

## CMS COP10 HIGHLIGHTS

### MONDAY, 21 NOVEMBER 2011

The tenth meeting of the Conference of the Parties (COP10) to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) convened on Monday, 21 November, in Bergen, Norway. Participants addressed administrative and organizational matters, heard a keynote presentation, and then discussed the future shape of CMS and the draft budget 2012-2014. In the afternoon, CMS Executive Secretary Elizabeth Mrema introduced the open-ended working groups for the meeting, and listed parties who had volunteered to participate in each group from each of the regional groups. The working group on the saker falcon and the joint working group on the budget and the future shape of the Convention met in parallel with the Committee of the Whole (CoW), in the afternoon. The working groups on the strategic work plan and on marine species convened in the evening, following the adjournment of the CoW.

#### PLENARY

**OPENING OF THE MEETING:** This session was chaired by Mohammed Sulayem, Chair of the Standing Committee (StC), Saudi Arabia. Elizabeth Mrema, CMS Executive Secretary thanked Norway for hosting this COP, the StC and Saudi Arabia for its leadership, and called for closer collaboration with governments, UN bodies and non-governmental organizations (NGOs). She emphasized the financial challenges of the Convention, to be addressed under the CMS future shape process.

ARMENIA and ETHIOPIA, who have recently joined CMS, expressed their appreciation for joining the Convention and support for its goals.

SWAZILAND noted it is in the final stages of ratifying the Convention and thanked the Secretariat for its support.

**ADMINISTRATIVE MATTERS:** Noting the Rules of Procedure had remained unchanged from COP9, StC Chair Sulayem introduced the Rules of Procedure (UNEP/CMS/Conf.10.5), which the COP adopted. Chair Sulayem then introduced the election of officers. NORWAY proposed, and delegates applauded, Øystein Størkersen, Norway, as the COP10 Chair.

Uganda, on behalf of the AFRICA group, nominated James Lutalo, Uganda, as CoW Chair, and the COP agreed. Cuba, on behalf of the LATIN AMERICAN AND CARIBBEAN GROUP (GRULAC), nominated Marcel Calvar, Uruguay, as the CoW Vice Chair, and the COP agreed.

Delegates then adopted the meeting's agenda (UNEP/CMS/Conf.10.1. Rev.1 and 10.2.Rev.1) and work schedule (UNEP/CMS/Conf.10.3); and established the Credentials Committee and open-ended working groups on the budget and future shape of CMS, strategic plan 2015-2020, marine species and the saker

falcon. On admission of observers, ARGENTINA requested the Secretariat to circulate the list of observers for consideration by states before admission.

**KEYNOTE PRESENTATION:** David Wilcove, Princeton University, US, stressed that the abundance of migratory species is the reason for their ecological, economic and cultural importance and proposed steps to create effective ecological networks to enhance conservation.

**OVERVIEW OF THE PROCESS REGARDING THE "FUTURE SHAPE" OF CMS:** Introducing this agenda item, Olivier Biber (Switzerland), Chair of the Intersessional Working Group on the Future Shape of CMS, described the intersessional process launched at COP9, explaining that the working group had been mandated to explore possibilities for the future strategies and structure of the CMS and the CMS family (UNEP/CMS/Res.9.13). He presented the three options outlined in the report on the future shape process (UNEP/CMS/Conf.10.20): key reforms, improving conservation within existing structure and improving conservation via alterations to existing structure. He noted that they have been defined as a result of the review process.

Begonia Filgueira Reinaldo Tulloch, the Environmental Regulation and Information Centre (ERIC), highlighted the history of the intersessional process and outlined the different reform options. She highlighted the responsiveness to the process and some of the challenges.

Several countries commented on the three options outlined, with EGYPT suggesting that choosing one option does not necessarily exclude the others. The European Union and its member states (EU) emphasized that all options require additional funding, which at this time would be difficult to obtain, but that activities outlined under the first option would be considered. NORWAY highlighted the need to improve states' synergies in reporting.

**MOU SIGNING CEREMONY:** During the signing ceremony, Italy, Belgium, Denmark, Germany, the EU and its member states, and Romania signed both the MoU on the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptor MoU) and the MoU on the Conservation of Migratory Sharks (Sharks MoU). The Netherlands signed the Sharks MoU, Ghana signed the Raptor MoU and Switzerland signed the MoU Concerning Conservation Measures for the Aquatic Warbler.

**BUDGET:** CMS Deputy Executive Secretary Bert Lenten presented snapshots of CMS funding and activities at COP2, 5 and 9 to illustrate the growing demands on the Convention, and introduced the draft CMS budget 2012-2014 (UNEP/CMS/Conf.10.18b). He explained that the draft budget was divided into fixed and variable costs, and presented six scenarios, from a 0% to a 25% increase. Noting the need to match the Convention's mandate to the available resources, he said parties must either increase resources or reduce expectations for CMS work.

MADAGASCAR's question about the possibility of developing a funding mechanism was deferred to the working group. ARGENTINA voiced concern that some of the characteristics of the Convention lead to high demands on developing countries for financial contributions.

#### COMMITTEE OF THE WHOLE

##### REPORTS FROM CONVENTION AND AGREEMENT BODIES AND UN ENVIRONMENT PROGRAMME:

The Secretariat presented on progress in the development and implementation of Article IV agreements already concluded, and development of new agreements (UNEP/CMS/Conf.10.9), with a particular focus on the agreements and MoUs for which it provides secretariat services. She cautioned that CMS has limited human resources to support these MoUs and agreements, noting that some of the support is drawn from voluntary contributions from parties, and stressed that constructive activities depend on the provision of adequate support.

##### REPORTS AND STATEMENTS ON THE

**IMPLEMENTATION OF CMS:** James Lutalo, Uganda, chaired the CoW. Mohammed Sulayem (Saudi Arabia), Chair of the StC, presented the report (UNEP/CMS/Conf.10.7) highlighting that a new strategic plan would be required for the period 2015-2020 as the present one expires in 2014, recommending that an intercessional working group be appointed for the task. He drew attention to the cooperative agreement between the CMS Secretariat and the energy company, Rheinisch-Westfälisches Elektrizitätswerk, under which € 120,000 was received for mitigating and avoiding the conflict between migratory birds and electricity power grids in the African-Eurasian region.

Chair John Mshelbwala (Nigeria) presented the report of the ScC (UNEP/CMS/Conf.10.8) proposing minor amendments and corrections. He noted the increasing importance of climate change in CMS work.

The Secretariat of the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) presented its report (UNEP/CMS/Inf.10.18.2), highlighting, among other things, key decisions from its sixth Meeting of the Parties and the designation by the parties of bycatch and underwater noise as priority areas. The Secretariat of ACCOBAMS highlighted its projects and initiatives, as described in its report (UNEP/CMS/Inf.10.18.1) on, *inter alia*: mitigation of the impacts of noise and fishing activity; collisions; whale-watching activities; and capacity building.

Noting that the Agreement on the Conservation of Gorillas and their Habitat came into force in 2007, and thus is the youngest agreement in the CMS family, the CMS Secretariat outlined the membership, meetings and activities, as contained in its report (UNEP/CMS/Inf.10.18.5).

The Secretariat of the Agreement on the Conservation of Populations of European Bats (EUROBATS) presented recent activities in the work of its advisory committee and intersessional working groups, as outlined in its report (UNEP/CMS/Inf.10.18.4).

The Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds presented its activity report (UNEP/CMS/Inf.10.18.3), lauding the growing collaboration of CMS and AEW. The UNEP/CMS Office in Abu Dhabi presented on the implementation of the MoUs on dugongs and on raptors, noting that progress had been achieved since the information documents (UNEP/CMS/Inf.10.18.10 and UNEP/CMS/Inf.10.18.11) were prepared, and thus these documents need updating.

ARGENTINA and CHILE cited efforts and MoUs on albatrosses, petrels and flamingoes. CHILE said they have signed the sharks MoU and that they have enacted laws against finning. PARAGUAY referred to progress on an MoU on pasturelands between Latin American countries for preservation of migratory birds.

REPUBLIC OF CONGO voiced concern about the lack of funding for gorillas and migratory raptors saying the funding gap compromised conservation and called for the CMS Secretariat to support conservation activities. SENEGAL added that his

country had completed the national plan for conservation of turtles. INDIA said that they would like to sign the raptor MoU due to threats to these birds posed by falconry and noted that they had convened a workshop in June 2011 to encourage Pakistan, Bangladesh and Sri Lanka to sign the MoU.

#### WORKING GROUPS

**SAKER FALCON:** This working group, chaired by Colin Galbraith, vice-Chair of the CMS ScC, considered the proposal to list the saker falcon (*Falco cherrug*) under Appendix I of CMS to strengthen range countries' measures to protect the species and monitor its population more closely.

Participants recognized the wide geographic range of the species, as well as the range of interest in the species. They also noted that there is a need to align activities between CMS and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The Chair invited participants to focus on four possible options, involving a suite of actions and changes in legislation, including: listing saker falcon on Appendix I and taking no action beyond that; listing and developing an action plan or task force; not listing the falcon but still developing an action plan or task force; or doing nothing.

Many participants expressed interest in having an action plan. On the suggestion to have a task force, the question was raised as to whether such task force could be convened under the auspices of CMS.

**BUDGET AND THE FUTURE SHAPE OF CMS:** This group met throughout the afternoon, chaired by Alfred Oteng-Yeboah (Ghana) and sub-chaired by Trevor Salmon (UK) and Olivier Biber (Switzerland). Discussions focused on how to decide on the activities under the options proposed by the intersessional working group on the future shape of CMS. Participants also agreed to consider the budget in a closed session on Tuesday and provide a recap session for all delegates during lunch on Tuesday.

One suggestion was to prioritize activities which could be considered "low-hanging fruit," in that they impose no additional financial burden. Another was to prioritize activities for the next triennium, with a number of participants acknowledging the challenges of the current global economic climate. Participants welcomed a proposal to consider innovative approaches such as establishing a non-core budget for voluntary contributions for some of the activities in parallel to the core CMS budget, in line with the RAMSAR convention for example.

**MARINE SPECIES:** The marine species working group convened to consider four resolutions: UNEP/CMS/Res.10.4 on marine debris, UNEP/CMS/Res.10.14 on by-catch of CMS-listed species in gillnet fisheries, UNEP/CMS/Res.10.15 on Global Programme of Work for Cetaceans and UNEP/CMS/Res.10.24 on further steps to abate underwater noise pollution for the protection of cetaceans and other biota. Members agreed to meet after the CoW and at lunch breaks and agreed to work on the text with track changes from the ScC.

Australia introduced the document on marine debris (UNEP/CMS/Res.10.4), saying that comments from UK, Norway and India had been incorporated into the text. It was agreed to *inter alia*: include sharks among fauna affected by marine debris; retain consistency in using debris rather than litter in the text but to mention in brackets "debris (including litter)"; include the UN Food and Agriculture Organization (FAO) among organizations working on or with knowledge on marine debris.

#### IN THE CORRIDORS

With the opening plenary and a welcoming reception having been held on Sunday, CMS COP10 delegates launched directly into their work on Monday morning, to tackle the packed schedule. The halls buzzed as delegates filtered into the meeting.

Even this early in the week, some issues were being flagged on the sidelines as ones that would require in-depth discussions. One, which was also highlighted in opening statements by several keynote speakers, was the uncertainty surrounding the future shape of the CMS and the need for parties to make decisions to clarify the direction of the Convention, leading some to suggest the "main brain" of the meeting was in the joint budget/future shape working group.