

## 2<sup>nd</sup> Meeting of the Sessional Committee of the CMS Scientific Council (ScC-SC2)

*Bonn, Germany, 10-13 July 2017*

UNEP/CMS/ScC-SC2/Report

### REPORT OF THE MEETING

#### Opening of the Meeting and Organizational Matters

##### 1. Opening of the Meeting

1. Mr. Fernando Spina (ScC-SC member for the European Region), Chair of the Scientific Council, welcomed participants to the second meeting of the Sessional Committee, thanking the Secretariat for hosting and organizing it.

2. Mr. Bradnee Chambers, the Executive Secretary of CMS, said that the Twelfth Session of the Conference of the Parties (COP12) was approaching and it faced a heavy agenda. Many Parties had put forward proposals to add species to the Appendices, with a broad geographic and taxonomic spread. The endangered species concerned included several familiar ones: the Whale Shark, the Chimpanzee, the Lion and the Leopard. One year on from its first meeting, the Sessional Committee was now facing the challenges of providing the scientific and technical advice to Parties in the run-up to a COP for the first time.

3. The Rules of Procedure (ROP) meant that there was little time to turn around the COP documentation as the deadlines were to be strictly observed and the comments of the Sessional Committee had to be conveyed to the Standing Committee. CMS faced the same problems as other Multilateral Environment Agreements (MEAs) arising from the blurred boundaries between scientific and political aspects of their work. The division needed to be clear, and CMS had a robust system in place to make the distinction.

4. The Executive Secretary said that one task for CMS was to make the newly merged Concerted Action instrument a more useful and effective tool designed to promote measures on the ground. The current list of species identified for Concerted Action was too long, and the Sessional Committee was being asked to review what work was being done. Where no action was being taken, the Range States should be requested to propose conservation measures.

5. One emerging issue was connectivity, and the Convention's work on it was being led by the Chair of the Scientific Council. Other major issues included underwater noise, wildlife tourism and interactions with aquatic mammals, illegal killing of birds, poisoning, and wild meat.

6. In conclusion, the Executive Secretary thanked the German Government for providing the facilities for the Secretariat in the UN Premises in Bonn and for arranging for simultaneous interpretation of the meeting.

## 2. Adoption of the Agenda and Meeting Schedule

### 2.1. Provisional Agenda and Documents

### 2.2. Provisional Annotated Agenda and Meeting Schedule

7. The Chair introduced the Provisional Agenda and List of Documents (ScC-SC2/Doc.2.1) and the Provisional Annotated Agenda and Schedule (ScC-SC2/Doc.2.2) and invited questions.

8. Mr. James Williams (Party-appointed Councillor, United Kingdom) sought clarification of the timing of the taxonomic working groups, as participants would probably be interested in attending sessions of more than one of them. Mr. Marco Barbieri (Secretariat) said that the taxonomic working groups were expected to run in parallel, however adjustments could be made on the sequence in which items would be considered. He invited participants with interest on specific issues to discuss with the chairs of the working group concerned. In any case, all comments made by the working groups would be considered by the Plenary on the final day of the meeting.

9. There being no requests to amend the agenda or the schedule, both documents were adopted as presented.

10. Mr. Barbieri then explained the format, nature and scope of the comments of the Sessional Committee and how they would be presented to the COP. He described previous practice, whereby the Scientific Council had reviewed documents of a scientific nature and revised versions had been produced for the COP. A criticism of this practice was that the Scientific Council pre-empted the Parties' discussions and the boundary between policy and science was clouded. The proposed new procedure involved a compilation of the Sessional Committee's advice, which would be appended to the relevant document. The Secretariat had devised a template for the Sessional Committee's comments to ensure a degree of consistency, divided into three sections:

- General comments
- Specific comments, including any proposed new wording
- Recommendations

11. Members of Secretariat staff would be on hand to help compile the comments from the Working Groups. The comments would be presented to the Plenary for final review on the last day of the meeting. It would therefore be important for Working Groups to summarize their discussions and advice succinctly and this would require discipline on the part of the Working Group members and particularly the Chairs.

12. The scope of comments should be confined to scientific and technical aspects as befitted the Sessional Committee's role as a technical advisory body. The ROP of the COP required that all documents of a scientific nature be submitted to the Scientific Council (or its Sessional Committee). Many draft resolutions had been submitted, and the review process to repeal and consolidate existing resolutions had produced further work. For resolutions being revised, the Sessional Committee should only concern itself with proposed text revisions (as indicated by underlined text) and not reopen the discussion on existing text which was not proposed to be amended.

13. COP11 had through Resolution 11.6 created a new instrument – the Decision - in addition to the Resolution. While Resolutions were more strategic and long-term, Decisions were intended for short-term specific instructions and requests.

14. It was not always easy to make the distinction between science and policy and there was a wide "grey" area in the science-policy interface. It was a matter of judgement to decide where the division lay, but a rule of thumb was whether one could clearly cite the scientific element underpinning a specific recommendation or proposed decision. There were also some

institutional issues with a direct bearing on the Sessional Committee, where it would be appropriate for it to express its opinion.

15. The Chair invited Ms. Melanie Virtue (Secretariat) to make a presentation on the procedural changes and new document types arising from the adoption of Resolution 11.6.

16. Ms. Virtue said that Resolution 11.6 had provided a mandate for the Secretariat to examine the back catalogue of Resolutions and Recommendations with a view to repealing in full or in part those that were out-of-date.

17. Repealing redundant resolutions was a housekeeping exercise to remove those that had been implemented or overtaken by events. In some cases, parts of old resolutions were still valid and these were being partially repealed. Some issues had been subject of several resolutions and these were being consolidated into a single comprehensive resolution, with repetition and redundant text being eliminated. The current total of 178 would be reduced considerably making the body of resolutions more manageable.

18. As mentioned above, the new category of "Decisions" had been created. These were designed as instructions to be carried out in the short term, as opposed to more strategic resolutions. A Decision might for instance instruct the Secretariat to commission a report for submission to the next COP. They would be repealed after they had been implemented.

19. In future, there would be no new resolutions on subjects for which a resolution already existed. CMS would follow the procedure adopted by CITES of issuing a revision, so if COP12 were to amend Resolution 11.29 from COP11, the revised Resolution would be known as Res.11.29 (Rev. COP12).

20. Some items appeared twice on the COP agenda. This resulted from the extensive and comprehensive review process and from the fact that some issues were subject to new resolutions. Bycatch, for example, would be raised under Agenda Item 21 as the existing resolutions had been consolidated, but new measures were also being proposed for addition to the resolution, hence it appeared again under Agenda Item 24.

21. The Chair congratulated the Secretariat on having undertaken the formidable task of reviewing the entire body of the Convention's resolutions. He stressed that it was not the intention to reopen debate on issues that had long been agreed and the Sessional Committee should restrict its comments to the scientific and technical aspects of new proposals.

22. Ms. Nopasika Malta Qwathekana (ScC-SC member for the Africa region, Vice-Chair) asked that care be exercised to ensure that no confusion arose as a result of resolutions being repealed and rendering cross references in other documents redundant. The Secretariat confirmed that the procedure being followed would maintain maximum transparency, but where multiple resolutions were being merged into a single document, old reference numbers could not be retained. All old resolutions would remain available on the CMS website, and it would be clearly shown which resolutions were still valid, and original and modified text would be clearly annotated.

23. Mr. Øystein Størkersen (Party-appointed Councillor for Norway and Chair of the CMS Standing Committee) also congratulated the Secretariat for having undertaken this task. He sought clarification of how the new Decisions would be managed especially where a Decision was carried over from one COP to the next as often happened in his experience of CITES.

24. Mr. Colin Galbraith (ScC-SC member, COP-appointed Councillor for Climate Change) also welcomed the cleaning up procedure and agreed that clarity between science and policy was needed but stressed that this was a two-way process. The Scientific Council as well as responding to requests for advice should offer its opinions unprompted, especially where it was clear that a species was suffering rapid decline or new effects of climate change became

apparent. The COP was going to be a large and complex event and the Chair of the Scientific Council would have a huge task presenting all the technical points. He concluded his intervention by stating that one of the strengths of CMS was the independence of the Scientific Council and the objective advice which it provided. Mr. Barbieri concurred that the independence of the Scientific Council was important and the activities of the Council should not be confined simply to processing documentation presented to it but that it should have a proactive role. The Chair compared CMS favourably with other MEAs in terms of the scientific advice that it received from its advisory body.

25. The Executive Secretary said that while the repeal and consolidation process might appear complicated, the Secretariat had prepared a straight-forward procedure for dealing with it. It was proposed that a Working Group be established at the COP to review all documents in Agenda item 21. The review would have to be disciplined and avoid the trap of re-opening debates on settled matters. He reassured the meeting that the large quantity of documents would prove to be manageable.

26. Mr. Williams pointed out that the role of the Sessional Committee was to provide scientific advice and not be a miniature version of the COP. Given the heavy agenda that it faced, the Committee should seek to adopt a light touch and not interfere or meddle in policy matters.

## **Strategic and Institutional Matters**

### **3. Scientific Council Organizational Changes**

27. Mr. Barbieri described the progress made in implementing Resolution 11.4, concerning the establishment of the Sessional Committee. Some discussion had already taken place at the first meeting of the Committee in 2016, but one question still to be resolved concerned the rotation of membership.

28. The Committee's membership comprised fifteen regional representatives chosen from among the nationally appointed councillors (three for each of the five CMS regions) plus the nine COP-appointees. The term of the Committee members was set at two triennia, with a provision that in the initial stages, half of the members would serve just one triennium to introduce staggered rotation. These provisions had given rise to a number of uncertainties. It was not clear whether the rotation rules applied to the COP-appointees as well as to the regional representatives. The fact that there was an odd number (15) of regional representatives made it impossible to have rotation of 50 per cent of the membership.

29. The Standing Committee had been consulted and at its 45<sup>th</sup> Meeting had decided that at least for the time being the COP-appointed Councillors would not be subject to the rotation provisions but that this should be confirmed by the COP.

30. The Secretariat had approached all of the COP-appointees and they had confirmed their availability to continue serving. The Secretariat had also reviewed the regional representation and taking into account vacant posts and retirements, it had been proposed that two regions (Asia and Americas) would be required to replace two members, and the others (Europe, Africa and Oceania) one in the next round of elections. The Standing Committee had endorsed this proposal. It was also for each region to decide among its membership which members should be subject to re-election and to identify new candidates. All existing members serving the curtailed one triennium term had confirmed their willingness to continue with the exception of Prof. Sinsin from Benin.

31. Ms. Qwathkana stressed that it was important for any limitations for the terms of office of Committee members to be clear. She also said that it was important for the wider membership of the Scientific Council to be consulted.

32. Mr. Barbieri referred to Resolution 11.4, which contained a provision setting the term of office for Sessional Committee members at two intersessional periods, with half of the initial membership exceptionally being elected for one triennium to establish the stagger. There was no provision precluding members from seeking further terms. Resolution 11.4 was silent on the issue of alternate members who would substitute for full members unable to attend a meeting or replace members no longer able to serve on the Committee. Proposals would be presented to COP12 to address this.

33. The Scientific Council and the Secretariat had been instructed through Resolution 11.4 to work on revised Rules of Procedure (ROP) to be submitted to the Standing Committee for approval. The ambitious plan to complete the revision by the 45<sup>th</sup> Meeting of the Standing Committee had not been achieved because of time constraints and lack of capacity in the Secretariat, but an option paper had been drafted. Mr. Barbieri proposed that the option paper be considered by the working group dealing with institutional and legal matters in the margins of the meeting.

34. The Working Group met twice on Wednesday 12 July to discuss the revision to the Rules of Procedure (ROP) for the Scientific Council as a result of the establishment of the Sessional Committee. It reported back to the plenary on 13 July. Mr. Størkersen, in his capacity as Chair of the CMS Standing Committee, presided over this part of the Sessional Committee meeting and given that one of the issues under consideration and needing resolution was whether the terms of the Chair and Vice-Chair of the Sessional Committee should be extended, Mr. Spina and Ms. Qwathekana left the room for the duration of the discussion.

35. Reporting on behalf of the working Group, Mr. Williams said that the Working Group had acknowledged that codifying a new set of ROP would be complex, and that robust ROP were needed that will stand the test of time. The Working Group therefore recommended that it undertakes further work after the meeting with the aim of creating a draft set of ROP which can be considered by the full Scientific Council. Given the complexities of the work needed and the competing pressures on the Secretariat in the run-up to COP12, it was not clear if this could be completed before the COP. However, it was expected that the work could be completed by early 2018, such that a consultation with the full Scientific Council could be carried out and a paper brought to the next meeting of the Sessional Committee – which it was hoped will be early in the next triennium.

36. Part of the complexity that the Working Group encountered in its discussions was how the Chair and Vice Chair of the Sessional Committee should be elected. Given this, the fact that it will not be possible to conclude discussions on new ROP before CoP12, and a need for continuity as the Sessional Committee continued to establish itself, the Working Group proposed to the rest of the Sessional Committee that the current Chair and Vice Chair continue in their roles for the next triennium.

37. Interventions endorsing the proposal of re-electing the two incumbents were made by the COP-appointed Councillors for Fish, Asiatic Fauna and Aquatic Mammals, Mr. Hogan, Mr. Mundkur and Mr. Notarbartolo di Sciara and the Committee Members from Oceania and Africa, Ms. Sharma and Mr. Kasiki.

38. Mr. Størkersen confirmed that both incumbents had expressed their willingness to continue in office and declared both re-elected.

#### **4. Review of the Programme of Work for the Sessional Committee of the Scientific Council for 2016-2017**

39. Mr. Barbieri presented the Programme of Work (POW) of the Sessional Committee contained in SCScC2/Doc.4. It included proposals from the Secretariat on how to assess the progress made in implementing it. The POW had been agreed at the first meeting of the

Sessional Committee, where six thematic areas had been established, each with a dedicated working group. It was not intended to revise this document in depth, but rather to review progress. A template had been drafted to record achievements, and it was suggested that the template be filled in as the meeting progressed. Working Groups were requested to concentrate on their elements of the template, and the Secretariat would produce a synthesis.

40. Mr. Williams agreed that it was necessary to review progress on the tasks assigned at the first meeting of the Committee but added that a number of tasks were arising from documents submitted to COP12. The effort required to deal with these tasks had to be assessed and all the tasks had to be prioritized.

41. Mr. Barbieri said that a list of all the tasks for the Sessional Committee could be drawn up and distributed after the meeting.

42. A revised version of the Programme of Work incorporating input from Working Groups is attached to this report as Annex 1.

## **Interpretation and Implementation of the Convention**

### **5. Interpretation of the phrase “significant proportion” in Article I, paragraph 1 (a) of the Convention Text**

43. Mr. Barbieri introduced the item by referring to documents COP12/Doc.21.1.35 and ScC-SC2/Doc.5. Through Resolution 11.33 COP11 had requested the Scientific Council to clarify the meaning of the phrase “significant proportion” in Article I, paragraph 1 (a) of the Convention Text, and report back to the COP. The Sessional Committee had considered the issue at its first meeting (Bonn, 2016). Initial discuss in plenary had pointed out to difficulties in producing an interpretation that would be applicable across all taxa covered by CMS and different circumstances that could be encountered, and the consequence need to consider each case on its own merits. Further work on the matter had referred to an intersessional working group on institutional and legal matters. The working group had considered the issue in the context of the revision of the template for the submission of proposals for the amendment of CMS Appendices, that Resolution 11.33 mandated the Scientific Council and the Secretariat to undertake. Relevant text had been included in the explanatory note concerning section 3.2 “*Proportion of the population migrating, and why that is a significant proportion*” of the revised template. The revised template had been provisionally adopted by the 45<sup>th</sup> meeting of the Standing Committee, and was submitted to COP12 for final approval.

44. The key decisions for the present meeting were whether enough progress had been made to reach a conclusion and whether the proposed wording in the listing proposal template was consistent with the mandate from the COP. The Secretariat’s view was that there was little left to discuss and the Sessional Committee could sign off on the issue. There were some implications for COP12/Doc.21.1.35 and the partial repeals process, where one draft Decision requested the Sessional Committee to continue its work. This element would be redundant.

45. After some discussion, the Sessional Committee concluded that its work on the definition of “significant proportion” had been completed. Its recommendations to COP12 concerning Doc.21.1.35 are included in Addendum 1 to that document.

### **6. Activities in the Programme of work for the Triennium 2015-2017 (Annex V to Res. 11.1) requiring Scientific Council input**

#### **6.1. Conservation status of species included in CMS Appendices (Activity 30)**

46. Mr. Barbieri introduced the item explaining that COP11 had identified the preparation of a review report on the conservation status of species listed on CMS Appendices as an activity to pursue within the CMS Programme of Work for 2015-2017. A report could not be

produced in the triennium due to lack of resources. However, thanks to a voluntary contribution from the Government of Switzerland, a scoping workshop was convened in Cambridge with support from the World Conservation Monitoring Centre (UNEP/WCMC). The main outcome of the workshop consisted of a scoping paper for the establishment of a “State of the World’s Migratory Species” report, prepared by UNEP-WCMC on behalf of the Secretariat. The paper was being submitted to the Sessional Committee for review and, if appropriate, endorsement. Producing the report would be proposed to be retained in the Programme of Work for the triennium 2018-2020.

47. Ms. Malsch (UNEP/WCMC) presented the scoping paper and Document 6.1. The scoping paper described a framework for a report and set out three scenarios based on different levels of detail and budgets. The report could cover the current state of knowledge in terms designed to appeal to policy-makers and would be as visually attractive as possible. The final report could be used as a flagship publication for COP13.

48. Mr. Colin Limpus (ScC-SC Member, COP-appointed Councillor for Marine Turtles) stressed the need to engage with other organizations within the United Nations’ environmental framework. Other biodiversity MEAs followed the IUCN Red List and it was important for CMS to dovetail its work with CBD and others.

49. Mr. Zeb Hogan (ScC-SC Member, COP-appointed Councillor for Fish) suggested that the report should contain a section on success stories and another on urgent needs. For the latter, he made the example of the case of sturgeons, which had been listed on CMS in 1999 and since that time had continued to decline and one species might even have been lost completely.

50. Mr. Williams had attended the workshop which he described as constructive. He welcomed the paper upon which he had two comments. Regarding the budget options, he asked for more precision, as this would make explaining the case to potential donors easier. He also suggested a fourth, cheaper option, which would be to develop a series of indicators to identify trends as an alternative to a full report.

51. Ms. Vicky Jones (BirdLife International) had also attended the workshop and shared the positive views of it. Learning from the experience of the MIKT meeting in Malta, she suggested that its approach of adopting a “scoreboard” to chart progress might be replicated for the status report.

52. Mr. Galbraith welcomed the initiative which he found timely. New baselines were needed especially in the light of the effects of climate change and a sound overview would help avoid a series of ad hoc reactions. He stressed also the importance of the communications aspects of the work, and the use of terms such as “natural capital” had resonance with Governments.

53. On the third day of the meeting, Ms. Malsch presented a revised version of the document, based on the comments received. No further comments were made by the meeting. Mr. Barbieri said that the revised version of the scoping paper will be made available to COP12 as an information document.

## **6.2. Development of an Atlas on Animal Migration (Activity 32)**

54. The Chair introduced the item, saying that he had long hoped that the Convention would be able to embark on producing an atlas on migration, based in part on the 12 million items of data on over 400 species accumulated by EURING, the European bird-ringing partnership. He announced that the Italian Ministry of the Environment had pledged to make a voluntary contribution of €1 million.

55. Mr. Barbieri said that this was another long-term task for the Secretariat where the Scientific Council had a role. The task could be approached as a modular project and could

be implemented gradually. The development of a module covering bird migration in African-Eurasian region was in a planning stage, and at its first meeting, the Committee had heard a presentation from Dr. Franz Bairlein, the chair of EURING. An opportunity had also arisen in the meantime to begin work on Central Asian mammals.

56. The Chair invited Ms. Christiane Röttger (Secretariat) to make a presentation on the initiative to develop a migration atlas relating to the Central Asian Mammal Initiative (CAMI) and the continuing problems arising from the development of infrastructure. A workshop had been held in August 2016, thanks to a voluntary contribution from the Swiss Government. The workshop had examined several projects, and two had been started, one being a migration atlas for ten mammal species in ten Central Asian countries being developed in partnership with the Wildlife Conservation Society (WCS). A second workshop had been held in April 2017 to verify the maps.

57. The project foresaw the production of electronic maps of Central Asia covering various types of infrastructure, both extant and planned. Ms. Röttger presented an example showing the migration routes of Saiga Antelopes and other species across Mongolia, overlaid by the location of railway and border fences, which were among the worst barriers to animal migration. Such maps could be useful tools to those planning infrastructures with a view to avoiding or minimizing impacts on migratory species, especially if used in the early stages of project design. A presentation of the project at COP12 was planned. She concluded her presentation by thanking the German and Swiss Governments for their financial support and the WCS for its technical assistance.

58. Mr. Soumitra Dasgupta (Party Observer, India) welcomed the idea of producing an atlas. Internal as well as cross-boundary migration was a major concern in India, with animal movements leading to increasing conflicts with humans. He noted that the presentation despite dealing with Central Asia did not mention India. Ms. Röttger said that India was a Range State of CAMI but was not part of the project which was confined to countries of the Central Asian steppe, where fencing was a major concern. She would welcome extension of the project later to include India.

59. Mr. Størkersen wished to place on record his gratitude to all the donors, whose voluntary contributions had ensured that progress could be made and welcomed the pledge from Italy to fund the atlas.

## 7. Conservation Issues

60. Most sub-items and associated documents were discussed first in the taxonomic working groups, which convened in the afternoon of day 1, all of day 2, and the early morning of day 3. Comments on each document were compiled according to the template. Four groups were foreseen on aquatic mammals, Fish, Birds and Terrestrial mammals. In addition a Turtle Working Group convened briefly to discuss one document.

61. The taxonomic working groups reported to plenary on their deliberations on day 4. Comments were compiled according to the recommended format (see item 2 above). The final version of the Sessional Committee comments on COP12 documents are appended to the respective document as addenda. This report provides a brief overview of the main issues raised.

62. Reporting for the Turtle Working Group, which had considered document COP12/Doc.21.2.5, the draft consolidated resolution on marine turtles, Mr. Limpus pointed out the unequal treatment under the Convention of the seven taxa of marine turtles, with two regional Memoranda of Understanding and one single-species action plan (SSAP) for the Loggerhead Turtle (*Caretta caretta*). It was also necessary to examine cross-cutting global issues that also affected marine turtles including marine debris and bycatch. Consideration should be given to an SSAP for Hawksbill Turtles (*Eretmochelys imbricata*), to trade issues

and to the impacts of sea-level rises. To this end, the working group proposed some additional text to be added to the draft decision contained in the above document.

## **7.1 Avian Species**

63. The working group on birds was chaired by Mr. Rob Clay (ScC-SC Member, COP-appointed Councillor for Birds), who reported to plenary on the outcomes of the working group deliberations.

### ***7.1.1 Illegal Killing Taking ad trade in Migratory Birds***

64. Mr. Clay said that with regard to the illegal killing, taking and trade of birds (Document 24.2.1), there were some regional sensitivities over vocabulary, with illegal hunting preferred in some places, and illegal killing or harvesting preferred elsewhere.

### ***7.1.2 Migratory Landbirds in the African-Eurasian Region***

65. Mr. Clay said that for simplicity's sake, it had been decided to reduce the title of the document relating to Migratory Landbirds (Document 24.1.2) by deleting the reference to land use.

### ***7.1.3 Advances in the Prevention of Bird Poisoning***

66. Regarding Document 24.1.3, Mr. Clay said that it was proposed that the Poisoning Working Group, given the breadth of its mandate, should report to the COP. The representative of FACE had asked for some minor changes to the text, adding "as appropriate" in several places. FACE and the Wildfowl and Wetlands Trust (WWT) had discussed revised text concerning the United Nations Environment Assembly and potential difficulties related to the phase-out of lead. FACE believed that the original wording might make engagement with hunters more difficult. Proposed new wording had been submitted to the Working Group. Ms. Ruth Cromie (WWT) said that she was content with the original draft as lead would over time be phased out. Mr. Clay confirmed that the amendments proposed by FACE had been discussed but it was less certain whether the changes had been agreed.

67. Mr. Jean-Philippe Siblet (ScC-SC Member for the European Region) asked whether participants that had not attended the Working Group would have the opportunity to comment and requested that the Working Group clarify the outcomes of its discussions.

68. Mr. David Scallan (FACE) said that there had been two interventions on this point, one from FACE and the other from the WWT. FACE had proposed new wording to the text presented by the Secretariat and the revised wording before the Committee was the result. Mr. Oliver Schall (Party Observer, Germany) said that the term "phase-out" was contained in the guidelines, and asked why it was proposed to substitute "global reduction". He also felt that the issue went beyond the scientific brief of the Committee and was more of a political issue for the COP.

69. Mr. Tilman Schneider (Secretariat) clarified the sequence of events, confirming that the wording proposed by FACE had been submitted after the Working Group's discussion. Mr. Clay said that the points raised by FACE had been considered, and although there was some sympathy for the views expressed, the consensus had been that they concerned policy more than science.

70. The Chair said that the final decision would rest with the COP, and FACE would have another opportunity to raise its concerns there.

71. Mr. Richard Patterson (SAAMI) said that the technical guidelines covered more than just the phase-out of lead. He asked whether the Scientific Council's remit extended beyond wildlife and into the management of industrial products.

72. Mr. Sergey Dereliev (AEWA) returned to the question of the appropriate placement of the Working Group within the structures of the CMS Family alluded to by Mr. Clay earlier. This would mean revisiting the terms of reference and the Working Group's composition, and there would be repercussions for the draft resolution.

73. The Executive Secretary said that if the Sessional Committee agreed that the Working Group should report to the COP, then the Secretariat would draft appropriate wording. The Committee endorsed this.

#### **7.1.4 Conservation of African-Eurasian Vultures**

74. Regarding vultures (Document 24.1.4), Mr Clay congratulated the Raptors MOU and its Coordinating Unit. Only minor edits were made, adding further details on threats and a new paragraph linking the Multi-Species Action Plan to other African initiatives under CMS and emphasizing synergies with the wider CMS Family.

#### **7.1.5 Action Plan for the European Turtle Dove**

75. The SSAP for the Turtle Dove (*Streptopelia turtur*) contained in Document 24.1.6 was endorsed.

#### **7.1.6 Action Plan for the far Eastern Curlew**

76. The SSAP for the Far Eastern Curlew (*Numenius madagascariensis*) contained in Document 24.1.7 was also endorsed. Mr. Sibley suggested that similar measures should be considered for other endangered species migrating across the Yellow Sea, possibly combined into a Multi-Species Action Plan (MSAP). The Chair saw possibilities for CMS to extend further its collaboration with partners in China.

77. Mr. Mundkur (ScC-SC Member, COP-appointed Councillor for Asiatic Fauna) said that in respect of the Yellow Sea, CMS was part of the East Asian-Australasian Flyway Partnership (EAAFP) and CMS had worked with various other organizations on Species Action Plans, looking at the loss of tidal mudflats. Species such as the Spoon-billed Sandpiper and Great Knot migrated from Asia to Oman and Africa.

78. Mr. Clay saw great merit in the proposal made by Mr. Sibley for a MSAP for birds of the Yellow Sea.

#### **7.1.7 Action Plan for Baer's Pochard**

79. Moving on to Baer's Pochard (*Aythya baeri*) (Document 24.1.8), Mr. Clay said that this proposal had been examined in depth at the first meeting of the Sessional Committee. An updated version of the Action Plan was endorsed.

#### **7.1.8 Action Plan for the European Roller**

80. The proposal for the European Roller (*Coracias garrulus*) (Document 24.1.9) had also been considered and had been recommended for adoption at COP12, with some minor amendments proposed by Hungary.

#### **7.1.9 Action Plan for the Americas Flyways**

81. With regard to the Americas Flyway (Document 24.1.10), Mr. Clay said that it was suggested that the COP be invited simply to note the document. Some further editing was

required, as the amalgamation of different texts meant that some passages were ambiguous, and it was not clear which working group or Action Plan was being referred to. Some Decisions were incorporated into the text and needed to be extracted. While Mr. Rodrigo Medellín (ScC-SC Member, COP-appointed Councillor for Neotropical Fauna) had been present during the discussions, it was noted that there was little expertise on American species within the Working Group.

#### **7.1.10 Action Plan for Birds**

82. Regarding the Action Plans for Birds (Document 24.1.11), an Action Plan for the Dalmatian Pelican (*Pelecanus crispus*) and a revision of the Action Plan for the White-headed Duck (*Oxyura leucocephala*) being considered under AEWA were in the pipeline, but like the Action Plan for the Yellow-breasted Bunting (*Emberiza aureola*), these were unlikely to be ready for consideration at the COP.

### **7.2 Aquatic Species**

83. Documents under this item were reviewed by the working group on aquatic mammals. Mr. Giuseppe Notarbartolo di Sciara (ScC-SC Member, COP-appointed Councillor for Aquatic Mammals) chaired the group and reported to plenary on the outcomes of the working group deliberations.

84. Mr. Notarbartolo di Sciara commented that the Aquatic Mammals Working Group had had sufficient time to deliberate all the material that it had been asked to consider. The Working Group had been well attended and constructive inputs had been made on the following documents and associated draft resolutions and decisions:

#### **7.2.1 Important Marine Mammal Areas**

85. Mr. Notarbartolo di Sciara said that COP12/Doc.24.2.1 on important marine mammal areas had been examined and the Working Group recommended the adoption of the associated resolution.

#### **7.2.2 Marine Noise**

86. Regarding COP12/Doc.24.2.2 on Marine Noise, Mr. Notarbartolo di Sciara said that it was mentioned that new evidence suggested that plankton was also being affected with repercussions all along the food chain. The Working Group recommended that the associated resolution be adopted.

#### **7.2.3 Aquatic Wild Meat**

87. Regarding COP12/Doc.24.2.3 on Aquatic Wild Meat, the Working Group recommended that this issue be handled separately from terrestrial wild meat for the time being, as this was an emerging issue and the state of knowledge compared with the terrestrial problem was less advanced. It was pointed out that harvesting of eggs and other non-meat items was also a problem, but not always considered when people discussed wild meat or bushmeat. Regarding turtle eggs, it was noted that there was scope for collaboration with CITES. It was important to make clear that commercially exploited fish stocks were not covered by the Resolution (tuna might be considered as megafauna, the term used in the preamble) and that taking aquatic wild meat was associated with poverty and only by improving living standards would solutions be found.

### **7.2.4 Live Captures of Cetaceans from the Wild for Commercial Purposes**

88. The draft resolution associated to COP12/Doc.24.2.4 and draft guidelines were recommended for adoption, noting that they related exclusively to wild-caught cetaceans and were not intended to restrict the needs of zoological parks to manage their existing collections.

### **7.2.5 Recreational In-Water Interaction with Aquatic Mammals**

89. The draft resolution associated to COP12/Doc.24.2.5 was recommended for adoption.

### **7.2.6 Conservation and Management of Whales and their Habitats in the South Atlantic Region**

90. The draft resolution associated to COP12/Doc.24.2.6 document was recommended for adoption.

## **7.3 Terrestrial Species**

91. Documents under this item were reviewed by the working group on Terrestrial Mammals. Mr. Alfred Oteng-Yeboah (ScC-SC Member, COP-appointed Councillor for African Fauna) chaired the group and reported to plenary on the outcomes of the working group deliberations.

### **7.3.1 Conservation of African Carnivores**

#### **7.3.1.1 Joint CMS-CITES African Carnivores Initiative**

92. The initiative was welcomed and recommended for adoption by the COP.

#### **7.3.1.2 Conservation and Management of the Cheetah and African Wild Dog**

93. The Decisions included in COP12/Doc.24.3.1.2 were recommended for adoption by the COP.

#### **7.3.1.3 Conservation and Management of the African Lion**

94. The Decisions included in COP12/Doc.24.3.1.3 were recommended for adoption by the COP.

### **7.3.2 African Wild Ass**

95. The draft Resolution and draft Decision included in COP12/Doc.24.3.2 were recommended for adoption by the COP.

### **7.3.3 Adoption of the African Elephant Action Plan**

96. Regarding the African Elephant (Document 24.3.3), it was noted that an MOU existed for the West African region and that the carcasses of elephants killed by poachers were being poisoned to kill sentinel vultures, meaning that the Raptors MOU had an interest. Mr. Redmond (CMS Ambassador) reported that a recent incident involving one dead elephant led to the death of 94 vultures.

## 7.4 Crosscutting Conservation Issues

### 7.4.1 Marine Debris

97. Ms. Heidrun Frisch-Nwakanma (Secretariat) introduced Document 24.4.1 on marine debris. Both COP10 and COP11 had passed resolutions on marine debris, and as part of the review process these had been consolidated. In addition, the draft resolution extended the provisions on ghost gear and plastics to reflect more recent developments, and bringing CMS in line with the 2016 UN Environment Assembly Resolution 2/11, with its guidance to reduce, redesign, remove, re-use, recycle and recover.

98. Mr. Simone Panigada (ACCOBAMS) said that funding was being sought for a workshop at the following year's European Cetacean Society meeting in La Spezia, Italy in conjunction with ACCOBAMS partners, namely CMS and the Pelagos Sanctuary.

99. On the final day of the meeting, Ms. Frisch-Nwakanma presented the comments discussed in the Working Group earlier. No further comments were made in Plenary.

### 7.4.2 Climate Change and Migratory Species

100. Mr. Barbieri explained that the two main areas to be covered under this agenda item were the work of the Climate Change Working Group and the consolidated resolution.

101. Mr. Galbraith made a presentation on the activities of the Climate Change Working Group, which had been able to meet in Bonn in February 2017 thanks to the support of the German Environment Ministry (BMUB). The report of the meeting was contained in information document UNEP/CMS/ScC-SC2/inf.23.

102. At its meeting, the Working Group had examined the profound changes taking place and the impacts on species in all regions. Some of these changes such as those observed in the Arctic were happening so fast that species were unable to adapt. Climate change was also compounding other impacts on species, ecosystems and human wellbeing. Species were moving into new areas and changing the timing of their migration.

103. Some species could serve as flagships for presentational purposes. The Polar Bear (*Ursus maritimus*) had been prominent at COP11, but other regions could be represented by species such as the Saiga Antelope and the African Wild Dog. There were also many ecosystems that were particularly fragile, some of those identified being the savannah, coral reefs and the North-East Atlantic.

104. In seeking solutions, it was important to ensure that the measures taken did not make the situation worse. A range of actions had been shown to be effective – the Special Protection Areas under the EU Birds Directive, local funding for projects in the Ecuadorean forest, management of the hunting of geese and the protection of turtles' nesting beaches.

105. Barriers to action included lack of both funds and capacity, and often the benefits of action were not properly understood. Some stakeholders had not been persuaded to engage and there was inertia at government level to accept changes. A "silo mentality" also presented conservation being accepted as a mainstream policy area.

106. Tasks for the future included a review of the evidence (the last review was conducted ten years before and was now outdated), which should examine case studies and fragile ecosystems. Project proposals to be submitted to donors such as the International Climate Initiative (IKI) were being developed. There was also an important role for communication to ensure that the message was properly conveyed.

107. Mr. Limpus reported that in Queensland, Australia a rodent had been declared extinct as climate change had adversely affected its low-lying habitat near the Great Barrier Reef. Green Turtle (*Chelonia mydas*) nesting sites on the Coral Sea were also vulnerable, and higher temperatures was affecting gender ratios in turtles with too many females being hatched and in some nesting beaches virtually no males at all. Queensland had experienced its hottest ever summer and young turtles perished in the nest.

108. Mr. Ian Redmond (CMS Ambassador) added that migratory species also played a role in combating climate change, citing the examples of faecal plumes created by cetaceans, birds in wetlands and great apes in forests.

109. Mr. Lyle Glowka (Secretariat) stressed the importance of seagrass meadows, an important habitat for Dugongs (*Dugong dugon*). Dugongs were the “gardeners” of seagrass meadows, upon which other species depended. The expertise of the Dugong MOU’s Technical Group could be made available to the CMS Family. Mr. Galbraith said that the list of flagship habitats was not yet closed, and seagrass meadows could be added.

110. Mr. Williams raised some questions about the draft resolution, pointing out that operative paragraph 6 bis was difficult to understand. He suggested that either some further explanation be provided or that the sentence should be split up itemizing the list of tasks for Parties. Paragraph 9 could be extended to cover the governing bodies of all affected CMS instruments. Scientific advice might be offered on some interpretations, and in consequence, on implementation. The Secretariat welcomed the proposals to clarify the text.

111. Mr. Taej Mundkur sought clarification of the timeframe for the new instrument of “Decisions”. He understood these to be short-term but pointed out that one decision referred to the period up to COP14. The Secretariat said that there was no hard and fast rule, but confirmed that “Decisions” would normally be discrete tasks to be completed within a fixed timeframe, which would normally not extend beyond the next COP, but there would be exceptions.

112. Mr. Galbraith explained that paragraph 3 was intended to cover secondary and tertiary changes arising from climate change, such as species being displaced as a result of flooding and undesirable side-effects from mitigation measures. Mr. Simmonds (HSI) agreed, citing examples of movements of fish stocks leading to migratory species changing their behaviour in pursuit of prey and fishermen targeting different species, including protected ones.

113. On the final day of the meeting, Mr. Barbieri recalled that there had been a request to simplify one of the paragraphs, and some changes had been proposed adding new activities and examining the effects of mitigation measures. Mr. Galbraith said that the text was now much improved.

114. Mr. Redmond (CMS Ambassador) proposed some further changes to the preamble as he felt that insufficient emphasis was being placed on the role of migratory species in combating climate change. He would provide details of relevant scientific papers. Mr. Galbraith suggested adding this topic to the Working Group’s POW for further examination.

#### **7.4.3 Conservation Implications of Animal Culture and Social Complexity**

115. The Chair said that one of his first tasks after taking over the chairmanship of the Scientific Council was to go to London to attend the workshop, which he described as an eye-opening event, as it went far beyond conventional population modelling.

116. Mr. Notarbartolo di Sciara, who served as co-chair of the Expert Group on Culture and Social Complexity, introduced document COP12/Doc.24.4.3. He explained that Resolution 11.23 had established a dedicated Expert Working Group, and a first workshop had been held in 2014 focusing on cetaceans. The Group’s taxonomic remit went beyond cetaceans, as reflected in the report contained in the document. One related proposal was the draft Concerted

Action for Sperm Whales of the Eastern Tropical Pacific (see also agenda item 9.2.2 and COP12/Doc.26.2.2.).

117. A grant had been offered from the Italian Appennino Tosco-Emiliano National Park for another workshop to be held in the course of 2018.

118. Mr. Redmond said that animal culture was a fascinating subject. Mountain Gorillas were able to survive in their habitat in part by passing on knowledge to family members and in the case of the African Elephants that frequented caves, the calves learned from their mothers.

119. Mr. Williams agreed that the subject was fascinating, welcomed the progress being made and looked forward to applying the knowledge gained for conservation benefit. He questioned whether the time sequence implied by various decisions was practical, given the timing of the 4<sup>th</sup> Meeting of the Sessional Committee and COP13.

120. Mr. Størkersen asked whether the planned workshop in Italy was open-ended. The Chair said that confirmation of the grant had only just been received. Attendance would be limited by the resources and space available and would need to be agreed with the organizers and the co-chairs of the Expert Working Group. A priority was to ensure the workshop would deal with a wide range of taxa.

121. On the final day of the meeting, Mr. Notarbartolo di Sciara said that the link between animals' social and cultural behaviour and efforts made to conserve them had been recognized and the cross-taxonomical nature of the work was emphasized.

#### **7.4.4 Bycatch**

122. In the absence of Mr. Barry Baker (ScC-SC Member, COP-appointed Councillor for Bycatch), Ms. Heidrun Frisch-Nwakanma (Secretariat) introduced Document 24.4.4, the subject of which represented the greatest threat to many species. The Secretariat had drafted a new resolution consolidating the large back catalogue of resolutions and recommendations. Mr. Baker had then adopted a systematic approach, rationalizing the content and discarding repetitive provisions.

123. Mr. Jean-Philippe Siblet said that good progress had been made regarding reducing bycatch in regulated fisheries, where monitoring was taking place. The position regarding illegal fisheries was different and no reliable data were available to assess the level of the threat. Here, international policing and enforcement were necessary.

124. The Chair commended the research being undertaken by French scientists in the southern circumpolar seas and wondered whether any lessons could be learned from the MIKT process, which was an international initiative being coordinated by CMS.

125. Mr. Graeme Taylor (ScC-SC Member, Sessional Committee Member for Oceania) reported that intense monitoring was being conducted in New Zealand's Exclusive Economic Zone (EEZ), where a high percentage of vessels had observers or electronic surveillance on board. The dumping of less commercially valuable fishes was also being examined. There was alarming evidence that two species of Antipodean albatross were suffering steep declines (50 per cent over ten years) with a mortality rate of 20 per cent per year (where 2 per cent would be more normal). These species were facing extinction within 20 years. Climate change might be a contributing factor, but the cause was more likely to be related to fisheries.

126. Mr. Marco Favero (ACAP) made some suggestions for additional references for the document, including a paper prepared by the ACAP Seabird Bycatch Working Group, the best practice factsheets produced by ACAP and BirdLife International, and cooperation with Regional Fisheries Management Organizations (RFMOs). Mr. Favero undertook to send the text of a number of editorial changes to the draft resolution to the Secretariat. ACAP had also

signed a cooperation agreement with the Inter-American Sea Turtle Convention to work on bycatch reduction.

127. Mr. Størkersen commented that bycatch was an important issue and was on the agendas of CMS, the FAO, RFMOs and many NGOs. Regarding the draft resolution, it seemed strange that there was no reference to the “Future Shape” process which had set out to define a clearer role for CMS. He also suggested tightening the wording so that roles were clearly assigned, actions more specific and desired outcomes identified.

128. In response, the Secretariat suggested that draft decisions could set out the intersessional tasks for the period between COP12 and COP13 for inclusion in the Programme of Work.

129. Mr. Vincent Hilomen (Sessional Committee Member for Oceania) proposed the addition of a reference to innovative gear designs, such as escape routes and other devices.

130. Mr. Mark Simmonds welcomed the reference to the International Whaling Commission’s work on bycatch.

131. Mr. Matthew Collis (IFAW) pointed out some inconsistencies in the drafting, in particular references variously to aquatic mammals, marine mammals and cetaceans. The Secretariat said that this should be addressed at COP.

132. Reporting back on the considerations, Ms. Frisch-Nwakanma said references had been added regarding the need to consider illegal fisheries and to include references to documents identified by ACAP.

#### **7.4.5 Sustainable Boat-Based Marine Wildlife Watching**

133. The Chair said that it was encouraging that people wanted to be close to nature and observe animals. It was important, however, to avoid negative side-effects, and while many harmful actions were not intentional, some operators put profit before the interests of the animals.

134. Ms. Heidrun Frisch-Nwakanma introduced Document 24.4.5, explaining that as requested in Res.11.29, guidelines had been drafted and were contained in Annex 2 of the document. They covered species-specific considerations for sirenians, pinnipeds, elasmobranchs, seabirds and marine turtles. The document did not deal with “dive-with” and “swim-with” operations, covered separately elsewhere, nor did it deal with whales and dolphins, as CMS was working with the IWC on developing an online whale-watching handbook, which would be presented to IWC members at their 2018 meeting.

135. Mr. John Carlson (Chair, Advisory Committee of the Sharks MOU) reported good progress in the MOU’s deliberations on this issue. The value of sharks and rays for tourism was recognized. In the case of sharks and rays, boat-based tourism was often linked to “dive-with” and “swim-with” operations.

136. Mr. Dasgupta (India) said that the report contained in the document included a reference to activities in Goa on the Indian Ocean. He pointed out that Humpback Whales (*Megaptera novaeangliae*) were protected in India, and swim-with operations with this species were not encouraged.

137. Ms. Nicola Crockford (BirdLife International) questioned the validity of some of the scientific papers referenced relating to feeding of animals and wondered whether some of the proposed measures would prove effective. Birds already associated fishing vessels with food, so might well follow tourist boats too. Birds also tended to approach much closer to boats than other species did. She also questioned the recommended time allowed for vessels to remain close to sharks.

138. On the final day of the meeting, Ms. Frisch-Nwakanma (Secretariat) presented the comments discussed earlier. No further comments were made in Plenary.

#### **7.4.6 Energy and Migratory Species**

139. Mr. Barbieri presented a summary report outlining the implementation of Resolution 11.27 including the establishment and operationalization of the Energy Task Force. The Resolution did not assign any role to the Scientific Council and was therefore not included in the Council's programme of work. Thanks were expressed to the German Government for providing a voluntary contribution enabling the Task Force to start its work.

140. The Task Force was expected to submit a report to COP, but as the Task Force was due to meet in September 2017, its report would take the form of an information document.

141. Mr. Medellín pointed out that considerable work had already been done under the aegis of EUROBATS on the effects of wind turbines, and recommended its involvement in the Task Force.

142. Mr. Barbieri said that the scope of the Task Force had been set out in the resolution and the first focus had been on birds with the expectation that the taxonomic range would expand in time. It was likely that a representative from EUROBATS would join the Task Force as of its second meeting. Mr. Andreas Streit (EUROBATS) confirmed that the invitation to join the Task Force had been received and accepted.

143. Ms. Crockford suggested that a further draft decision be added, requesting the Scientific Council to provide guidance on assessing cumulative impacts of energy installations, particularly cross-border impacts. The Chair said that when the mitigation atlases were ready, it would be possible to overlay plans for energy installations.

144. Mr. Jürgen Friedrich (Party Observer, Germany) speaking as Chair of the Energy Task Force explained that a number of research goals had been agreed, including gap analyses, and assessment of cumulative effects was a high priority. The Task Force was reaching out to research institutions already active in the field in order to avoid "reinventing the wheel". He was confident that the Task Force would continue to make good progress. A successful side event had been held at the recent UNFCCC Conference in Bonn. Many mitigation measures were easy to implement at little cost to energy producers and tangible gains for conservation.

145. Reporting on day 4, Mr. Barbieri presented the compilation of comments on Document COP12/24.4.6, including the proposed new Decision. No further comments were made.

#### **7.4.7 Addressing Unsustainable Use of Wild Meat**

146. Ms. Clara Nobbe (Secretariat) explained that CMS was part of the Collaborative Partnership for Sustainable Wildlife Management, as were the FAO and CITES. The unsustainable use of wild meat was high on the agenda of the United Nations and for many species it was a greater threat than illegal trade.

147. Another document on aquatic wild meat had been discussed in the Aquatic Working Group. For the moment, it had been decided to treat terrestrial and aquatic wild meat separately, as the understanding of the issues was at different stages. It had also been agreed to avoid the term "bushmeat", which had connotations of Africa (and the problem was global) and was not appropriate for the aquatic environment.

148. It was estimated that 60 per cent of mammals were being exploited unsustainably in the Congo Basin, with possible far-reaching impacts on the wider ecosystem. The Collaborative Partnership took a broad view of the issues, considering the role of wild meat in

the diet of local communities. It was apparent that consumption of wild meat was also increasing in urban areas, and was not confined to subsistence use, which would be allowed under exceptions provided for in the Convention text (Article III.5). The Strategic Plan for Migratory Species (Goal 1) asked Parties to ensure that consideration of the causes of species loss was part of the policy mainstream.

149. The Chair cited the example of the Barn Swallow (*Hirundo rustica*) in Nigeria. Decades ago it was hunted at sustainable levels, but with the increase in the human population, the numbers taken were threatening the species' survival. Ways had to be found of solving problems while taking full account of local considerations.

150. Mr. Siblet welcomed the document and the decision to discontinue using the term "bushmeat" in favour of "wild meat". He pointed out that traditional users were now using modern hunting methods, and ducks now chased by motor boat had little chance of escaping. This was no longer traditional hunting. The Chair added that mist nets were now deployed along much of the Yellow Sea coastline.

151. Mr. Limpus recalled that a population of Green Turtles had been lost because the responsible conservation authority had not intervened to stop unsustainable exploitation because the hunting was considered "traditional" and international human rights treaties defended the rights of local communities to carry out traditional pursuits. When the Green Turtle population was extirpated, the local community could no longer exercise its traditional hunting practices. He suggested that "meat" be defined to include eggs, as some communities did not kill turtles but did take eggs in large numbers.

152. Mr. Oteng-Yeboah said that the term "bushmeat" had come to be used when the focus was on sustainable use of wildlife in Africa. While CMS seemed to be moving to the term "wild meat", CBD retained "bushmeat" even in the aquatic context. He urged that CMS consult CBD before the terminology was decided as consistency across conventions was desirable.

153. Mr. Taylor said that "wild meat" made more sense in the aquatic environment. He also asked that the wording be revisited to ensure that the taxonomic and geographic divisions were clear, as there were overlaps (e.g. marine birds).

154. Ms. Nobbe confirmed that the Secretariat had been in contact with colleagues in CBD and undertook to address the concerns raised by Mr. Taylor.

155. Ms. Sarah Durant (Zoological Society of London) said that the term "bushmeat" tended to imply forest origins, but many species of the savannah species were also being affected; African Wild Dogs (*Lycaon pictus*) were losing their prey.

156. Mr. Williams expressed disappointment that separate documents had been presented on terrestrial and aquatic wild meat. In light of CBD's work on the subject and the existence of the Collaborative Partnership, he asked what role there was for CMS. With regard to the draft decision directed at the Scientific Council, he doubted whether there was sufficient expertise available and suggested that the Collaborative Partnership was the best forum to take matters forward. He also questioned the need to establish a Working Group at this stage.

157. Mr. Redmond pointed out that commercial hunters were bagging 27 times more animals than traditional hunters were, far more people were eating meat and hunters were far better equipped than they used to be. The result was that animals were being killed in numbers that could not be sustained.

158. Mr. Scallan commended those who had prepared the documents, but asked that the word "hunting" be appropriately qualified throughout with the addition of "unsustainable".

159. Ms. Saras Sharma (ScC-SC Member for Oceania) said that for her region it made more sense to separate treatment of terrestrial and aquatic wild meat, as terrestrial aspects were not

so relevant in countries such as Fiji. Aquatic aspects had taken up quite some time in the Aquatic Working Group.

160. Mr. Notarbartolo di Sciara said that there was merit in considering merging the two issues, but he added that at the moment he preferred to keep the two separate, as aquatic wild meat was an emerging issue needing special attention. He was open to considering merging the two later.

161. The Chair decided that the consensus was to continue treating terrestrial and aquatic wild meat separately for the time being.

162. On day 4 Ms. Nobbe presented the compilation of comments on Document COP12/Doc.24.4.7. She said that the term “bushmeat” had been replaced throughout by “wild meat”. Mention of the effects on some savannah species which were losing prey had been added. Further changes were made to references to “avian wild meat” as seabirds could also be covered by “aquatic wild meat”. The need to ensure that traditional and commercial use was sustainable was stressed.

163. Mr. Scallan said that the assertion that hunting was the main threat was not accurate; hunting contributed to the threats but was not the principal one. Ms. Nobbe undertook to change the wording accordingly.

#### ***7.4.8 Sustainable Tourism and Migratory Species***

164. Mr. Hilomen introduced Document 24.4.8 and the draft resolution, which dealt with the effects of interactions and adopted a precautionary approach to management. The issue was related to “swim-with” and “dive-with” operations and boat-based tourism. The draft resolution called for action plans, codes of conduct and binding protocols, seeking to ensure that animals were not impeded from engaging in their natural behaviour and guaranteeing human safety.

165. Mr. Dasgupta said that there were many wildlife-related tourism activities in India, often with community involvement. New ecotourism guidelines were in the process of being drafted which would affect millions of people. When finalized, the guidelines would be shared with other CMS Parties.

166. Mr. Oteng-Yeboah pointed out that sustainable tourism was the theme of the 2017 International Biodiversity Day and suggested that this be reflected in the preamble.

167. Mr. Medellín considered this subject to be crucial to CMS and the Convention had the opportunity to set the agenda and ensure that wildlife watching was sustainable. He suggested compiling an inventory of all existing regulations regardless of whether the country concerned was a Party to CMS (the USA and Mexico, both non-Parties, already had some in place) and that the lessons from best practices be learned.

168. Mr. Limpus said that, recognizing the limited capacity of the Sessional Committee, reference could be made to other CMS instruments (e.g. IOSEA and the Atlantic Turtle MOU), and use be made of the expertise contained within their advisory bodies.

169. Regarding the capacity of the Sessional Committee, Mr. Williams said that it would be better for the Secretariat or national authorities to monitor guidelines, allowing the Sessional Committee to focus on science.

170. Mr. Scallan sought clarification whether the draft resolution was only meant to cover non-consumptive tourism such as wildlife watching or whether hunting tourism was also included. The Philippines as proponent of the resolution confirmed that the intention was to cover non-consumptive tourism only.

### **7.4.9 Promoting Marine Protected Area Networks in the ASEAN Region**

171. Although it was a cross cutting issue, the Aquatic Mammals Working Group had been asked to consider Document COP12/Doc.24.4.9, which it recommended for adoption. Following some late additions to the in-session document, in Plenary, Mr. Williams felt that some proposed changes to the resolutions were veering away from scientific aspects into policy areas. Mr. Hilomen undertook to consult the Government of the Philippines on the acceptability of the suggested changes, which might be incorporated during discussions at COP.

#### **7.4.10 Promoting Conservation of Critical Intertidal and other Coastal Habitats for Migratory Species**

172. This item was addressed in the Avian Working Group. Reporting to plenary on day 4, Mr. Clay noted that in the Working Group there was no-one present with expertise in other taxa. BirdLife International and the Government of the Philippines would work on refining the annex and decide on the appropriateness of various species being included.

173. It was noted that in Document 24.4.10 there were various references to intertidal and coastal zones and more specific habitat types. It also used the term waterbirds as well as seabirds without clear differentiation. Mr. Sibley raised the question whether Baer's Pochard and the Ferruginous Duck (*Aythya nyroca*) should be included and whether small islands should be considered intertidal habitats. He also suggested using uniform terminology throughout the document.

174. Mr. Limpus said that species other than birds (e.g. marine turtles and Dugongs) used intertidal habitats and their needs also had to be taken into account.

175. Mr. Williams saw potential overlaps with the Ramsar Convention on Wetlands and said therefore that the distinctive CMS perspective should be identified. The Resolution should provide something of added value.

176. Mr. Mundkur said that Wetlands International and the Philippines had worked together on the Resolution. Finding clear definitions was an issue, and some terminology had been adopted from the Ramsar Convention. It was recognized that some marine species did come close to shore and frequented intertidal and coastal habitats. There had been a long history of CMS working closely with the Ramsar Convention and this collaboration could be built upon when scope for synergies was identified.

177. Mr. Sibley said that performance indicators were needed, and maps should be prepared indicating the level of protection on particular sites. More precise definitions of the habitat types concerned were also necessary.

#### **7.4.11 Improving Ways of Addressing Connectivity in the Conservation of Migratory Species**

178. The Chair Introduced this item noting that migration linked sites, habitats and whole ecosystems, and knowledge was being acquired of the requirements of species as they migrated in terms of habitats and resources. Conservation policies needed to be consistent and complementary in all Range States and this could be achieved through harmonized legislation. The draft resolution and draft decision included in Document 24.4.11 could reinforce the claim of CMS to be the principal convention for connectivity.

179. Two workshops had been held thanks to support from the Veneto Po Delta Regional Park, the first in 2015 and more recently in Rosolina in May 2017. Assistance had been provided by the Secretariat and by the consultant, Mr. David Pritchard.

180. Mr. Pritchard (Consultant) said that Resolutions 10.3 and 11.25 had dealt with ecological networks, and connectivity was a logical progression from these. He presented the draft resolution and accompanying decisions, highlighting the key gaps in technical knowledge and the need to provide guidance on addressing threats.

181. Mr Sibley said that there were barriers other than physical ones, such as pollution. Light pollution was a problem, especially in Europe. The Chair pointed out that there were references in the document to other forms of interference, and Mr. Pritchard pointed to passages mentioning disturbance and discontinuity of quality.

182. Mr. Galbraith mentioned the ability of species to adapt to the effects of climate change and said that it would be desirable to have some examples to cite at COP12 where connectivity could be presented as contributing to a conservation success story.

183. On the final day of the meeting, Mr. Pritchard presented the compilation of comments. Mr. Matthew Gollock (ZSL) proposed a further change relating to the fencing of drylands, a subject that had been discussed in the Terrestrial Mammal Working Group.

## 8. Amendment of CMS Appendices

### 8.1. Proposals for Amendment of Appendices I and II of the Convention

184. Listing proposals were examined by the taxonomic working groups, which reported to plenary on their recommendations on the final day. Comments were compiled according to the recommended format (see item 2 above). The final version of the Sessional Committee comments on the proposals are appended to the respective document as addenda. This report provides a brief overview of the main issues raised.

#### Listing Proposals concerning avian species

185. The proposal to add the Christmas Island Frigate Bird (*Fregata andrewsi*) to Appendix I contained in document 25.1.11 was endorsed.

186. The proposal to add the Black Noddy (*Anous minutus*) to Appendix II contained in document 25.1.12 was endorsed. It was noted that data were scarce but the precautionary principle justified listing given that the species was declining and threatened. The Philippines was already taking actions and was keen to cooperate with other Range States.

187. The proposals received from Mongolia and Saudi Arabia to add the Steppe Eagle (*Aquila nipalensis*) to Appendix I contained in Documents 25.1.13a and b were endorsed, it being noted that the two proposals were very similar.

188. The proposal submitted by Pakistan to add four Asian vulture species to Appendix I contained in document 25.1.14 was endorsed. India had also developed parallel proposals but these had arrived after the deadline but the Working Group had heard a report about the conservation work being undertaken. The concept of "Vulture Safe Zones" was being developed. Consideration had been given to the migratory status of vultures, many of which did cross international borders and therefore met the criteria under the Convention. The term "resident" would be explained in the footnotes as appropriate.

189. Five species of sub-Saharan vultures were being proposed for listing on Appendix I in Document 25.1.15. The proposal was of high quality, and the only change suggested was for a further explanation of the term "resident".

190. Two similar proposals for listing the Lappet-faced Vulture (*Torgos tracheliotos*) on Appendix I (Documents 25.1.16 a and b from Israel and Saudi Arabia) had been considered simultaneously and had been endorsed.

191. The proposal to list the Yellow Bunting (*Emberiza sulphurata*) on Appendix II (Document 25.1.17) had been endorsed but the Working Group suspected that further proposals to list other bunting species were likely to follow.

192. At the instigation of France, the EU had submitted the proposal for listing the European population of the Great Shrike (*Lanius excubitor excubitor*) on Appendix II (Document 25.1.18). The species' range extended beyond the Urals and it needed to be made clear that the proposal extended only to Europe.

193. Also at the instigation of France, the EU had submitted the proposal for listing the European population of the Lesser Shrike (*Lanius minor*) (Document 25.1.19). The clear signs of the species' decline justified listing on Appendix II. A similar comment was made about making clear that the geographic scope of the proposal extended to Europe only.

#### Listing Proposals concerning fish species

194. It was noted that Document 25.1.20 proposing the addition of the Whale Shark (*Rhincodon typus*) to Appendix I contained a series of concrete actions.

195. Regarding Document 25.1.21 on the Dusky Shark (*Carcharhinus obscurus*), proposed for inclusion on Appendix II, some additional citations were proposed.

196. Proposed for inclusion on Appendix II, the Blue Shark (*Prionace glauca*) (Document 25.1.22) undertook transoceanic migrations and was targeted by fisheries raising the question of the sustainability of the harvest.

197. With the Angelshark (*Squatina squatina*) (Document 25.1.23) proposed for inclusion on both Appendices, the question arose about whether a significant proportion of the population of the species was migratory.

198. Three of the four proposals to include the Guitarfish (*Rhinobatus rhinobatus*) on Appendix II (Documents 25.1.24 b-d), those submitted from African countries were considered together. Some of the description of the species' behaviour from these proposals was recommended to be added to the fourth (Doc 25.1.24 a) received from Israel.

199. The proposal for adding the White-spotted Wedgefish (*Rhynchobatis australiae*) to Appendix II contained in Document 25.1.25 was provisionally recommended for adoption, on condition that further information was provided on the species' migration.

#### Listing Proposals concerning Mammal species

200. With regard to the Chimpanzee (Document 25.1.1), Mr. Redmond (CMS Ambassador) noted a geographical error in the evidence provided in support of the proposal and undertook to suggest corrections.

201. The bat species covered in Document 25.1.2 were not yet classified as endangered but were clearly suffering a downward trend and were particularly threatened by wind turbines. Mr. Sibley said that it had been shown that mitigation measures such as stopping turbines at periods when collisions were most likely were effective. It was recognized that power supplies had to be maintained and shutting down turbines had cost implications. The better solution was to build wind farms in the most appropriate locations. The Chair pointed out that collisions were most likely when it was less windy and power generation was low. A loss of 1 per cent of electricity output led to reducing bat mortality by 75 per cent. Unfortunately, such dramatic reductions in bird mortality had not been achieved.

202. In the proposal to list the Lion (*Panthera leo*) contained in Document 25.1.3, it was suggested to add references to the IUCN strategies, and in the proposal to list the Leopard (Document 25.1.4), the name of the Persian Leopard subspecies was recommended to be

changed to *Panthera pardus saxicolor* from *Panthera pardus nimr*. References to hunting were proposed to be qualified by adding the word “unsustainable”.

203. The proposal to add the Gobi Bear (*Ursus arctos isabellinus*) to Appendix I contained in Document 25.1.5 was endorsed.

204. The two proposals concerning the African Wild Ass (*Equus africanus*) contained in Documents 25.1.7a and b, the first from Eritrea for listing on both Appendices and the second from Ethiopia for Appendix I only, were both endorsed, with some discussion over the taxonomic name.

205. With regard to Przewalski’s Horse and the proposal to add this species to Appendix I contained in Document 25.1.8, there had been a discussion over taxonomy and the decision to align with IUCN and CITES, deviating from the usual reference for mammals in Wilson and Reeder.

206. The proposal to add the Chinkara or Indian Gazelle (*Gazella bennettii*) contained in Document 25.1.9 was the only one that the Working Group did not support, because of deficiencies in the case made. The proponent (the Islamic Republic of Iran) would be asked to provide more information on the species’ migration and conservation status and on the added value of listing.

207. The proposal to add the Giraffe (*Giraffa camelopardalis*) to Appendix II contained in Document 25.1.10 was endorsed.

208. Mr. Siblet noted that all the species proposed for addition to the Appendices were vertebrates and the CMS Appendices included only one invertebrate, the Monarch Butterfly (*Danaus plexippus*). Many species of insect were threatened and many of them migrated. He suggested that this issue be considered over the next triennium and discussed at COP13. Mr. Notarbartolo di Sciara said that there were many marine invertebrates such as molluscs and crustaceans that might be considered.

209. The Aquatic Mammal Working Group had considered the proposal to add the Caspian Seal (*Pusa caspica*) to both Appendices (COP12/Doc.25.1.6). The species was considered to be migratory in the biological as well as the political sense, even though it was confined to a small region, since the Caspian Sea was shared by several countries. The proposal to add the Caspian Seal to the Appendices was endorsed.

## **8.2. Revision of the Template and Guidelines for the Drafting of Proposals for the Amendments of the Appendices**

210. Mr. Barbieri introduced Document 25.2 summarizing the process leading to the revised template. At the first meeting of the Sessional Committee, a template had been developed based on a draft provided by the Secretariat. The Standing Committee had endorsed this version at its 45<sup>th</sup> meeting approving its use for proposals submitted to COP12. COP12 was proposed to adopt this version also for future use, with possible minor changes resulting from experience to improve its user-friendliness. Essentially therefore, the task had been completed.

211. Ms. Jones confirmed that she had found the template very helpful but suggested amendments to the section on “significant proportion” in recognition of the fact that information was scarce in some cases. The Chair invited BirdLife International to send its proposed changes to the Secretariat, but under the provision that “significant proportion” was the subject of a specific agenda item (see item 5 above).

212. Mr. Williams agreed that it would be essential to see the text of BirdLife International’s proposal and all the other amendments before the document could be signed off.

213. Mr. Barbieri reiterated that a compilation of comments would be prepared and the Working Groups would examine the species proposals in detail before the Plenary had a final chance to comment.

214. At the final Plenary session, Mr. Barbieri noted the generally positive reactions to the new format, subject to some minor amendments such as additional explanatory notes and changes where species were data deficient.

### **8.3. Taxonomy and Nomenclature of species listed on the CMS Appendices**

#### **8.3.1. The Taxonomy and Nomenclature of Species listed on the CMS Appendices**

#### **8.3.2. Disaggregation of Bird Families listed on the CMS Appendix II**

215. The Chair said that the meeting would first consider passerine birds and Volume II of the Handbook of Birds of the World and then move on to the taxonomic treatment of fish.

216. Mr. Borja Heredia (Secretariat) introduced Document COP12/Doc.23, which was divided into two parts, one dealing with birds and the other with fish. The Convention's avian taxonomy was based largely on the HBW/BirdLife International Illustrated Check list of the Birds of the World (Volume I). At COP11 it had been decided to adopt this as the standard reference and now that Volume II on passerines had been published, a decision on whether to use this too was needed. If Volume II were to be adopted, there would be some minor adjustments needed to the current listings on the Appendices.

217. Information document 3 was also important, as it examined the higher taxon listings under the Convention.

218. Ms. Virtue explained that similar changes were being proposed for fish taxonomy. It was suggested that the online database of the standard reference be adopted as the printed version was no longer available. The Secretariat would print off the online version of Eschmeyer each time a proposal was made, and the Scientific Council would base its advice on the version current at the time. The approach adopted to the online version of Eschmeyer might prove to be a useful guide for other taxa using online references.

219. Mr. Medellín welcomed the work done and the effort made to coordinate with CITES, as he felt that it was helpful if MEAs used the same basis. He voiced concern that the HBW/BirdLife International Illustrated Check list of the Birds of the World was expensive, and the CITES COP 17 Decision 3.1.1 included a commitment to seek solutions to this problem. He asked whether it would be possible to adopt a mixture of two different references.

220. Mr. Clay pointed out that there was an online version of the Illustrated Checklist, which meant that a policy was needed on how to handle references that were subject to constant change. Regarding disaggregation, the Avian Working Group had taken the opportunity of reviewing the family level listings on Appendix II.

221. Ms. Jones added that there was a check-list available on the data zone of the BirdLife International website and free access was available to species information on the online version of the HBW/BirdLife International Illustrated Check list of the Birds of the World (through HBW Alive), including the genus level changes in taxonomy. Biological taxonomy and nomenclature were dynamic and future taxonomic and nomenclature changes for passerines, as with non-passerines would be made by BirdLife International in date-stamped revisions updates of the checklist coinciding with those of the Red List, which would be available on the data zone.

222. At the final session of the Plenary, Mr. Heredia suggested merging the comments made by Mr. Clay and BirdLife International. The disaggregation exercise for higher taxon listings

had involved reconciling two different references – an older one for the family listings and the more recent one for individual species.

223. BirdLife International proposed some wording to harmonize the treatment of avian and fish taxonomy in light of the move to online references. Mr. Clay supported this suggestion.

224. Mr. Favero confirmed that ACAP would examine its options for its preferred taxonomic reference when it met in September 2017. He suggested that the wording be made less specific as it was not clear what option would be chosen.

225. The Chair said that the Convention has the options of adopting a fluid online reference or a static printed one. A print-out of the online reference could be made at an agreed time before the COP.

226. Mr. Hogan asked how it was proposed to deal with the Mobulid rays as the taxonomy was being reviewed. He suggested following the lead of CITES and the Sharks MOU and waiting to see what emerged. This was agreed.

## **9. Implementation of the Concerted Actions process**

### **9.1. Concerted Actions**

227. Mr. Barbieri introduced Document COP12/Doc.26.1. The Secretariat had done some consolidation work bringing together 13 resolutions and recommendations dealing with Concerted and Cooperative Actions. Some new elements had been added to the draft resolution and some elements from the COP11 resolution were being transposed into draft decisions.

228. Mr. Williams pointed out that in places the documents referred to the Scientific Council and in others to the Sessional Committee. The Secretariat undertook to ensure consistency and refer to the Scientific Council, on the basis that the Sessional Committee was mandated to act on behalf of the full Council.

### **9.2. Designation of Species for Concerted Actions for the Triennium 2018-2020**

229. Mr. Barbieri introduced the item referring to COP12 Document 26.2, which set out the history of the process. COP11 had taken the decision to merge the previously separate Concerted and Cooperative Actions, and dispense with the latter category. The Sessional Committee had a central role in deciding which species from the two lists should be retained and which removed. The consolidated list of all species designated for Concerted and Cooperative Actions was contained in Annex 1.

230. The Sessional Committee's task was to review the listed species, the open question being how this was to be done and by what deadline. One option was for the current meeting to examine the list and make an evaluation of the species to be retained or deleted. This would require each taxonomic working group to look at the species within its responsibility and make recommendations to the Plenary. A composite list would then be submitted to the COP. A second option was to make the review an intersessional task, meaning that the full list would be submitted as it stood to COP12, with an indication of the Committee's proposed course of action over the next triennium. Variations of these two options were also possible. There were arguments in favour and against all permutations. Immediate action on the part of the Committee might lend the process some dynamism. The second option could be combined with the condition that species could only be retained on the list if accompanied by concrete proposals for conservation action.

231. The practice concerning the designation of species for Concerted and Cooperative Actions had been to develop increasingly long lists, confirming species from one triennium to the next and adding gradually new species, however without agreement on actions to back it

up. This state of affairs undermined the Convention's credibility and was something to be addressed as the Convention reformed its processes.

232. With a view to support the review process, the Secretariat had looked at reports submitted by Parties to the past four COPs to ascertain whether any actions were being taken at the national level on species designated for Concerted or Cooperative Actions (see document UNEP/CMS/ScC-SC2/Inf.4). Assessments had been made of 97 species (41 listed on Appendix I and 56 on Appendix II) and it had been discovered that no activities had been reported on 70 of them. This did not necessarily mean that nothing was in fact being done, and measures might have been taken independently of inclusion on the Concerted or Cooperative Action lists.

233. A number of proposals had been submitted to add species to the Concerted Action list at COP12. The Sessional Committee was being asked to review these proposals, one of which (the Angelshark – *Squatina squatina*) was not yet on the CMS Appendices (a separate proposal to add it to both Appendices had been submitted). The Chair commented that one of the species for which no action had been taken might even have gone extinct, while some of the 70 species had been on the list for some time without Parties undertaking any action.

234. Mr. Simmonds said that criteria had been proposed for considering proposals to add species, but there was little guidance on removing them. One reason justifying removal would be the extinction of the species. He argued that the fact that Parties were not taking action was insufficient grounds for removal. Parties should be put on notice that measures needed to be taken.

235. Mr. Mundkur said the issue was a fundamental one for the Convention as it concerned conservation action. He welcomed the simplified single designation for both Appendices. It was important that the designation led to action that prevented species from becoming extinct. Sound criteria were needed for listing and de-listing and the Convention should prioritize and consolidate in preparation of the COP.

236. Mr. Schall agreed that 70 of 97 designated species not benefitting from any concerted actions seemed high, but pointed out that some action was being taken in other forums and this might not be reported by Parties. Range States of the Snow Leopard (*Uncia uncia*) held high-level meetings, while Action Plans were being developed for sturgeons under the Bern Convention. He suggested adding a column to table where actions under the aegis of other forums could be recorded.

237. Mr. Limpus said that it was timely that the Sessional Committee was addressing this issue. He recalled that when he first joined the Scientific Council attempts were being made to conceptualize the Concerted and Cooperative Actions in concrete terms, as they were never really understood by the national authorities. What was needed was an explanatory document with practical examples, such as South Africa's efforts over 40 years to protect the coast for nesting turtles and 20 years of cooperation between the Philippines and Malaysia. He agreed with the suggestion of adding a column for action outside CMS but in which CMS Parties were involved (such as the Polar Bear Treaty and American Turtle Convention) as there was no need to duplicate work being done elsewhere. He also rejected that idea of de-listing species because of inaction, citing the example of the Amazon River Dolphin (*Inia geoffrensis*), the principal Range State of which (Brazil) had only recently acceded to the Convention.

238. Mr. Sibley asked what the role of the Sessional Committee was in this process questioning the scientific value of the designation. The decision to delete a species from the Concerted Action list was one for the COP, but he agreed that inaction alone did not seem to be sufficient. Scientific data justifying listing had to be evaluated. Species were added to the Appendices and the Concerted Action list because of their threatened status. If they were still threatened, the pertinent question was why Parties had not reacted appropriately.

239. Mr. Williams agreed with much of what others had said. There was a great deal of information available and not all of it was being reported (he had noted some omissions regarding the UK), so he suspected that more was happening of which the Secretariat was not aware. What was important was to facilitate action on the ground. He agreed that deleting species from the list was negative, but just adding species to lists without doing anything constructive was not helpful either. He commended Monaco for submitting a proposal to add a species to the Appendices accompanied by a detailed set of actions.

240. Mr. Collis said that one solution might be a recommendation to Parties that they were expected to make concrete proposals for action by COP13 and prepare firm criteria for deletion and make sure that actions were properly recorded in the national reports.

241. With regard to criteria, the Executive Secretary agreed with Mr. Limpus that clarity was needed on the implications of the designation of a species for Concerted Action and how actions should be reported. He saw COP12 was an opportunity to set more robust conditions and to re-examine the list of species. He urged that Parties be realistic and agree to actions where feasible and delete species where no action was likely.

242. Mr. Hogan said that it seemed that species did not have to be on the list for conservation action to be implemented, while being on this was no guarantee of measures being taken.

243. Mr. Barbieri said that designation was meant to trigger action but often did not. National Reports did show that actions were happening outside Concerted Actions for some species listed on the Appendices. He outlined the history of Concerted Actions, created at COP3 to promote action on Appendix I at CMS level beyond the national obligations for these species. Cooperative Actions were more complex, and had been designed as a simpler, quicker alternative to an Agreement or MOU. Since COP10, the Convention had tried to establish a more unified process with a clearer set of aims and concrete conservation outcomes.

244. Mr. Størkersen advocated the removal of species being dealt with under CMS instruments. Thought could be given to the possibility of deleting species if no action was taken after three COP cycles. For species covered by instruments outside the Convention (e.g. the Polar Bear), the Convention should define a role for itself. He also asked what the fate was of species listed on Appendix I or II of the Convention that were not identified for Concerted Action.

245. The meeting eventually agreed to recommend COP12 to confirm the species currently designated for Concerted or Cooperative Actions for the triennium 2018-2020 under the unified Concerted Action scheme. A complete review of the list of species will be undertaken by the Scientific Council intersessionally, in parallel with a solicitation to Parties and other stakeholders to submit concrete proposals for action according to the revised procedure submitted to COP12 for consideration in Document 26.1.

246. Summing up, the Chair said that the previously confusing arrangements had been simplified by merging two processes into one. Guidelines would be useful for planning for the future, based on the precedents of earlier listings. He noted that there was some concern about deleting species from the Concerted Actions list too hastily and agreement on the need for a consistent rationale. Looking beyond the CMS Family, actions being undertaken in other forums should be recorded.

### **9.2.1 European Eel (*Anguilla anguilla*), 9.2.5 Angelshark (*Squatina squatina*) and 9.2.6 Mobulid Rays**

247. Mr. Hogan reported that the Working Group approved of the new process for detailed proposals for Concerted Actions. Most of the proposals considered would have been even better, had they included more details on what actions were envisaged, identifying the actors, detailing timeframes and providing estimated costs. The proposals reviewed were those

concerning the European Eel (Doc. 26.2.1), the Angelshark (Doc. 26.2.5) and the Mobulid Rays (Doc. 26.2.26). Comments on the proposals had been compiled according to the agreed format (see item 2 above).

248. Mr. Williams noting the overlap of species between the parent Convention and the Sharks MOU asked how duplication would be avoided. Mr. Hogan reported that Mr. Carlson, the Chair of the MOU's Advisory Committee, had been present in the Working Group and would undertake to ensure that appropriate coordination took place.

**9.2.2 Eastern Tropical Pacific Sperm Whales (*Physeter macrocephalus*), 9.2.3 Atlantic Humpback Dolphin (*Souza teuszii*) and 9.2.4 Arabian Sea Humpback Whales (*Megaptera novaeangliae*)**

249. The Aquatic Working Group had considered the following proposals for Concerted Actions – the Eastern Tropical Pacific populations of the Sperm Whale (Document 26.2.2), the Atlantic Humpback Dolphin (Document 26.2.3), and the Humpback Whales of the Arabian Sea (Document 26.2.4).

250. It was pointed out that Humpback Whales of the Arabian Sea, while confined to a relatively small area, certainly crossed international jurisdictions and the proposal was an example of the flexibility of the Concerted Action mechanism, which could apply to specific populations and not necessarily to the species as a whole.

**9.2.8 Asian Great Bustard (*Otis tarda*)**

251. Mr. Tilman Schneider (Secretariat) said that the proposal for a Concerted Action for the Great Bustard (*Otis tarda*) contained in Document 26.2.8 related to the Asian population of the species. Further information on reintroductions had been provided. The Chair thanked Mongolia for having hosted a preparatory workshop. Mr. Sibley suggested to consider captive breeding as a conservation measure and Mr. Taylor added that in that case birds from the same genetic source should be used in order to retain migratory behaviour. The proposal was endorsed.

252. Presenting the proposed recommendations by the meeting to COP12 concerning document 26.2, Mr. Barbieri said that, in the absence of detailed information it had been agreed to propose deferring the decision on retaining or deleting species, and that the next triennium would be used to formulate a definitive submission to COP13, including the proposed actions with timelines and scope. No changes were to be made to the list as presented to the current meeting to be forwarded to COP12. However, a separate document on Annex 2 had been submitted by the Fish Working Group regarding sturgeons.

253. Mr. Hogan said that 13 of the 14 sturgeon species listed on the Appendices were designated for Concerted Action but nothing was happening under the aegis of the Convention. He therefore suggested that the opportunity be seized with the new process for Concerted Actions, and the Secretariat should be invited to work with Parties to initiate activities.

254. Mr. Barbieri pointed out that as no other taxonomic working group had made a similar proposal there was a danger of the Concerted Action species list becoming unbalanced. It was not incumbent on the Secretariat to initiate proposals for Concerted Actions; these should come from the Parties or other stakeholders. It was agreed to record Mr. Hogan's concerns about the lack of actions for sturgeons in the report of the meeting.

255. Mr. Williams agreed that the point raised by Mr. Hogan about species included on the Concerted Action list with no follow-up by Parties was an important one, leaving the Convention with the choice of either bringing forward proposals or deleting the species. The desired outcome was for conservation actions to be undertaken, not for a meaningless list to be maintained. It was time to make a firm decision and stop going round in circles.

256. The Executive Secretary said that he was not proposing the removal of species per se but his intention was to make the Concerted Action list more robust. He proposed adding text to the effect that the Sessional Committee welcomed the streamlined Concerted Action process and recommended that proposals be developed for as many listed species as possible for consideration at COP13. Species without proposals submitted for COP13 should be considered for removal from the list. No species would be deleted automatically.

## **Formal and concluding Business**

### **10. Time and venue of the 3<sup>rd</sup> Meeting of the Sessional Committee of the Scientific Council (ScC-SC3)**

257. Mr. Barbieri said that it was planned to hold the third meeting of the Sessional Committee in the boreal spring of 2018, probably in Bonn. It was hoped that the COP would allocate a budget for the meeting, otherwise the Secretariat would have to fundraise.

### **11. Any other business**

258. No items of any other business were raised.

### **12. Closure of the Meeting**

259. The Executive Secretary expressed his thanks to all the participants, especially the Chair, to the staff, to the interpreters and to the Host Government. After the Sessional Committee's deliberations, the COP would be presented with a solid set of recommendations.

260. Having added his thanks to all those involved in the organization of the meeting and production of documentation and praising the Sessional Committee for its high degree of engagement, the Chair declared proceedings closed.

**Programme of Work for the Sessional Committee of the Scientific Council for 2016-2017**  
 Progress in implementation as at July 2017 and further action until COP12 and/or ScC-SC3

Thematic Work Area: **Institutional and Legal matters (Working Group 1)**

WG1 lead(s) and participants: Alfred Oteng-Yeboah / Fernando Spina, Malta Qwathekana, James Williams, Olivier Biber

Secretariat Focal Point: Marco Barbieri

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Scientific Council, with advice from the Secretariat, to develop and establish a revision of its Rules of Procedure, as well as elements of its <i>modus operandi</i> in accordance with Res. 11.4 ( <a href="#">Res. 11.4</a> , para. 12)	Sessional Committee to produce a revised version of the Rules of Procedure. Secretariat to develop options for key points to be reviewed by chairs of Standing Committee and Scientific Council before review by the working group. Working Group to create draft consolidated RoP by end of June. Sessional Committee and Scientific Council to respond to consultation by end of July.	Revised RoP	<b>Secretariat / WG</b>	Core	No	Secretariat prepared option paper. Submitted to WG for review during ScC-SC2.	Full proposal to be developed by early 2018 and consulted with the entire Council before being submitted to ScC-SC3
Scientific Council to submit a report on the implementation of Res. 11.4 to COP12 ( <a href="#">Res. 11.4</a> , para. 12)	Sessional Committee to produce a report on the implementation of Res.11.4 provisions relevant to the establishment and operationalization of the Sessional Committee, to be submitted to COP12	Report	<b>ScC Chair / Secretariat</b>	Core	No	Secretariat produced documents to StC and ScC-SC meetings addressing elements of the implementation of Res.11.4	ScC chair to incorporate elements of the implementation or Res.11.4 into its report to COP12
Scientific Council and Secretariat to update Res.1.5 by developing a new template and guidelines for the drafting of listing proposals in line with the Annex of this Resolution, for adoption by the Standing Committee in time for its use for proposals to be submitted to the Conference of the Parties at its 12 <sup>th</sup> Meeting ( <a href="#">Res.11.33</a> para.5)	Template revised by SC, reviewed following SCSC1. Revised template and guidelines for proposals to amend CMS Appendices submitted to StC45 for review and approval	Revised template	<b>Secretariat / WG</b>	Core	No	Completed	

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
	Sessional Committee to develop a couple of model proposals for amendment, using the revised template to be adopted by StC45, with a view to assisting Parties in developing sound proposals for amendment	Model proposals		High	No	Not pursued as described. Possibly outdated now that proposals have been submitted. SC could recommend a few proposals of good quality as models.	
Scientific Council to clarify the meaning of the phrase “significant proportion” in Article I, paragraph 1 (a) of the Convention Text, and report back to the COP ( <a href="#">Res.11.33</a> para.6)	Needs consideration of practicality of making definition. May need to have a part in the listing template that asks for why this is a significant proportion. Possible checklist of issues to be considered.	Output of SC to explain complexity of the matter. Aim for amendment to template for listing proposals.	<b>ScC Chair / WG</b> Initial approach to SC, may thereafter place out as request for help to scientific community.	Core	No	Completed	

Thematic Work Area: **Strategic issues (Working Group 2)**

WG2 lead(s) and participants: Fernando Spina / Malta Qwathekana, Zeb Hogan, Vincent Hilomen, James Williams, Olivier Biber, Sergey Dereliev, Kelly Malsch (WCMC)

Secretariat Focal Point: Marco Barbieri

Mandate	Description of SC intersessional actions (ScC-SC1-ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Preparation of a report on the conservation status of species included in CMS Appendices ( <a href="#">Res. 11.1</a> , Annex V, Activity 30)	SC Chair to participate in scoping workshop. SC to review and approve a costed concept for the report, to be prepared by the Secretariat. Depending on successful fundraising, SC to oversee production of the report, including review and endorsement in time for its submission to COP12. SC to provide focus on questions to be addressed by the workshop.	Concept initially followed by plan for report.	<b>Secretariat</b> /Chair / input from IUCN SSC-SGs / WCMC (Species+)	High	Yes	Option paper prepared after scoping workshop. Submitted to ScC-SC2 for review.	Submission of revised version of option paper incorporating ScC-SC2 recommendations to COP12 for information.
Development of Atlas on Animal Migration - Starting with the African Eurasian region migratory birds atlas and taking into consideration already existent ones ( <a href="#">Res. 11.1</a> , Annex V, Activity 32)	SC to consider proposal based on presentation by Franz Bairlein at ScC-SC1. SC to oversee preparation of the Atlas when work will start subject to successful fundraising	Progress in the implementation of the preparation of the atlas to be submitted to COP12	<b>Franz Bairlein</b> / Chair SC. EURING input wrt birds part. World Fish Migration Platform for fish poster. Need to identify other input for other taxa.	High – need to avoid fundraising competition with status assessment work above.	Yes	Pledge for the development of the African-Eurasian migratory bird atlas obtained from Italy. Atlas on Central Asian mammals being developed. (Further details in ScC-SC2/Inf.2)	Atlas on Central Asian mammals to be presented at COP12
CMS Strategic Plan Working Group (SPWG) to consult the Scientific Council as appropriate, including on the scientific evidence underpinning relevant indicators ( <a href="#">Res. 11.2</a> , Annex 2, par.8)	Input individually to drafts of indicator factsheets and Companion volume Review at Sessional Committee in mid 2017.	Comment provided to consultant in advance of deadlines set by SPWG.	All members of SC to contribute to SPWG	Core	No	Completed	

Thematic Work Area: **Aquatic species conservation issues (Working Group 3)**

WG3 lead(s) and participants: Giuseppe Notarbartolo di Sciara / Barry Baker, Zeb Hogan, Graeme Taylor, Malta Qwathekana, Saras Sharma, Vincent Hilomen, Simone Panigada (ACCOBAMS), Heidrun Frisch (ASCOBANS), Mark Simmonds (H.S.I.), Alison Wood (WDC), Kelly Malsch (WCMC)

Secretariat Focal Point: Melanie Virtue

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	<u>Lead</u> / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Scientific Council to nominate, for each species and/or taxonomic group listed for <b>concerted or cooperative action</b> , a member of the Council or a designated alternative expert to be responsible for providing a concise written report to each meeting of the Council on progress in the implementation of actions for the species or taxonomic group concerned. Confirm at each subsequent meeting of the Scientific Council that these nominations remain valid or agree alternative nominations as necessary. <a href="#">(Res. 10.23</a> , para. 6)	Confirm availability of already identified focal points and identify focal points for remaining species.	Focal points identified	<b>Secretariat</b>	Medium	No	List kept up to date	Fill gaps, including for new concerted actions
Scientific Council to identify candidate species for designation for <b>Concerted Action</b> , and action to take in response to Concerted Action listing, taking fully into account the recommendations summarized in Annex 3 to Res. 11.13. <a href="#">(Res. 11.13</a> , para. 5)	ScC members to promote, and assist with the development of proposals for Concerted Actions following the guidance provided in Annex 3 to Res. 11.13, for species already designated or for candidate species for designation	Proposals for designation of species for concerted Actions	<b>Individual members</b>	High	No	Proposals received for: Eastern Tropical Pacific Sperm Whales (COP12/Doc.26.2.2) Atlantic Humpback Dolphin (COP12/Doc.26.2.3) Arabian Sea Humpback Whales (COP12/Doc.26.2.4)	

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
<p>Species previously listed for <b>cooperative action</b>, but for which no activity has yet begun, would be automatically transferred into a new unified Concerted Actions list. The list would be subject to review by the Scientific Council and the COP, to determine whether each such species should remain listed or be deleted. (<a href="#">Res. 11.13</a>, Annex 3, para. 3)</p> <p>Projects and initiatives already begun as Cooperative Actions under earlier COP decisions would continue unaffected. These too would be subject to review by the Scientific Council and the COP. Such reviews may conclude, <i>inter alia</i>, that the objectives of a given action have been achieved and it has been completed, or that it should continue within the terms of the unified Concerted Actions mechanism (and be re-named accordingly). (<a href="#">Res. 11.13</a>, Annex 3, para. 4)</p>	<p>Secretariat to produce unified concerted Actions list for ScC-SC2 review</p> <p>Secretariat to compile information on implementation of Concerted and Cooperative Actions from national reports to assist ScC review</p>	<p>Recommendation to COP on species designated for Cooperative Actions to be maintained in the unified Concerted Actions mechanism</p>	<b>Secretariat</b>	High	No		
<p>Scientific Council to seek to enhance cooperation and collaboration with CITES and the IWC on small cetacean species targeted by <b>live captures</b> from the wild (<a href="#">Res. 11.22</a> para. 3)</p>	<p>Develop cooperation, e.g. through ScC Members or observers present in relevant CITES or IWC fora to provide link. Mutual observers IWC-ASCOBANS to assist</p>	<p>Options for cooperation identified</p>	<b>Mark Simmonds</b> / (Sec FP: Frisch)	High	No	Ongoing	COP-appointed Councillor to take up task of providing link to IWC Scientific Committee and CITES Animals Committee
<p>Resolution on <b>live captures</b> of cetaceans from the wild for commercial purposes (<a href="#">Res. 11.22</a>)</p>	<p>Perform further analysis of survey responses, including possible legal inconsistencies, and consider the situation in non-Parties</p>	<p>Gaps and inconsistencies identified</p>	<b>Alison Wood</b> / (Sec FP: Frisch)	High	No	Done (COP12/Inf.24)	None

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Action to address the impact on CMS-listed species that are likely to be subject to utilization as <b>aquatic bushmeat</b> (Res. 10.15)	Develop cooperation with CPW and IWC, e.g. through ScC Members or observers present in these fora, assisted by IWC-ASCOBANS observers Further develop briefing paper Develop draft resolution for COP12	Enhanced version of briefing paper; Draft resolution	<b>Sigrid Lueber</b> / (Sec FP: Virtue & Frisch)	High	No	Done (COP12/Doc.7.2.3, COP12/Inf.12)	
Development of CMS Family Environmental Impact Assessment Guidelines for <b>Noise-generating Offshore Industries</b> (Res. 9.19 para. 3)	Participate in consultation process on draft guidelines to be concluded by 5 July 2016 Develop draft resolution for COP12	Agreed guidelines Draft resolution	<b>Notarbartolo di Sciarra</b> / (Sec FP: Frisch)	High	No further funding required	Done (COP12/Doc.24.2.2, COP12/Inf.11)	
Scientific Council to identify candidate <b>species for listing</b> on, or delisting from the CMS Appendices, and assist in the preparation of proposals for amendment as appropriate (Art.VIII para. 5.c of the Convention)	Consult ScC taxonomic WGs and CMS Family advisory bodies on species to be considered for listing Assist in development of listing proposals Consider: whale shark, golden dorado, Danube salmon, Japanese eel	Draft listing proposals	<b>COP-App. Councillors for Aquatic Mammals, Turtles and Fish WGs</b> / (Sec FP: Virtue)	High	No	Whale Shark: done (COP12/Doc.25.1.20)	
Scientific Council to assess the potential impact of <b>dolphin swim-with programmes</b> on CMS-listed species and advise CMS COP accordingly (Art. VIII para. 5.e of the Convention)	Provide briefing paper to ScC-SC2 Develop draft resolution and guidelines	Briefing paper Draft guidelines Draft resolution	<b>Notarbartolo di Sciarra</b> / (Sec FP: Frisch)	High	No	Done (COP12/Doc.24.2.5, COP12/Inf.13)	

Thematic Work Area: **Terrestrial species conservation issues (Working Group 4)**

WG4 lead(s) and participants: Alfred Oteng-Yeboah, chair; Lkhagvasuren Badamjav / Rodrigo Medellin, Samuel Kasiki, , Kelly Malsch (WCMC), Soumitra Dasgupta, Taej Mundkur  
 Secretariat Focal Point: Bert Lenten, Clara Nobbe, Christiane Roettger, Yelizaveta Protas

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Scientific Council to nominate, for each species and/or taxonomic group listed for concerted or cooperative action, a member of the Council or a designated alternative expert to be responsible for providing a concise written report to each meeting of the Council on progress in the implementation of actions for the species or taxonomic group concerned. Confirm at each subsequent meeting of the Scientific Council that these nominations remain valid or agree alternative nominations as necessary. <a href="#">(Res. 10.23</a> , para. 6)	Confirm availability of already identified focal points	Focal points identified	<b>Secretariat</b>	Medium	No	Wild Yak focal point identified: Mr. Xuchang Liang, WCS Sarah Durant (ZSL) agrees to act as focal point for cheetah and wild dog. Sahelo-Saharan Megafauna (including newly listed Red-fronted gazelle and Barbary sheep) focal point is Ms. Roseline Beudels, confirm her continued availability Work on white-eared kob currently frozen, re-examine the possibility to identify a focal point in the future.	Focal Points still to be identified for the two elephant species
Scientific Council to identify candidate species for designation for Concerted or Cooperative Action, and action to take in response to Concerted or Cooperative Action listing, taking fully into account the recommendations summarized in Annex 3 to Res. 11.13. <a href="#">(Res. 11.13</a> , para. 5)	ScC members to promote, and assist with the development of proposals for Concerted Actions following the guidance provided in Annex 3 to Res. 11.13, for species already designated or for candidate species for designation	Proposals for designation of species for Concerted Actions	<b>Individual members</b>	high	No	Snow leopard: Concerted Action is fulfilled under CAMI and in cooperation with GSLEP Cheetah: the African carnivore initiative serves as Concerted Action Wild dog: the African carnivore initiative serves as Concerted Action Elephants: the African Elephant Action Plan serves as Concerted Action	Ian Redmond proposes Chimpanzee for Concerted Action, pending the passage of Proposal for listing at COP12  Examine whether Concerted Action is a good option for the Leopard, also pending listing at COP12

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
<p>Species previously listed for cooperative action, but for which no activity has yet begun, would be automatically transferred into a new unified Concerted Actions list. The list would be subject to review by the Scientific Council and the COP, to determine whether each such species should remain listed or be deleted. <a href="#">(Res. 11.13, Annex 3, para. 3)</a></p> <p>Projects and initiatives already begun as Cooperative Actions under earlier COP decisions would continue unaffected. These too would be subject to review by the Scientific Council and the COP. Such reviews may conclude, <i>inter alia</i>, that the objectives of a given action have been achieved and it has been completed, or that it should continue within the terms of the unified Concerted Actions mechanism (and be re-named accordingly). <a href="#">(Res. 11.13, Annex 3, para. 4)</a></p>	<p>See point above</p>	<p>Recommendation to COP on species designated for Cooperative Actions to be maintained in the unified Concerted Actions mechanism</p>	<p><b>Secretariat</b></p>	<p>High</p>	<p>No</p>	<p>Ongoing process through COP12</p>	
<p>Scientific Council and the Secretariat to continue and strengthen efforts to collaborate with other relevant international fora with a view to strengthening synergies and implementation of CMS and the CAMI in these fora. <a href="#">(Res. 11.24 para. 7)</a></p>	<p>Similar reports should be done on progress under CAMI, Sahelo-Saharan Antelopes, Bats and other species groups Effort should be made to promote the abovementioned species initiatives at relevant international fora,</p>	<p>Reports at next meeting on progress made and on promotion of the initiatives in international fora</p>	<p>Scientific councillors</p>	<p>high</p>	<p>No</p>	<p>Cooperation with GSLEP is ongoing</p>	

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Scientific Council to identify candidate species for listing on, or delisting from the CMS Appendices, and assist in the preparation of proposals for amendment as appropriate (Art.VIII para. 5.c of the Convention)	Verify interest of Parties in submitting listing proposals for species such as Chinkara and Lion, and assist them in the development of the proposals as appropriate. Consider the case of species which are not migrating anymore (e.g. Oryx, Przewalski's horse), listing lions at next COP (a review may be coming out of the upcoming Range states meeting (organized by CITES/CMS	Listing proposals submitted to COP12 for consideration	Scientific councillors	high	No	ScC members assisted Parties in producing listing proposals concerning Chinkara Przewalski horse Gobi bear Lion Leopard Lasiurus Bats African Wild Ass Chimpanzee Giraffe	
Establishing Central Asian Scientific Initiative (Resolution 11.24 CAMI)	Approach scientists in Central Asia with the help of the Secretariat to coordinate research efforts, collect data, use uniform methodology and cooperate with each other  First task to compile distribution/migration data for CAMI species.  To incorporate migratory species and threats into university curricula	Start the activity by next meeting, contact scientists	Lkhagva/CMS Secretariat (CAMI)	high	No, at a later stage to conduct meetings	Already partially fulfilled by identifying species FPs under CAMI, forming a network of experts;  Klaus Toepfer Scholars identified as younger-generation candidates, who already receive learning on Central Asian wildlife-related topics	Importance reiterated, Lkhagva to continue working towards this goal

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action until COP12 and/or ScC-SC3
Dry land fencing problems	<p>Include this issue for drylands in Africa and Central Asia under the topic of Ecological networks</p> <p>Issue is urgent as many countries are building border fences; Additional threat from fencing of private lands.</p>	Address this issue in next meeting	Scientific Councillors	high	Yes?	<p>Mongolian Railroad fence removal / redesign project has been funded and pilot sites identified by Lkhagva</p> <p>Report on fencing activities in Africa being written externally (Sarah Durant to provide)</p> <p>Infrastructure and migration barriers were mapped together with CAMI species migration routes, and critical migration sites identified. (Migration Atlas project)</p>	<p>CMS can provide expertise via already existing experience and tools developed for Central Asia</p> <p>Collect case studies on the implementation of the guidelines in Asia and their relevance and applicability to Africa.</p> <p>Develop Infrastructure guidelines and activities for Africa, using the Central Asian guidelines and actions as guidance.</p>
African carnivores	Develop a regional initiative to conserve African carnivores, consider including wild dog, lions, cheetah, leopards	Report on the next meeting	Scientific Councillors/ secretariat	high	Yes, meeting to discuss and set up the initiative	Completed	

Thematic Work Area: **Avian species conservation issues (Working Group 5)**

WG5 lead(s) and participants: Rob Clay, Stephen Garnett / Barry Baker, Graeme Taylor, Samuel Kasiki, Roman Baigún, Nick P. Williams (Raptors MoU), Sergey Dereliev (AEWA), Alex Ngari (BirdLife Int.), Kelly Malsch (WCMC)  
 Secretariat Focal Point: Borja Heredia

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Scientific Council to nominate, for each species and/or taxonomic group listed for concerted or cooperative action, a member of the Council or a designated alternative expert to be responsible for providing a concise written report to each meeting of the Council on progress in the implementation of actions for the species or taxonomic group concerned. Confirm at each subsequent meeting of the Scientific Council that these nominations remain valid or agree alternative nominations as necessary. (Res. 10.23, para. 6)	Confirm availability of already identified focal points and identify focal points for remaining species.	Reports for each species. Identify actions required.	<b>Secretariat</b>	Medium	No	List kept up to date	
Scientific Council to identify candidate species for designation for Concerted or Cooperative Action, and action to take in response to Concerted or Cooperative Action listing, taking fully into account the recommendations summarized in Annex 3 to Res. 11.13. (Res. 11.13, para. 5)	ScC members to promote, and assist with the development of proposals for Concerted Actions following the guidance provided in Annex 3 to Res. 11.13, for species already designated or for candidate species for designation	Proposals for designation of species for Concerted Actions	<b>Individual members</b>	High	No	Proposal for a Concerted Action for the Asian Population of the Great Bustard ( <i>Otis tarda</i> ) already listed on Appendix I and II of the Convention (COP12/Doc.26.2.8) submitted for review by the 2 <sup>nd</sup> Meeting of the Sessional Committee of the CMS Scientific Council (ScC-SC2)	Consider comments of ScC-SC2 on the proposal for adoption at COP12

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
<p>Species previously listed for cooperative action, but for which no activity has yet begun, would be automatically transferred into a new unified Concerted Actions list. The list would be subject to review by the Scientific Council and the COP, to determine whether each such species should remain listed or be deleted. (Res. 11.13, Annex 3, para. 3)</p> <p>Projects and initiatives already begun as Cooperative Actions under earlier COP decisions would continue unaffected. These too would be subject to review by the Scientific Council and the COP. Such reviews may conclude, <i>inter alia</i>, that the objectives of a given action have been achieved and it has been completed, or that it should continue within the terms of the unified Concerted Actions mechanism (and be re-named accordingly). (Res. 11.13, Annex 3, para. 4)</p>	<p>Secretariat to produce unified concerted Actions list for ScC-SC2 review</p> <p>Secretariat to compile information on implementation of Concerted and Cooperative Actions from national reports to assist ScC review</p>	<p>Recommendation to COP on species designated for Cooperative Actions to be maintained in the unified Concerted Actions mechanism</p>	<p><b>Secretariat</b></p>	<p>High</p>	<p>No</p>	<p>Ongoing through COP12 and beyond</p>	
<p>Continuation of the open-ended Flyways Working Group to (a) monitor the implementation of the POW and the Americas Flyways Framework, (b) review relevant scientific and technical issues, international initiatives and processes, (c) provide guidance on and input into the conservation and management of flyways at global and flyway level during the intersessional period until COP12 and (d) review and update the POW, as a basis for the continued prioritization of the CMS activities on flyways (Res. 11.14 para. 7)</p>	<p>The Flyways Programme of work will be analyzed to check specific mandates for the scientific council.</p>	<p>A specific list of actions will be identified.</p>	<p>Avian Working Group</p>	<p>Core</p>	<p>No</p>	<p>Done (COP12/Doc.24.1.10)</p>	

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Flyways Working Group to support the establishment of a Task Force, in conjunction with WHMSI, to coordinate the development and implementation of an action plan to achieve the global Programme of Work and Americas Flyways Framework including provisions for concerted conservation action for priority species, and to report to COP12 onwards and WHMSI (Res. 11.14 para. 3)	Provide technical support and review draft of the action plan.	Action plan endorsed.	Avian Working Group	Core	No	Done (COP12/Doc.24.1.10)	
Development and adoption of a Species Action Plan (SAP) for Baer's Pochard in Asia (Res. 11.14, Annex 1)	Provide technical support and review draft of the action plan.	Action plan endorsed.	WWT/ EAAFP	Core	No	Done (COP12/Doc.24.1.8)	
Development and adoption of a multi-species action plan for all African-Eurasian Vultures (except Palm-nut Vulture ( <i>Gypohierax angolensis</i> )) via the CMS Memorandum of Understanding on the Conservation of Migratory Birds of Prey (Raptors MoU) (Res. 11.14, Annex 1)	Review and provide guidance as it develops. Offering a review and endorsement by the Council before the COP. Evaluate any proposals for listing resulting from the draft action plan.  Evaluate the action plan and evaluate documents submitted by respective parties prior to COP.	Action plan endorsed.	Raptors MOU / IUCN SSC Vulture SG; BirdLife Int.	Core	No	Done (COP12/Doc.24.1.4)	
Continuation of the open-ended Preventing Poisoning Working Group until COP12 under the Terms of Reference annexed to Res. 11.15, renewing its membership to incorporate expertise from geographical regions currently absent as well as representatives of industry and governments, to address the impact of other sources of poisoning, and geographic gaps, and to monitor the implementation of the Guidelines (Res.11.15 para.15)	Providing recommendations as requested regarding working group membership.  Reviewing the outputs from working group prior to COP.	Recommendations for the next COP.	Avian working group.	Core	No	Done (COP12/Doc. 24.1.3); Lead Task Force proposed	Acc. to comments from Scientific Council (Addendum COP12/Doc. 24.1.3), for COP to decide if PPWG continues to report to the ScC or as a Task Force reports to COP; in case align Terms of Reference, also for new Lead Task Force

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Scientific Council and the Working Group on African-Eurasian Migratory Landbirds, in liaison with the Migrant Landbirds Study Group to promote work to address key gaps in knowledge and future research directions, in particular through the analysis of existing long-term and large-scale datasets, the European Atlas of Bird Migration, the use of new and emerging tracking technologies, field studies of migrant birds in Sub-Saharan Africa, use of survey and demographic data from the Eurasian breeding grounds and use of remote sensing earth observation data of land cover change in sub-Saharan Africa (Res. 11.17 para. 6)	Providing guidance as requested and reviewing any outputs from the working group.	Recommendations for the next COP.	Avian working group	Core	No	Done (COP12/Doc. 24.1.2); Pledge for the development of the African-Eurasian migratory bird atlas obtained from Italy (see Strategic Issues).	
Working Group on African-Eurasian Migratory Landbirds and the CMS Scientific Council, in liaison with the Migrant Landbirds Study Group and the Friends of the Landbirds Action Plan, with the support of the CMS Secretariat, to develop as an emerging issue Action Plans for a first set of species including the Yellow-breasted Bunting <i>Emberiza aureola</i> , Turtle Dove <i>Streptopelia turtur</i> and European Roller <i>Coracias garrulous</i> (Res. 11.17 para. 11)	Reviewing the action plans. Offer guidance and advice if requested.	Recommendations for the next COP.	Avian working group	Core	No	Action Plan drafts recommended for adoption (COP12/Documents 24.1.11; 24.1.5; 24.1.6; 24.1.9)	
Saker Falcon Task Force to report on progress in the implementation of its mandate to the intersessional meeting of the Scientific Council (Res. 11.18 para. 6)	Take note of the report and offer advice where appropriate.	Endorse the report.	Scientific sessional committee avian working group	Core	No		

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributors	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Scientific Council to consider the implications of adopting in future as a standard reference for Passerine bird taxonomy and nomenclature the <i>Handbook of the Birds of the World/BirdLife International Illustrated Checklist of the Birds of the World, Volume 2: Passerines</i> (Res. 11.19 para.3)	Provide a review and consult with partners.	A technical review document and a recommendation to COP.	<b>Robert Clay</b> and <b>Stephen Garnett.</b>	Core	No	Done (COP12/Doc. 25.3)	
Scientific Council to identify candidate species for listing on, or delisting from the CMS Appendices, and assist in the preparation of proposals for amendment as appropriate (Art.VIII para. 5.c of the Convention)	Provide a review aligned with the taxonomic review. To continuously review any proposals that Parties submit.	Recommendations regarding species to be added based on the proposals that are received. Recommendation of species that parties could consider.	Avian working group	Core	No	Done: Christmas Frigate Bird (COP12/Doc. 25.1.11); Black Noddy subsp. worcesteri (25.1.12); Steppe Eagle (25.1.13 a), b)); Four Asian Vulture species (25.1.14); Five Vulture species occur. In Sub-Saharan Africa (25.1.15); Lappet-faced Vulture (25.1.16 a), b)); Yellow Bunting (25.1.17); Great Grey Shrike (25.1.18); Lesser Grey Shrike (25.1.19)	The proponent of the proposal on the Black Noddy subsp. worcesteri has been advised to improve the proposal regarding the identification and proposed ways of filling of knowledge gaps

Thematic Work Area: **Cross-cutting conservation issues (Working Group 6)**

WG6 lead(s) and participants: Barry Baker, Giuseppe Notarbartolo di Sciara, Zeb Hogan, Colin Galbraith, Fernando Spina / Rodrigo Medellin, Graeme Taylor, Malta Qwathekana, Saras Sharma, Vincent Hilomen, Simone Panigada (ACCOBAMS), Heidrun Frisch (ASCOBANS), Mark Simmonds (H.S.I.), Alison Wood (WDC), Kelly Malsch (WCMC), Alex Ngari (BirdLife Int.)  
 Secretariat Focal Points: Melanie Virtue, Heidrun Frisch, Borja Heredia, Marco Barbieri

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Scientific Council to establish an intersessional expert working group dealing with the conservation implications of <b>culture and social complexity</b> , with a focus on, but not limited to cetaceans ( <a href="#">Res.11.23</a> para. 6)	Convene second workshop Develop draft resolution for COP12?	Draft resolution	<b>Notarbartolo di Sciara</b>  (Sec FP: Virtue & Frisch)  Culture Expert Group	High	€50,000	Report of WG and revised draft resolution developed (COP12/Doc.24.4.3, COP12/Inf.14)	Workshop in early 2018
Encourages Parties and other stakeholders to gather and publish pertinent data for advancing the conservation management of these populations and discrete social groups ( <a href="#">Res.11.23</a> para. 5)	Development and compilation of papers	Completion of papers  Draft resolution	<b>Notarbartolo di Sciara / Baker</b>  (Sec FP: Virtue & Frisch)  Culture Expert Group	High	none	Report of WG and revised draft resolution developed (COP12/Doc.24.4.3, COP12/Inf.14) Concerted Action proposal for etP Sperm Whales (COP12/Doc.26.2.2)	
Invites relevant CMS Scientific Councillors for taxa other than cetaceans to review the findings of the workshop and engage in this expert group. ( <a href="#">Res.11.23</a> para. 7)	SC Councillors invited to contribute toward the work of the Expert Group, particularly with respect to other taxa.	Comments in relation to other taxa considered and incorporated in relevant paper and draft resolution	<b>Notarbartolo di Sciara / Baker</b>  (Sec FP: Virtue & Frisch)	High	none	Report of WG and revised draft resolution developed (COP12/Doc.24.4.3, COP12/Inf.14)	

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
<p>Scientific Council to support Parties, as appropriate, to promote <b>ecological networks and connectivity</b> through, for example, the development of further site networks within the CMS Family or other fora and processes, that use scientifically robust criteria to describe and identify important sites for migratory species and promote their internationally coordinated conservation and management (<a href="#">Res.11.25</a> para.7)</p>	<p>2nd technical workshop on connectivity mediated by migratory species organized under the auspices of the Scientific Council (Feb/March 2017)</p>	<p>Draft resolution for COP12</p>	<p><b>Fernando Spina /</b> (Sec FP: Barbieri)</p>	<p>High</p>	<p>€10,000  (other funds likely to be provided locally)</p>		
<p>Scientific Council to assess the relevance of the concept of <b>Important Marine Mammal Areas (IMMAs)</b> to CMS and advise CMS COP accordingly (<a href="#">Res.11.25</a>)</p>	<p>Review process, criteria and toolkit and make recommendation to COP12</p>	<p>Recommendation to COP12</p>	<p><b>Notarbartolo di Sciara</b> (Sec FP: Virtue &amp; Frisch)</p>	<p>High</p>	<p>none</p>	<p>Done (COP12/Doc.24.2.1)</p>	

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Scientific Council and the Working Group on <b>Climate Change</b> to promote work to address key gaps in knowledge and future research directions, in particular through the analysis of existing long-term and large-scale datasets ( <a href="#">Res. 11.26</a> para.3)	Assess survival needs of migratory species impacted by climate change  Identify gaps in knowledge  Develop a list of successful examples of action taken to improve resilience of species impacted by climate change	Report to MOP12  Draft resolution focusing on adaptation to assist the resilience of migratory species to climate change	<b>Colin Galbraith</b>  (Sec FP: Barbieri)  Climate Change WG	High	None (for now)	Activity considered at workshop of CCWG	Fish WG to monitor publications on the effect of climate change on sharks and bony fish
Parties and the Scientific Council to report progress in implementing the POW on Climate Change and Migratory Species, including monitoring and the efficacy of measures taken, to COP12 in 2017 ( <a href="#">Res. 11.26</a> para.11; Res.11.1, Annex V, Activity 33)	Convene a meeting of the Climate Change Working Group	Report to COP12  Draft resolution focusing on adaptation to assist the resilience of migratory species to climate change.	<b>Colin Galbraith</b>  (Sec FP: Barbieri)  Climate Change WG	High	USD 30,000	Workshop convened	Report to be provided to COP12 on progress, including through a side event
Scientific Council and the Working Group on Climate Change to promote work to address key gaps in knowledge and future research directions, in particular through the analysis of existing long-term and large-scale datasets ( <a href="#">Res. 11.26</a> para.3)	Start process to revise and update the review of climate change vulnerability of migratory species  Taxonomic WGs to review whether updates are required	Updated review	<b>Colin Galbraith</b>  (Sec FP: Barbieri)  Climate Change WG		None (for now)	Project concept developed at CCWG concept	Fish WG to monitor publications on the effect of climate change on sharks and bony fish

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
<p>Scientific Council, subject to availability of resources, to review existing agreed guidelines, existing good practice and underpinning scientific evidence of the issues of concern, and based on this review develop guidelines as appropriate on marine <b>boat-based wildlife watching</b> for different taxonomic groups, differentiated if necessary by geographic areas (<a href="#">Res.11.29</a> para.9)</p>	<p>Development of guidelines for first taxonomic group (cetaceans) and simultaneously a template for the further modules (to follow later)</p>	<p>Guidelines developed and adopted by COP12 for cetaceans</p> <p>Draft guidelines developed for sharks/rays ; seabirds/ turtles prepared</p>	<p><b>Notarbartolo di Sciara</b> (Sec FP: Frisch)</p> <p><b>Barry Baker</b> (Sec FP: Frisch)</p>		<p>Provided by Monaco</p> <p>Yes \$10,000</p>	<p>Change of plans, work started with other species groups, guidelines developed (COP12/Doc.24.4.5, COP12/Inf.16)</p>	<p>Collaboration with IWC on development of Online Whale Watching Handbook</p>
<p>Scientific Council, with support from the Secretariat, to further the Convention's work on the <b>marine debris</b> issue and investigate the feasibility of close cooperation with other biodiversity-related agreements by means of a multilateral working group (<a href="#">Res. 11.30</a> para.11)</p>	<p>Develop cooperation with CBD and IWC, as well as ACCOBAMS and ASCOBANS</p>	<p>??</p>	<p><b>To be identified</b> (Sec FP: Virtue &amp; Frisch)</p>	<p>High</p>	<p>None</p>	<p>Secretariat to liaise with other MEAs</p> <p>Revised draft resolution (COP12/Doc.24.4.1)</p>	
<p>Working groups established under the Scientific Council incorporate the issue of marine debris where relevant, drawing on the work already undertaken by the Convention (<a href="#">Res. 11.30</a> para.11)</p>	<p>Remind WG Chairs of this requirement</p>	<p>??</p>	<p><b>To be identified</b> (Sec FP: Virtue &amp; Frisch)</p>	<p>High</p>	<p>None</p>		

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
Scientific Council, with support from the Secretariat, to promote the prioritization of research into the effects of microplastics on the species ingesting them, and support research on the significance of colour, shape or plastic type on the likelihood of causing harm, in order to be able to focus management strategies in future; <a href="#">(Res. 11.30)</a>	Produce a review of the micro plastics threat to migratory species	Document for SC2	<b>Simmonds</b> (Sec FP: Virtue & Frisch)	High	None	Revised draft resolution (COP12/Doc.24.4.1)	
Scientific Council to assess the progress made in addressing <b>bycatch</b> of migratory species and advise CMS COP accordingly (Res.10.14, Res.9.18, Res.8.14; 7.2, 6.2)	Review existing bycatch resolutions and develop a draft revised resolution for COP12, that reaffirms necessary actions relevant to the conservation of migratory species	Draft resolution	<b>Barry Baker</b> (Sec FP: Virtue & Frisch)  Bycatch WG	High	No	Revised draft resolution (COP12/Doc.24.4.4)  Review of cetacean bycatch mitigation measures (COP12/Inf.15)	
Work Program 2014-2017 for Bycatch Councillor and Bycatch Working Group	Maintain a small informal group of interested parties and technical experts on the workspace to assist the Scientific Councillor, Bycatch	Review of relevant bycatch issues, as required	<b>Barry Baker</b> (Sec FP: Virtue & Frisch)	ongoing	No		Identify and engage members

Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
As above	Work closely with other international competent bodies such as FAO and relevant RFMOs, to ensure bycatch management approaches are promulgated in working fisheries	Attendance at RFMO meetings Coordination of activities with daughter agreements	<b>Barry Baker</b> (Sec FP: Virtue & Frisch) Bycatch Working Group, relevant taxonomic WGs ACAP, ACCOBAM S, ASCOBAN S, Wadden sea Seals, Marine Turtles Africa, Marine Turtles IOSEA, Pacific Islands Cetaceans, Sharks, IWC Bycatch Group		US\$ 30,000 pa		
As above	Continuously review and utilise available information on the at-sea distribution of migratory species to assess overlap with fishing operations and hence the risk of bycatch in fishing regions	Advice to Scientific Council on emerging issues, as appropriate	<b>Barry Baker</b> (Sec FP: Virtue & Frisch) Bycatch Working Group	ongoing	None		



Mandate	Description of SC intersessional actions (ScC-SC1 – ScC-SC2)	Expected Output	Lead / Contributor s	Priority	Funding needed	Progress up to ScC-SC2	Further action up to COP12 and/or ScC-SC3
<p>Encourages Parties to conduct research to identify and improve mitigation measures, including use of alternative fishing gear and methods, to avoid or reduce bycatch where feasible, and subsequently promote their use and implementation</p> <p>(Res.10.14 para 5)</p> <p>Scientific Council to identify and provide advice on best practice mitigation techniques.</p> <p>(Res.10.14 para 9)</p> <p>Work Program 2014-2017 for Bycatch Councillor and Bycatch Working Group</p>	<p>Review information on mitigation measures for fishing methods known to impact migratory species</p>	<p>Advice to Scientific Council on emerging issues, as appropriate</p>	<p><b>Barry Baker</b> (Sec FP: Virtue &amp; Frisch) Bycatch Working Group</p>			<p>Review of cetacean bycatch mitigation measures (COP12/Inf.15)</p>	

## ANNEX 2

**2<sup>nd</sup> Meeting of the Sessional Committee of the  
CMS Scientific Council (ScC-SC2)**

*Bonn, Germany, 10 – 13 July 2017*

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