-2020 is contained in UNEP/CMS/COP12/CRP35.

The proposals for designated of specific species for Concerted Actions include:

- European eel (*Anguilla anguilla*), proposed by Monaco (UNEP/CMS/COP12/Doc.26.2.1 and CRP14);

- Eastern tropical Pacific sperm whales (*Physeter macrocephalus*), proposed by the Expert Working Group on Animal Culture and Social Complexity (UNEP/CMS/COP12/Doc.26.2.2);
- Atlantic humpback dolphin (*Souza teuszii*), proposed by the Appointed Councillor for Aquatic Mammals, together with two NGOs: Conservation and Research of West African Aquatic Mammals and Whale and Dolphin Conservation (UNEP/CMS/COP12/Doc.26.2.3);
- Arabian Sea humpback whales (*Megaptera novaeangliae*), proposed by the Appointed Councillor for Aquatic Mammals (UNEP/CMS/COP12/Doc.26.2.4);
- angelshark (*Squatina squatina*), proposed by Monaco (UNEP/CMS/COP12/Doc.26.2.5);
- mobulid rays (Mobulidae), proposed by Manta Trust and the WCS (UNEP/CMS/COP12/Doc.26.2.6 and CRP15);
- whale shark (*Rhincodon typus*), proposed by the Philippines (UNEP/CMS/COP12/Doc.26.2.7 and CRP16); and
- Asian great bustard (*Otis tarda*), proposed by Mongolia (UNEP/CMS/COP12/Doc.26.2.8).

**MANILA DECLARATION ON SUSTAINABLE DEVELOPMENT AND MIGRATORY SPECIES:** The Manila Declaration on Sustainable Development and Migratory Species (UNEP/CMS/COP12/Doc.27) was introduced by the Philippines and revised during the course of the meeting. On Saturday, the COP adopted the final declaration (UNEP/CMS/COP12/CRP6).

The declaration highlights the interconnectivity between the SDGs and CMS, and urges parties to align relevant national efforts and development strategies with the SDGs and CMS agreements and targets. The declaration, *inter alia*:

- invites parties and the Secretariat to engage in processes related to the implementation of the 2030 Agenda for Sustainable Development with a view to contributing inputs and raising awareness of the important contribution that the conservation of migratory wildlife makes to sustainable development;
- encourages parties to implement the SPMS and monitor and report on progress in achieving its targets using designated indicators, thus contributing to the achievement and assessment of the objectives of the CMS Family, the CBD's 2020 Aichi Biodiversity Targets and the SDGs;
- urges parties to promote high-level political awareness and acceptance of the importance of migratory species conservation as part of the environmental underpinning of social and economic goals;
- encourages parties to develop national legal frameworks to implement the obligations of the Convention in support of the SDGs;
- urges parties and relevant stakeholders to promote and improve coordination for the implementation of the Convention at the national level;
- calls on UNEP and the United Nations Development Programme to improve the capacity of parties and stakeholders to integrate wildlife considerations in their economic and social policies at the national and regional levels;
- invites the private sector to engage in relevant dialogues to find common solutions and align policies and practices with the objectives of the Convention;
- recognizes the role of indigenous and local communities in the sustainable management of natural resources; and
- emphasizes the importance of the opportunities for livelihood support, national economies, and community well-being

that can be created through sustainable wildlife watching, ecotourism, land rehabilitation, and related initiatives.

### **CLOSING SESSION OF THE COW**

The COW resumed Saturday morning at 8:30 am to approve the remaining conference room papers (CRPs) and forward them to the plenary for adoption.

In his concluding remarks, COW Chair Hay thanked the host country for its inspirational leadership. He emphasized that CMS is not losing its reputation as the “friendly convention,” in spite of the intensity of negotiations and voting in the COW. He added that the spirit of collaboration has been palpable and bodes well for the future of CMS. He compared reaching agreement at this meeting to crossing a road in Manila—it may seem totally impossible at first, but with patience, boldness and help from others a safe path is found and a destination is revealed. The result, he concluded, will be a better future for the migratory species that need our help and for all of us. He closed the COW at 9:40 am.

### **FORMAL AND CONCLUDING BUSINESS**

On Saturday, COP Vice-Chair Hay reconvened the COP plenary at 10:00am.

#### **REPORT OF THE CREDENTIALS COMMITTEE:**

Uruguay, Chair of the Credentials Committee, reported that 91 parties attended the COP and 80 parties’ credentials were in order.

**ADOPTION OF RESOLUTIONS, DECISIONS, AND AMENDMENTS TO THE APPENDICES:** The COP adopted by consensus all resolutions, decisions, and amendments to the appendices forwarded from the COW.

**DATE AND VENUE OF COP13:** Emphasizing India’s commitment to biodiversity conservation, India offered to host COP13 in 2020. CMS Executive Secretary Chambers noted that document UNEP/CMS/COP12/Doc.31/Rev.1 contains India’s offer, which was adopted.

**ADOPTION OF THE REPORT:** The CMS COP12 report was adopted without amendment.

**CLOSURE OF THE MEETING:** Rodolfo Garcia, Undersecretary and Chief of Staff, Department of Environment and Natural Resources, the Philippines, on behalf of COP Chair Cimatu, emphasized the success of COP12, with large support from parties and multiple stakeholders, which raised the profile of the CMS in the public eye. He noted the Manila Declaration on Sustainable Development and Migratory Species, which states that wildlife supports many national and global economic activities, such as agriculture, forestry, fisheries, energy, tourism, transport, mining, and trade. He added that CMS has an essential role in enhancing conventions’ synergies and argued it is an essential instrument to achieve the global biodiversity targets. He concluded by offering full support on the road towards COP13 in India.

In his closing remarks, CMS Executive Secretary Chambers said that CMS had matured and “come of age.” He urged participants to see the voting on species’ listings as a positive development, stressing that a “dose of active democracy” will do CMS no harm. Among important milestones of COP12, he cited: record levels of participation from parties and non-parties, as well as NGOs; unprecedented media coverage; policy development; and enhanced institutional provisions. Among others, Chambers thanked Bert Lenten, CMS Deputy Executive Secretary, upon his retirement, for his leadership of AEWA and his work in establishing World Migratory Bird Day.

COP12 Vice-Chair Rod Hay closed CMS COP12 at 1:00 pm.

### **A BRIEF ANALYSIS OF CMS COP12**

*“Their future is our future and there is no other time to act but now.” ~ Juan Miguel Cuna, the Philippines, introducing the Manila Declaration on Sustainable Development and Migratory Wildlife*

Emotions ran high amid concerns about run-away rates of species and habitat loss at CMS COP12 in Manila. The somber reality of the likely fate of migratory species permeated the proceedings from the opening high-level panel discussion until the closing plenary, which added 34 new aquatic, avian, and terrestrial species to the Convention’s appendices. As one observer reminded the assembled delegates: “Rather than celebrating an up-listing of species, we should be mourning.”

Guided by the theme, “Their Future is Our Future: Sustainable Development for Wildlife and People,” the opening ceremony and high-level events that started off the week sought to explicitly link wildlife conservation to the SDGs. Countless delegates reiterated the interdependence of humans and wildlife, underlining the ways in which healthy ecosystems and wildlife contribute to sustainable development through the socio-economic benefits of food, pollination, pest control, medicinal and genetic resources, ecotourism, and human health.

At the first CMS COP to be held in Asia, the Philippines as host country impressed delegates with impeccable organization, media outreach, species listing proposals, and regional stakeholder participation. In response, COP12 delivered an unprecedented number of participants from parties, observer states, and civil society, a greater-than-ever number of species listing proposals and resolutions adopted, and record media attention, as delegates strived to carve out a higher CMS profile in the crowded MEA landscape.

This brief analysis will consider the challenges and achievements of COP12 and the efforts to better position CMS within the sustainable development agenda.

#### ***SPECIES WITHOUT BORDERS: A DIPLOMATIC AND SEMANTIC CHALLENGE***

What exactly is a migratory species? Throughout the meeting, the definition of “migratory” haunted COP delegates, as some parties argued passionately that species not participating in an annual and predictable migration cannot be considered as migratory. Other parties joined voices with NGOs to argue that the Convention is intended to protect all species that straddle national borders and move across these political boundaries with predictable regularity. An issue that may seem semantic proved to be all too concrete in discussions around the proposed listings of chimpanzee, lion, giraffe, and leopard. The Terrestrial Working Group, despite best efforts, could not resolve the issue and sent these listings back to the Committee of the Whole (COW). But the COW fared no better and had no choice but to resort to the first-ever CMS vote to list species on the appendices.

Some pointed to perceived links between CMS and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) at the root of the deadlock. A number of parties feared that the listing of a species on the CMS appendices could be used as leverage to “compel” its listing under CITES. Others argued that the differing mandates of CMS and CITES—the former on species conservation, the latter on international trade in endangered species—should not be conflated in order to reduce political interference. In CMS, political borders are

boundaries that may inhibit conservation and management. In CITES, borders may be “compromised” by “human-induced” species movements linked to trade.

Borders took on yet another dimension, as some pointed to the dangers of exempting sub-populations of species that are defined by politics and not biology. Several southern and eastern African countries said the only way they would accept the listing of the four terrestrial species was if their own populations were exempt. Other parties and NGOs alike argued that allowing exemptions on these grounds could have serious implications in CITES and the Convention on Biological Diversity, as well as undermine the legitimacy of the CMS itself. In the end, no exemptions were accepted and the Convention continued its practice of relying on sound science. The result was that for the first time the giraffe—with fewer than 90,000 animals remaining in the wild—will receive protection under an international treaty. The listing of the leopard and the lion will pave the way for the implementation of the joint CMS-CITES African Carnivores Initiative, which aims to increase coherence between the Secretariats on conservation of the African lion, cheetah, leopard, and African wild dog. Finally, the chimpanzee, which is facing a 50% drop in numbers over three generations and rapid habitat loss, will receive much needed attention.

### ***THEIR FUTURE IS OUR FUTURE: TRANSCENDING GEO-POLITICS***

In spite of some challenges with terrestrial species, COP12 retained its reputation as a more collegial and less political forum than many other MEAs. Most CMS COP participants are scientists and their commitment to wildlife conservation showed as geo-political conflicts did not prevent the plenary from endorsing actions on the conservation of a wide range of migratory species, many of which are near-extinct.

For example, fifteen species of Old World vultures, among the most threatened birds on the planet, will now be protected by a Multi-Species Action Plan to Conserve African-Eurasian Vultures (Vulture MsAP). The preparation of the Vulture MsAP involved government officials and other stakeholders in all 128 range states and demonstrated unprecedented cooperation to save these birds, which are nature’s garbage collectors, performing key ecosystem services and reducing the spread of disease. In addition, ten vulture species were added to the CMS appendices, including the lappet-faced vulture, which was proposed by both Saudi Arabia and Israel. Israel also reached out to other range states in the region requesting males in captivity to be sent to Israel for its captive breeding programme.

COP12 also ensured that three species of shark and three species of ray will receive greater protection. In addition, recognizing that no fewer than 51 species of cetaceans inhabit the waters of the South Atlantic Ocean, some of which are highly migratory, the COP adopted the Action Plan for the Protection and Conservation of South Atlantic Whales. This was especially noteworthy, given the fact that the proposal to establish a South Atlantic Whale Sanctuary has been repeatedly rejected by the International Whaling Commission (IWC). In this case, however, IWC politics did not infiltrate CMS. The Action Plan deliberately does not interfere with the sovereign rights of coastal states, but is designed to guide the management of threats faced by whales in the South Atlantic Ocean and monitor their recovery for the next ten years.

In another example of how science transcended geo-politics, both Ethiopia and Eritrea, with known political differences, proposed listing the African wild ass on CMS Appendix I. In

the past, each range state had its own conservation plan for the species due to political disagreement rather than environmental realities. However, in March 2017, the 1st International African Wild Ass Range State Meeting was convened in Germany, bringing together current and former range states to create a range-wide conservation strategy. COP12 delegates endorsed this strategy: the Roadmap for the Conservation of the African Wild Ass.

In his closing remarks, COW Chair Rod Hay lauded this spirit of collaboration that bodes well for the future of CMS, adding “The result has to be a better future for the migratory species that need our help, and for all of us.”

### ***THE TIME TO ACT IS NOW***

COP12 ended on a high note, with CMS Executive Secretary Bradnee Chambers applauding the progress of the week and the growth and maturity of the Convention. But it is yet to be seen if CMS can translate regime expansion into effective implementation. Several delegates emphasized the need for “sharp CMS teeth” to support implementation of its ambitious goals and conservation plans.

One of the most pivotal tasks of COP12 in this regard was to enhance compliance and monitoring mechanisms. COP11 was unable to adopt a compliance mechanism and could only agree to set up an intersessional process to explore possibilities for strengthening implementation of the Convention through a review process.

This intersessional work enabled parties at COP12 to establish a Review Mechanism in conjunction with a National Legislation Programme to support strengthening the implementation of the Convention through new national legislation, and support parties in developing or improving legislation. By linking the two together, and ensuring that communications between the Secretariat and individual parties on specific implementation matters would remain confidential, concerned parties were assured that this would truly be a supportive, non-adversarial, and facilitative approach. There was widespread agreement that establishment of this review mechanism shows the institutional growth of the Convention, as well as a new focus on implementation.

Many also agreed that the time for negotiating new MoUs and new daughter agreements may have passed, at least for a while. The CMS Secretariat, parties, IGOs and NGOs alike are now expected to focus on work at the national and regional levels. To this end, the Secretariat will have to persuade more states to accede to the Convention, encourage greater cooperation between range states, and provide technical support for implementation efforts and capacity building. These tasks, however, are subject to the availability of funding, which is not guaranteed.

Lack of funding also threatens the Secretariat’s ability to raise awareness and create more buzz about the Convention. Over the last triennium the CMS Secretariat improved its outreach, website, and social media presence. Heading into the COP, some delegates were concerned that CMS might not have the budget it needs to take this work forward. The Budget Committee worked long hours and finally approved a small budget increase and programme of work that does allow for the hiring of a full-time information officer. Yet concern about parties in arrears and funding shortfalls remains.

Going forward, the Convention’s efforts will be crucial to protect species that know no political boundaries and need the assistance of all range states to prevent their extinction in the midst of habitat loss, climate change, and pollution. There was

wide agreement that wild animals can no longer be discussed in isolation; they are part of the bigger picture, including the economy, human health, and society. This sentiment was fully encapsulated in the Manila Declaration on Sustainable Development and Migratory Wildlife adopted during the closing plenary. But without action on the ground, COP12's accomplishments may be for naught. As Rodolfo Garcia, Undersecretary and Chief of Staff, Department of Environment and Natural Resources, the Philippines, said in his closing remarks, "Inaction, lack of unity, and weak political will consign migratory species to the dustbins of natural history, museum specimens, and screensavers."

## UPCOMING MEETINGS

**UNFCCC COP23:** The 23rd session of the Conference of the Parties (COP23) to the UN Convention on Climate Change (UNFCCC) will be organized by Fiji and hosted at the headquarters of the UNFCCC Secretariat in Bonn, Germany. **dates:** 6-17 November 2017 **location:** Bonn, Germany **contact:** UNFCCC Secretariat **phone:** +49-228-815-1000 **fax:** +49-228-815-1999 **email:** secretariat@unfccc.int **www:** <https://cop23.unfccc.int/>

**CITES SC69:** The CITES Standing Committee will convene for its sixty-ninth meeting. **dates:** 27 November - 1 December 2017 **location:** Geneva, Switzerland **contact:** CITES Secretariat **phone:** +41-22-917-81-39/40 **fax:** +41-22-797-34-17 **email:** info@cites.org **www:** <https://cites.org/eng/com/sc/69/index.php>

**UNEA-3:** The third meeting of the UN Environment Assembly (UNEA 3) will be held, on an exceptional basis, from 4-6 December 2017, with the high-level segment taking place on 5-6 December, and the Open-Ended Committee of Permanent Representatives from 29 November to 1 December. **dates:** 4-6 December 2017 **location:** Nairobi, Kenya **contact:** Jorge Laguna-Celis, Secretary of Governing Bodies **phone:** +254-20-7623431 **email:** unep.sgb@unep.org **www:** <http://www.unep.org/environmentassembly/assembly>

**CBD SBSTTA-21 and Article 8(j) Working Group-10:** The CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) will address, *inter alia*, the links between the Aichi Biodiversity Targets and the SDGs, biodiversity and health, and biodiversity mainstreaming in the energy, mining and infrastructure sectors. The tenth meeting of the CBD *Ad Hoc* Open-ended Working Group on Article 8(j) and Related Provisions will meet in parallel to SBSTTA-21. **dates:** 11-16 December 2017 **location:** Montreal, Quebec, Canada **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <https://www.cbd.int/meetings/>

**6th International Marine Debris Conference:** This conference will examine the pressing need to address and reduce the impacts of marine debris to vital natural resources, human health and safety, and the economy. Objectives include: sharing lessons learned and best practices to reduce and prevent marine debris and its impacts; exchanging innovative ideas such as market incentives and communication strategies; and sharing the latest research initiatives, methods, and results. **dates:** 12-16 March 2018 **location:** San Diego, California, US **contact:** 6IMDC Registration Coordination Team **phone:** +1-603- 862-1545 **email:** info@6IMDC.org **www:** <http://internationalmarinedebrisconference.org/>

**IPBES-6:** The sixth session of the IPBES Plenary will consider for approval four regional assessments of biodiversity and ecosystem services and the thematic assessment on land degradation and restoration. The plenary is also expected to conduct regular elections of the Multi-Disciplinary Expert Panel and consider the review of effectiveness of the Platform. **dates:** 17-24 March 2018 **location:** Medellin, Colombia **contact:** IPBES Secretariat **phone:** +49-228-815-0570 **email:** secretariat@ipbes.net **www:** <https://www.ipbes.net/event/ipbes-6-plenary>

**World Fish Migration Day:** World Fish Migration Day is a one-day event seeking to raise awareness on the importance of open rivers and migratory fish. The Day takes place under the theme "Connecting Fish, Rivers and People." **date:** 21 April 2018 **location:** worldwide **contact:** World Fish Migration Day Organizers **email:** joost@fishmigration.org **www:** <http://www.worldfishmigrationday.com/>

**World Migratory Bird Day:** World Migratory Bird Day was initiated in 2006 and is an annual awareness-raising campaign highlighting the need for the conservation of migratory birds and their habitats. **date:** 12 May 2018 **location:** worldwide **contact:** UNEP/CMS and UNEP/AEWA Secretariat **email:** contact@worldmigratorybirdday.org **www:** <http://www.worldmigratorybirdday.org/>

**4th World Conference on Marine Biodiversity:** This meeting will bring together scientists, practitioners, and policy makers to discuss and advance understanding of: climate change impacts on marine biodiversity; cumulative impacts of human activities on marine biodiversity; marine ecosystem safety; role of systematics in understanding ocean change; bioinformatics and data delivery; analytical approaches in marine biodiversity science; integrative frameworks for linking environmental and biological drivers of biodiversity; linking biodiversity to ecosystem function and services; blue biotechnology and marine genetic resources; marine policy and law; marine biodiversity and human health; marine biodiversity education and outreach; and strategies for conservation of marine biodiversity. **dates:** 13-16 May 2018 **location:** Montreal, Quebec, Canada **contact:** 4th WCMB Congress Secretariat **phone:** +1-514-287-9898 ext. 334 **fax:** +1-514-287-1248 **email:** wcmb2018secretariat@jpd.com **www:** <http://www.wcmb2018.org/>

**CBD SBSTTA-22:** The twenty-second meeting of the CBD SBSTTA will address, *inter alia*: protected areas, marine and coastal biodiversity, biodiversity and climate change, and digital sequence information on genetic resources. **dates:** 2-7 July 2018 **location:** Montreal, Quebec, Canada **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <https://www.cbd.int/meetings/>

**CBD SBI-2:** The CBD Subsidiary Body on Implementation will address: review of the effectiveness of the Nagoya Protocol, the global multilateral benefit-sharing mechanism under the Protocol, and specialized international access and benefit-sharing mechanisms in light of Nagoya Protocol Article 10. **dates:** 9-13 July 2018 **location:** Montreal, Quebec, Canada **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <https://www.cbd.int/doc/?meeting=5691>

**CITES AC30, PC24, and joint AC-PC:** The thirtieth meeting of the CITES Animals Committee and the twenty-fourth meeting of the CITES Plants Committee will meet for their separate meetings as well as a joint session. **dates:** 16-27 July 2018 **location:** Geneva, Switzerland (to be confirmed) **contact:** CITES

Secretariat **phone:** +41-22- 917-81-39/40 **fax:** +41-22-797-34-17 **email:** info@cites.org **www:** https://cites.org/eng/com/ac/index.php and https://cites.org/eng/com/pc/index.php

**IWC-67:** The 67th session of the International Whaling Commission will take place in 2018 in the state of Bahia, Brazil, with the dates and precise location to be confirmed. **dates:** September 2018 **location:** Bahia, Brazil **contact:** IWC Secretariat **phone:** +44-1223-233-971 **fax:** +44-1223-232-876 **www:** https://iwc.int

**CITES SC70:** The seventieth meeting of the CITES Standing Committee will take place in Sochi, Russia. **dates:** 1-5 October 2018 **location:** Sochi, Russia **contact:** CITES Secretariat **phone:** +41-22-917-81-39/40 **fax:** +41-22-797-34-17 **email:** info@cites.org **www:** https://cites.org/eng/com/sc/index.php

**2nd Arctic Biodiversity Congress:** The second Arctic Biodiversity Congress builds on the outcomes of the first Congress, held in Trondheim, Norway, in 2014, with the aims, among other things, of: assessing the Arctic in the context of the CBD Strategic Plan for Biodiversity 2011-2020, the Aichi Biodiversity Targets, and the SDGs; and facilitating interdisciplinary discussion, action, and status updates on the Arctic Biodiversity Assessment recommendations and implementation actions. **dates:** 9-11 October 2018 **location:** Rovaniemi, Finland **contact:** CAFF International Secretariat **phone:** +354-462-3350 **email:** caff@caff.is **www:** www.arcticbiodiversity.is/congress

**CBD COP14:** The fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity is expected to be held in November 2018 in Egypt. **dates:** 10-22 November 2018 (to be confirmed) **location:** Sharm El-Sheikh, Egypt (to be confirmed) **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288- 6588 **email:** secretariat@cbd.int **www:** www.cbd.int/meetings/

**6th Meeting of the Parties (MOP6) of the Agreement on the Conservation of Albatrosses and Petrels (ACAP):** The ACAP MOP brings together the decision making body of the Agreement every three years, with MOP6 to be held in mid-2018. **dates:** mid-2018 **location:** South Africa (to be confirmed) **contact:** ACAP Secretariat **phone:** +61-3-6165-6674 **email:** secretariat@acap.aq **www:** https://acap.aq/

**Raptors MoU MoS:** The 3rd Meeting of the Signatories (MoS3) to the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia will take place in late 2018. **dates:** last quarter 2018 **location:** to be confirmed **contact:** Raptors MoU Coordinating Unit **phone:** +971-2-6934-437/541 **email:** CmsOffice.ae@cms.int **www:** http://www.cms.int/raptors/

**Ramsar COP13:** The 13th Meeting of the Conference of the Contracting Parties to the Ramsar Convention on Wetlands will convene under the theme “Wetlands for a Sustainable Urban Future.” **dates:** 21-29 October 2018 **location:** Dubai, United Arab Emirates **contact:** Ramsar Secretariat **phone:** +41-22-999-01-70 **email:** ramsar@ramsar.org **www:** http://www.ramsar.org/

**AEWA MOP7:** The 7th Session of the Meeting of the Parties (MOP7) to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) is scheduled to take place in late 2018. **dates:** last quarter, 2018 **location:** to be confirmed **contact:** UNEP/AEWA Secretariat **phone:** +49-228-815-2413 **fax:** +49-228-815-2450 **email:** aewa@unep.de **www:** http://www.unep-aeawa.org/

**CITES CoP18:** CITES CoP18 will be held in Sri Lanka. **dates:** 2019 **location:** Sri Lanka **contact:** CITES Secretariat

**phone:** +41-22-917-81-39/40 **fax:** +41-22-797-34-17 **email:** info@cites.org **www:** https://cites.org/eng/disc/cop.php

**CMS COP13:** The 13th meeting of the Conference of the Parties (COP13) to the Convention on the Conservation of Migratory Species of Wild Animals will be held in 2020. **dates:** 2020 **location:** India **contact:** CMS Secretariat **phone:** +49-228-815-2401 **fax:** +49- 28-815-2449 **email:** cms.secretariat@cms.int **www:** http://www.cms.int

For additional upcoming events, see http://sdg.iisd.org/

## GLOSSARY

ACAP	Agreement on the Conservation of Albatrosses and Petrels
ACCOBAMS	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea, and Contiguous Atlantic Area
AEMLAP	African-Eurasian Migratory Landbirds Action Plan
AEWA	Agreement on the Conservation of African-Eurasian Migratory Waterbirds
ASEAN	Association of Southeast Asian Nations
ASCOBANS	Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas
CAF	Central Asian Flyway
CAFF	Arctic Council's Working Group on the Conservation of Arctic Flora and Fauna
CBD	Convention on Biological Diversity
CITES	Convention on International Trade of 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
EAAFP	East Asian-Australasian Flyway Partnership
EUROBATS	Agreement on the Conservation of Populations of European Bats
FAO	Food and Agriculture Organization of the UN
IGO	Intergovernmental organization
IMMAS	Important Marine Mammal Areas
ITTEA	Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway
IUCN	International Union for the Conservation of Nature
IWC	International Whaling Commission
MEAs	Multilateral environmental agreements
MIKT	Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean
MoU	Memorandum of Understanding
MPA	Marine protected area
NBSAPs	National Biodiversity Strategies and Action Plans
NGO	Non-governmental organization
SDGs	UN Sustainable Development Goals
SPMS	Strategic Plan for Migratory Species
SPREP	Secretariat of the Pacific Regional Environment Programme
TFCAs	Transfrontier conservation areas
ToR	Terms of Reference
MsAP	Multi-species Action Plan
UNEP	UN Environment
WCS	Wildlife Conservation Society