

**DRAFT REPORT OF THE 11<sup>TH</sup> MEETING  
OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

Note: This draft report follows the sequence in which items were discussed. The final report will be restructured to follow Agenda items in numerical order.

**Day 4 – Friday 7 November 2014**

<b>Committee of the Whole 10.00–13.00</b>
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**Note: Paragraph numbering carried over from draft report of Day 2, previously distributed.**

**PROGRESS OF DRAFTING AND WORKING GROUPS**

363. The Chair invited updates from the Drafting Group and Working Groups.

364. Prof Alfred Oteng-Yeboah, Chair of the Drafting Group, reported that the Group had completed discussion of document 16.2 on synergies within the CMS family, and was making progress with document 17.1 on the restructuring of the Scientific Council. The Group would continue with items 4 (Rules of Procedure) and 18.3 (Review Process for the Convention).

365. Mr Barry Baker, Chair of the Aquatic Issues Working Group, reported excellent progress with discussion of five out of six Draft Resolutions having been completed and the sixth on schedule for completion during the day.

366. Mr David Stroud, Chair of the Avian Issues Working Group reported that the WG had completed discussion of three Draft Resolutions, was close to finishing a fourth and would work intensively to finish work by the end of the day.

367. The representative of the European Union and its Member States reported the EU and Argentina had held a bilateral meeting on the Draft Resolution concerning Ecological Networks, and an agreed version had been sent to the Secretariat.

368. The representative of Monaco reported that the Draft Resolution on Wildlife Crime had been circulated among the ‘Friends of the Chair’ group on this issue; a consolidated text would be made available to the COW later in the day.

**ENDORSEMENT OF AMENDMENTS PROPOSED IN SESSION**

369. At the invitation of the Chair, the COW endorsed the following revised texts to go forward to plenary without the need for further amendment:

- UNEP/CMS/COP11/CRP4 Draft Resolution *Conservation and Management of the African Lion Panthera leo*
- UNEP/CMS/COP11/CRP5 Draft Resolution *Future CMS Activities related to Invasive Alien Species*

- UNEP/CMS/COP11/CRP6 Draft Resolution *Review of Decisions*

370. In relation to CRP4 on the African Lion, the observer from the Born Free Foundation felt that listing on Appendix II would have been appropriate, but given the lack of consensus, the initiative of Kenya to bring forward the present Draft Resolution had been a fair compromise. He suggested a minor amendment to one paragraph.

## **CONSERVATION ISSUES (ITEM 23)**

### **Avian Species (Item 23.1)**

#### **Programme of Work for Migratory Birds and Flyways (item 23.1.1)**

371. Mr Borja Heredia (Secretariat) referred the meeting to Document UNEP/CMS/COP11/Doc 23.1.1 *Programme of Work for Migratory Birds and Flyways* including the Draft Resolution contained in Annex I to the Document, as well as the Programme of Work on Migratory Birds and Flyways (2014-2023) contained in Annex 2, and the Americas Flyways Framework contained in Annex 3.

372. Mr Taej Mundkur, Chair of the Intersessional Working Group on Flyways, made a presentation introducing these documents and the supporting information papers. This work had been mandated by Resolution 10.10 and there had been two meetings, in Jamaica in March 2014 and in Central/South America in August 2014. The main focus of the Draft Resolution was the implementation of the Programme of Work, and the Americas Flyway Framework.

373. The representative of Switzerland welcomed and fully supported the Draft Resolution, the Programme of Work (POW) and its Annexes. The POW provided a good example of how to implement the mission of CMS under the new Strategic Plan. The plan was very ambitious, and would help the Parties and others to focus on priority actions.

374. The representative of the USA believed that the Migratory Bird Framework for the Americas could make an important contribution to bird conservation, at last extending substantial CMS efforts on migratory birds to the Western Hemisphere. Thanks were due to the Secretariat, including the Washington Officer, for strengthening links between CMS and the Western Hemisphere Migratory Species Initiative (WHMSI).

375. The representative of the EU and its Member States supported the adoption of the Draft Resolution and the associated documents, and recognized a need to streamline and focus the actions foreseen by Resolution 10.10 (on Guidance on Global Flyway Conservation and Options for Policy Arrangements) into more detailed and specific programmes. The EU considered the POW to be a useful tool to better drive the planning and development of conservation actions for migratory birds and their habitats, and hoped that there would be adequate funds dedicated to the implementation of the POW.

376. The representative of Egypt endorsed the Draft Resolution with minor suggested amendments.

377. The representative of Ecuador, on behalf of the Latin America & Caribbean region, welcomed this very complete and ambitious document. The region especially recognized the value of the Migratory Bird Framework for the Americas. A wide range of initiatives would be able to use this as a common platform to protect migratory bird species. An amendment to the Draft Resolution was suggested to ensure an effective framework in the intersessional period.

378. The representative of the Philippines endorsed the documents, particularly welcoming the clear timeline and indicators. The Philippines belonged to the East Asian – Australasian Flyway Partnership and the POW provided guidance relevant to this and all flyways.

379. The representative of Kyrgyzstan welcomed and supported the POW, and in the light of continuing decreases in populations of Central Asian migratory birds, supported the initiative to join the Central Asian Flyway to AEWA. AEWA was a more powerful conservation tool than the Central Asian Flyway Action Plan, which had not implemented any significant activities in its nine years of existence.

380. The representative of Brazil supported the Draft Resolution and mentioned that since 2008, Brazil had also participated in implementing the Action Plan of the MoU on the Conservation of Southern South American Migratory Grassland Bird Species and Their Habitats. Brazil implemented large-scale bird banding activities, and a team from the National Center for Bird Conservation Research was also continuously working on the standardization of data collection protocols for migratory birds in Brazil, with published protocols online. Brazil offered to host a workshop in 2015 with the goal of integrating and merging initiatives in order to implement the POW and engage with an integrated Plan of Action for the Americas Flyways.

381. The representative of Pakistan welcomed the document and requested information from the Secretariat about the proposed merger of the Central Asian Flyway Action Plan and AEWA.

382. The representative of Argentina supported the comments made by Ecuador and welcomed Brazil's offer to host a workshop. A minor amendment would be provided to the Secretariat.

### **Guidelines to Prevent Poisoning of Migratory Birds (item 23.1.2)**

383. Mr Heredia (Secretariat) introduced Document UNEP/CMS/COP11/Doc 23.1.2 *Guidelines to Prevent Poisoning of Migratory Birds* including the Draft Resolution contained in Annex I to the Document. The Document had been prepared by the Intersessional Working Group on Bird Poisoning and the draft Guidelines, which covered different types of poisoning, had been discussed in a technical workshop.

384. The Chair noted that the document was undergoing detailed discussion in the Avian Issues Working Group and requested only brief interventions in the COW.

385. The observer from the USA stated that regulation of ammunition for the protection of wildlife was the responsibility of individual states of the USA. She confirmed that the US Government would not be in a position to implement the portions of the guidelines relating to lead in ammunition.

386. The observer from SEO/BirdLife noted that today could be the beginning of the end of lead poisoning of migratory birds, as well as of many other forms of poisoning. He urged Parties to adopt the Draft Resolution.

387. The representative of the EU and its Member States confirmed that the EU strongly supported the objectives of the document, and would welcome close cooperative working on this issue with other organizations such as the Bern and Ramsar Conventions. The EU had raised a number of issues for discussion in the Avian Issues Working Group.

388. The representative of Tunisia mentioned that the Tunisian Government had hosted a Working Group meeting on bird poisoning in May 2013. He supported the Draft Resolution and Guidelines and called on all Parties to support the prevention of poisoning of migratory birds, which often also affected people.

389. The representative of Peru fully supported implementing the actions contained in the Draft Resolution and reported that lead shot was already banned for shooting over wetlands in her country.

390. The representative of the Philippines supported the document and noted that the review had objectives which could be strategically implemented.

391. The Chair invited all interested participants to contribute to discussions in the Avian Issues Working Group. A revised document would be submitted to the COW in due course.

### **Illegal Killing, Taking and Trade of Migratory Birds (item 23.1.3)**

392. Mr Heredia (Secretariat) introduced Document UNEP/CMS/COP11/Doc 23.1.3 *Illegal Killing, Taking and Trade of Migratory Birds* including the Draft Resolution contained in the Annex to the document. He stressed that this Draft Resolution had nothing to do with legal, regulated hunting. The Draft Resolution called for a special Task Force to address illegal killing in the Mediterranean region, which was one of the areas where the issue was most prevalent. This Draft Resolution complemented Draft Resolution 23.4.7 on Wildlife Crime.

393. The Chair noted that the document was undergoing detailed discussion by the Avian Issues Working Group and requested brief interventions.

394. The representative of the European Union and its Member States appreciated the recent efforts made by the CMS Secretariat, including work with the Bern Convention, regarding prevention of the illegal killing, taking and trade of migratory birds. The development of synergies among several international organizations represented an important step forward in combating wildlife crime. In this context, CMS could play an important role, promoting cooperation and sharing of information.

395. For these reasons, the EU and its Member States supported the aims of the Draft Resolution, but had tabled a number of amendments within the Avian Issues Working Group.

396. The representative of Egypt endorsed the Draft Resolution. His country was a migratory bottleneck for over 250 migratory bird species and in recent years, illegal killing had become a major problem. The Governments of Germany and Switzerland, and BirdLife International, had pledged to assist with the prevention of illegal killing, which had been discussed at ministerial level. A framework of action with well-defined objectives had been prepared, and the formation of the Task Force was seen as being a crucial development.

397. The representative of Ecuador noted that hunting was still unregulated in some South American countries. A pilot activity similar to that for the Mediterranean region would be worth considering for Latin America. Marine birds on the Pacific coast and shorebirds on North-east coasts were particularly at risk.

398. The Chair noted that the Document was under detailed discussion by the Avian Issues Working Group and postponed further discussion in the COW, pending receipt of a revised text.

#### **Conservation of Landbirds in the African- Eurasian Region (item 23.1.4)**

399. Mr Heredia (Secretariat) referred the meeting to document UNEP/CMS/COP11/Doc 23.1.4 *Conservation of Landbirds in the African-Eurasian Region* including the Draft Resolution contained in Annex I to the document.

400. Mr Olivier Biber (Switzerland), the Chair of the Working Group which drafted the Action Plan, introduced the document in more detail. The Action Plan had been proposed by Resolution 10.27, and had been finalized during a meeting held in Accra at the invitation of the Government of Ghana and with financial support from the Swiss Government. Following wide consultation by email, the final document had been reviewed by the 41<sup>st</sup> meeting of the Standing Committee in November 2013. The Action Plan was a complementary instrument to AEWA and the Raptors MOU, covering the remaining migratory bird species in the African-Eurasian flyways. Some modifications to the Draft Resolution and Action Plan were under discussion by the Avian Issues Working Group

401. The Chair noted that the Document was under detailed discussion by the Avian Issues Working Group and postponed further discussion in the COW, pending receipt of a revised text.

#### **Conservation of the Saker Falcon (Item 23. 1.5)**

##### **Summary Report of the Saker Falcon Task Force (item 23.1.5.1) and Saker Falcon Global Action Plan (item 23.1.5.2)**

402. Mr Nick Williams (Secretariat) referred the meeting to UNEP/CMS/COP11/Doc. 23.1.5.1 *Summary Report of the Saker Falcon Task Force*, including the Draft

Resolution contained in an Annex to the document, and UNEP/CMS/COP11/Doc 23.1.5.2 *Saker Falcon Global Action Plan*.

403. Prof. Colin Galbraith gave a presentation summarizing the work of the Saker Falcon Task Force and the development of the Global Action Plan (GAP). The Task Force had been established by Resolution 10.28. An open process of cooperation involving dialogue and compromise among all stakeholders had been a key part of the successful development of the GAP. The main objective of the GAP was to re-establish a healthy and self-sustaining population of Saker Falcons throughout the species' range. A core issue was sustainable use, with a move towards legal, sustainable harvesting. A programme of conservation management would be established in nesting areas with robust monitoring and regular reporting. The Draft Resolution had seven objectives, including generating resources, continuing stakeholder engagement, and facilitating implementation.

404. Prof Galbraith warmly thanked the Parties and other organizations that had contributed to the partnership. He acknowledged the Parties for approving funding for the Task Force; CITES for its high-quality input; and the Saudi Wildlife Authority and the EU for funding and support. Long-term support had been provided by the Environment Agency of Abu Dhabi on behalf of the Government of the United Arab Emirates. Thanks were also due to the International Association for Falconry and to the members of the Task Force themselves. Finally, the support provided by the Coordination Unit for the Raptors MOU had been nothing short of superb.

405. The representative of the UAE expressed his gratitude for the work of the Saker Falcon Task Force and appreciation of the transparent approach taken. The UAE had hosted two meetings of the Task Force and stakeholder workshops involving 100 participants. He expected the work of the Task Force to continue and saw the GAP as an opportunity to re-establish flourishing populations of Saker Falcons.

406. The representative of Pakistan, speaking as a member of the Task Force, congratulated both Prof. Galbraith and Mr Williams and his team. He urged Parties to endorse the GAP and the Draft Resolution.

407. The representative of Egypt thanked the Saker Falcon Task Force for its excellent work, and urged all parties to endorse the Draft Resolution.

408. The representative of the European Union and its Member States considered the high-quality GAP to be a good model for future Single Species Action Plans. It was now important to endorse the Draft Resolution and to implement the GAP

409. The observer from the CITES Secretariat welcomed the Task Force report and the GAP. International trade was a significant issue for this species, and CITES had taken an active part in preparation of the GAP including the leveraging of funds. CITES appreciated the open way the process had been conducted, and Prof. Galbraith and the Environment Agency of Abu Dhabi deserved great credit. Implementation was now crucial and CITES stood ready to assist. He hoped that the Parties would be able to adopt the GAP.

410. The observer from the International Association of Falconry and Conservation of Birds of Prey (IAF) welcomed the GAP and its four proposed flagship projects to initiate the conservation programme for this species. The IAF offered to take the lead in funding and managing one of the four projects: establishment of an internet portal to facilitate information exchange and build trust between falconers, trappers, falcon hospitals, researchers and conservationists.

411. At the invitation of the Chair, the COW endorsed the Draft Resolution and the GAP for adoption in Plenary.

#### **Bird Taxonomy (Item 23.1.6)**

412. Mr Borja Heredia (Secretariat) introduced document UNEP/CMS/COP11/Doc. 23.1.6 *The Taxonomy and Nomenclature of Birds Listed on the CMS Appendices*. The document had been discussed in the Avian Issues Working Group and a number of amendments had been agreed. A revised text would be submitted to the COW in due course.

413. The Chair postponed further discussion pending receipt of the amended document.

#### **Terrestrial Species (Item 23.1)**

##### **Central Asian Mammals Initiative (item 23.3.1)**

##### **Guidelines on Wildlife-friendly Infrastructure Design for Central Asia (item 23.3.2)**

##### **Draft Action Plan for the Conservation of Argali (item 23.3.3)**

414. Ms Christiane Röttger (Secretariat) made a presentation presenting three documents: UNEP/CMS/COP11/Doc. 23.3.1/Rev.1 *Central Asian Mammals Initiative*, including the Draft Resolution contained in an Annex to the document; UNEP/CMS/COP11/Doc. 23.3.2 and *Guidelines on Mitigating the Impact of Linear Infrastructure and Related Disturbance on Mammals in Central Asia*; UNEP/CMS/COP11/Doc. 23.3.3 *Draft International Single Species Action Plan for the Conservation of the Argali*.

415. The Draft Resolution contained in the Annex to document 23.3.1 had been considered by the 18<sup>th</sup> meeting of the Scientific Council and at a regional workshop of Range States hosted by the Government of Kyrgyzstan and funded by the Governments of Germany and Switzerland and by the European Union.

416. Doc. 23.3.2 included guidelines on addressing a number of issues related to the roads, railways, boundary fences and other linear infrastructure which were a growing problem for migratory mammals in Central Asia. A workshop held in Germany in 2013, with financial support from the Government of Germany, had resulted in a Declaration of Intent and an Action Plan. Subsequently, Conservation Guidelines covering 12 species in eight Central Asian countries had been developed by the Wildlife Conservation Society with funding from the Swiss Government.

417. Doc. 23.3.3 concerned an Action Plan that had been developed for the largest wild sheep species, found in 11 countries of Central Asia

418. Ms Lira Joldubaeva, focal point for the Central Asian Mammals Initiative (CAMI), in Kyrgyzstan, presented CAMI's Programme of Work (POW) in more detail. Central Asia was one of the last regions in the world still supporting long-distance migrations of large mammals. CAMI covered 14 countries and 14 species. The Programme of Work 2014-2020 included a Vision of secure and viable populations of migratory mammals that ranged across the landscapes of Central Asia in healthy ecosystems, and that were valued by, and brought benefits to, local communities and all stakeholders. Its principal Goal was to improve the conservation of migratory large mammals and their habitats in the Central Asian region by strengthening coordination and cross-border cooperation.

419. The representative of Switzerland noted that Central Asia hosted some of the most important mammal migrations in the world but had been neglected by international conservation initiatives for too long. He considered the work of CAMI to be deserving of full support, and suggested that the approach could be useful in other regions.

420. The representative of Pakistan welcomed the initiative and stressed that the success of CAMI had only been possible because of local community involvement. He urged Parties to support CAMI and community managed conservation.

421. The representative of Kyrgyzstan, supported by Tajikistan, supported the Argali Action Plan and the Draft Resolution.

422. The representative of European Union and its Member States welcomed the progress made since COP10. There was a need to establish a Central Asia Officer and to make a provisional budget for the Argali Action Plan. The EU noted that the Guidelines on linear infrastructure had not been reviewed by the Scientific Council and invited the Secretariat to ensure that in future any such technical reports were submitted to the Scientific Council for review.

423. The observer from the CITES Secretariat recalled that many mammal species in Central Asia were listed on CITES Appendices. International trade in hunting trophies of some of them could, in certain circumstances be an important conservation incentive. The two Conventions needed to work together on this. CITES had therefore played an active part in the drafting of both the Initiative and the Action Plan for the Argali, and had also commissioned three study reports as a contribution to this effort. CITES hoped that the meeting would adopt CAMI and the Action Plan for the Argali and looked forward to working with CMS on their implementation.

424. The observer from Conservation Force, speaking also on behalf of the Wild Sheep Foundation, welcomed the much needed unified conservation approach to Central Asian mammals. The Argali Action Plan was a very useful basis for community based conservation and the both organizations looked forward to helping where they could.

425. At the invitation of the Chair, the COW endorsed the Draft Resolutions relating to CAMI and the Argali Action Plan, as well as the Guidelines on linear infrastructure, for adoption by the Plenary.

<b>Committee of the Whole 15.30–18.30</b>
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**COMMUNICATION, INFORMATION AND OUTREACH**  
(ITEM 19 continued)

**Implementation of the Outreach and Communication Plan (item 19.1)**

**Communication, Information and Outreach Plan 2012-2014 (item 19.2)**

426. Mr Florian Keil (Secretariat) made a presentation introducing documents UNEP/CMS/COP11/Doc 19.1 *Implementation of the Outreach and Communication Plan 2012-2014* and UNEP/CMS/COP11/Doc 19.2/Rev.1 *Communication, Information and Outreach Plan 2015-2017: Promoting Global Action for Migratory Species*, including the Draft Resolution contained in the Annex to the latter document.

427. He highlighted in particular the pilot CMS/AEWA Joint Communications Team.

428. Benefits of the Joint Team included:

- Sharing many of the same communication activities, products and tools;
- Sharing specialist expertise – information management, campaigns, press/media work, publications, social media, audio-visual, multi-media, website etc.;
- Strengthened coordination, sharing of resources;
- A more strategic approach to communications.

429. Challenges included:

- Adapting to the changes inherent in merging the teams;
- Little time for the Joint Team to settle in prior to the COP
- Limited capacity; coping with workload;
- Balancing CMS & AEWA needs
- Further strategic direction required (hence proposed Communication Strategy)
- No budget for Communications – a critical issue

430. Priority activities for 2015-2017 included:

- Development of a global Communication Strategy and Common Branding;
- Strengthening the Joint Communications, Information Management and Awareness-raising Team;
- Initiating the development of a Communication, Education and Public Awareness (CEPA) Programme.

431. The observer from UNEP highlighted work underway through the Information Knowledge Management Initiative for MEAs (MEA IKM), which was coordinated by UNEP.

432. The observer from the AEWA Secretariat thanked Mr Keil and his team. 2014 had been a year of transition and there had not yet been much time for the team to settle in. Thanks were due to colleagues for the efforts made to adapt to working together and he wished to reaffirm his confidence in the whole team. The work being undertaken would ensure greater visibility for CMS, AEWA and the wider CMS Family. The AEWA Secretariat encouraged support for the Draft Resolution and also voluntary contributions to enable implementation of the 2015-2017 Communications Plan.

433. The representative of the EU and its Member States considered that the establishment of the Joint Team was a relevant example of synergy and could be considered as a pilot project demonstrating the advantages of sharing services. With regard to CEPA, the EU suggested that integration with CEPA efforts developed under CBD and Ramsar should be considered, rather than a stand-alone CMS/AEWA CEPA initiative. The EU and its Member States endorsed the Communication, Information and Outreach Plan 2015-2017, while recognizing that implementation was dependent upon the availability of adequate resources. The EU supported the Draft Resolution, subject to incorporation of some minor amendments that had been communicated to the Secretariat.

434. The representative of Senegal agreed that it was beneficial for CMS and AEWA to work together in this way and had seen the benefits of synergy in the field, for example through support provided for World Migratory Bird Day.

435. The Chair concluded that the documents under this item had been endorsed, subject to some minor amendments to the Draft Resolution.

### **Analysis and Synthesis of National Reports (item 19.3)**

436. Mr Francisco Rilla (Secretariat) briefly introduced this item and invited Ms Patricia Cremona (UNEP/WCMC) to make a presentation introducing document UNEP/CMS/COP11/Doc 19.3 *Analysis and Synthesis of National Reports*.

437. Ms Cremona recalled that the online reporting system had been used for the first time for national reports to COP11. Half of CMS Parties had submitted national reports in time to be included in the analysis. Europe was the region with the highest response rate (69 per cent of 42 Parties); Africa was the region with the lowest response rate (32 per cent of 44 Parties). Among the principal conclusions were that: Parties were taking action against threats; a majority of Parties prohibited taking of Appendix I species; migratory species had increased in certain areas; Parties were collaborating to implement transboundary measures; and there was evidence of increasing public awareness.

438. Recommendations arising from the analysis were that Parties should complete adoption of legislation prohibiting take of Appendix I species; take increased action to mitigate threats; and increase cooperation, capacity-building and knowledge-sharing.

439. In addition, CMS should enhance collaboration with related international agreements and bodies, and advance online information management to support

implementation. There was also a need for increased funding and capacity for effective implementation.

440. UNEP/WCMC would welcome feedback from Parties on their experience of using the online reporting system.

441. The representatives of Costa Rica, Egypt, Kenya and South Africa welcomed the online reporting system, emphasizing the value to Parties. However, attention was also drawn to opportunities for further streamlining the system to make it more user-friendly, particularly with regard to generating printed reports.

442. Mr Rilla and Ms Cremona confirmed that the online reporting format would be further developed under the framework of the new CMS Strategic Plan. The CMS Secretariat and UNEP/WCMC were committed to making the revised format as helpful as possible to Parties. Feedback such as the comment on the difficulty of printing clear reports from the system would be valuable in making such changes.

### **PROCEDURAL ISSUES (ITEM 18 continued)**

#### **A Review Process for the Convention (item 18.3 continued)**

443. The Chair invited the Secretariat to update the COW on the progress of discussions on this item within the Drafting Group.

444. Mr Chris Wold (Secretariat) reported that there had been a lively debate, with views for and against the proposals set out in the paper and Draft Resolution. Other participants had stated that while they felt the case for embarking on such a review process had not been sufficiently justified until now, they would be open to looking at the issue in the future.

445. Mr Wold recalled that the intent of proposals contained in the Draft Resolution was to establish a targeted means of providing capacity building support to assist Parties with implementation. It was not a case of applying sanctions.

446. The Chair felt that it could be helpful to simplify the proposals somewhat, but he invited comments from Parties to help identify whether there was a need for a further Working Group to meet.

447. The representative of the EU and its Member States appreciated the report from the Drafting Group but still felt there was insufficient justification of why a review process was needed. That had to be the first step; only then could other issues be addressed.

448. The Chair emphasized that the Draft Resolution was not establishing a review process, but simply initiated the necessary intersessional analysis required to inform an eventual decision at COP12.

449. The representative of Switzerland shared the view of the Chair. Switzerland supported the Draft Resolution and was open to considering a role as a funding partner.

450. The Chair indicated that Norway would also be inclined to find financial support.

451. The representative of the EU and its Member States proposed that Terms of Reference for a possible intersessional Working Group on this matter should be submitted to the Standing Committee for its consideration.

452. The Born Free Foundation, speaking on behalf of a coalition of NGOs, felt that the issue of justification had been fully addressed within the existing documentation. To defer action on this issue would send the wrong signal to the public and be a missed opportunity to drive the Convention forward.

453. Following further discussion, with contributions from the representatives of Australia and the EU and its Member States, the Chair proposed a series of amendments to the Draft Resolution.

454. The representatives of the EU and its Member States and of Switzerland indicated that they could support the Draft Resolution as amended by the Chair's proposal.

455. The Chair concluded that the amended Draft Resolution would be forwarded to the Plenary for adoption.

#### **ENDORSEMENT OF AMENDMENTS PROPOSED IN SESSION**

456. At the invitation of the Chair, the COW endorsed the following documents to be forwarded to the Plenary, without further amendment:

- UNEP/CMS/COP11/CRP9 *Draft Resolution on Sustainable Boat-Based Marine Wildlife Watching*
- UNEP/CMS/COP11/CRP10 *Draft Resolution on Renewable Energy and Migratory Species*
- Document UNEP/CMS/COP11/CRP12 *Draft Resolution on The Taxonomy and Nomenclature of Birds Listed on the CMS Appendices*
- Document UNEP/CMS/COP11/CRP13 *Draft Resolution on Conservation Implications of Cetacean Culture*
- Document UNEP/CMS/COP11/CRP15 *Draft Resolution on Live captures of Cetaceans from the wild for commercial purposes*

457. With regard to COP11/CRP15, the observer from the CITES Secretariat regretted that the second operative paragraph did not support the existing multilateral measures agreed by CITES for the import and international transit of live cetaceans, even if the text of the Convention permitted Parties to take stricter domestic measures.

458. The Chair underlined that COP11/CRP15 had been agreed by the Aquatic Issues Working Group and regardless of the validity of the point made by the CITES Secretariat the text of the Draft Resolution was in the hands of the Parties.

459. The representative of Argentina advised that a minor adjustment to the translation into Spanish of COP11/CRP15 was required, but that this was not a question of substance.

460. The Chair invited the COW to endorse document UNEP/CMS/COP11/CRP16 *Draft Resolution on Single Species Action Plan for the Loggerhead Turtle (*Caretta caretta*) in the South Pacific Ocean*.

461. The representative of Ecuador requested that consideration of this document be deferred to enable some minor amendments to be tabled.

462. The Chair concurred.

463. In response to a question from the representative of the USA, the Chair invited the USA to confer with Switzerland and the EU with regard to the Draft Resolution on synergies and partnerships (item 21.2). The Secretariat confirmed that it had received proposed amendments from the US delegation.

464. Prior to closing the session the Chair advised that all remaining Working Groups must have concluded their work by the end of the day, so that all documents to be considered in Plenary on 9 November were available for translation and production early in the morning of 8 November. He would reconvene the COW for an hour at 10.00 on 9 November to process the remaining amended Draft Resolutions (CRP documents) ahead of the Plenary session.

465. The Chair closed the session at 17.40.