

**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 2 – Wednesday 5 November 2014**

<b>Committee of the Whole 10.00–13.00</b>
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**INTERIM REPORT  
OF THE CREDENTIALS COMMITTEE  
(ITEM 25)**

**Note: Paragraph numbering carried over from draft report of Day 1, previously distributed.**

98. The Chair of the Credentials Committee (Pakistan) reported that the Credentials of 53 Parties had been examined and found to be in order. He thanked these Parties and the Secretariat for their close cooperation and concluded by inviting all delegates who had not yet submitted their credentials to do so that morning.

99. The Chair of the COW confirmed that the Draft Resolution under item 16.2 would be taken up by the Drafting Group. He further confirmed that the following groups had been established: a Budget Committee, a Drafting Group, an Avian issues Working Group, a Marine issues Working Group, and the Bureau.

**RESOURCE MOBILIZATION (ITEM 14.4)**

100. Ms Laura Cerasi (Secretariat) introduced document UNEP/CMS/COP11/Doc.14.4 Rev.1 *Resource Mobilization* and made a presentation on fundraising activities by the Secretariat between 2011 and 2014. The goals had been to increase the predictability and stability of funding, to broaden the funding base, to increase synergies, and to promote the mobilization of resources for actions on the ground. A total of €2.6 million had been raised during the triennium. This was equal to one-third of the total amount of the core budget. The Secretariat extended its thanks to all donors, Parties, organizations and institutions, including those who had made indirect or in-kind contributions. A recent significant development had been the support of the Environment Agency of Abu Dhabi on behalf of the Government of the United Arab Emirates, which had contributed USD 1.3 million for operations in 2015. The Migratory Species Champion Programme would be an important tool. Ms Cerasi invited the COP to acknowledge the financial and in-kind support provided, to take note of the efforts of the Secretariat in providing innovative solutions and, urged Parties to provide even greater support in future.

101. The representative of the United Arab Emirates observed that the UAE had pioneered many flagship conservation and reintroduction projects both nationally and internationally, including promotion of international cooperation involving a wide range of migratory animals. The UAE had demonstrated its commitment to migratory species conservation in several ways and to date had signed four CMS MOUs.

102. The CMS Abu Dhabi Office was hosted by the Government of the UAE. The office housed the Secretariat that oversaw the implementation of two MOUs. Over the last five years, the contribution of the UAE had reached almost USD 8 million in direct funding, alongside provision of office space and other logistical support.

103. The Representative of Chile strongly supported the activities outlined in the Secretariat's report and congratulated the fundraisers involved on excellent work. She expressed regret that the Latin America & Caribbean region had not been in a position to contribute.

104. The representative of the EU and its Member States welcomed the report. He also strongly encouraged the Secretariat and all Parties to explore all funding possibilities. In this context, attention was drawn to the decision taken at CBD COP12 in relation to the Global Environment Facility, to enhance programmatic synergies among the biodiversity-related conventions. CBD COP12 had invited the governing bodies of the various biodiversity-related conventions to provide elements of advice concerning the funding of national priorities within their respective mandates that might be referred to the GEF. CMS COP11 should seize this important opportunity to further mobilize resources for CMS priorities and to provide advice to GEF accordingly.

105. In order to support both national resource mobilization as well as funding through GEF, it was necessary to promote further integration of measures to conserve migratory species into National Biodiversity Strategies and Action Plans (NBSAPs) and national implementation of national biodiversity targets and plans in line with CMS Resolution 10.18.

106. The Conference of the Parties took note of the document and the progress made.

#### **OPTIONS FOR THE RESTRUCTURING OF THE SCIENTIFIC COUNCIL (ITEM 17.1)**

107. Mr Marco Barbieri (Secretariat) made a presentation introducing document UNEP/CMS/COP11/Doc.17.1 *Options for the restructuring of the Scientific Council*, including the Draft Resolution contained in Annex II to the document.

108. The current structure of the Scientific Council included 100 Councillors with a bias towards expertise in birds, forests and wetlands. There was a need to use resources more efficiently, to balance expertise and to enhance intersessional activity. Four costed scenarios for restructuring the Scientific Council were put forward in the document. The COP was requested to consider the report on options for the restructuring of the Scientific Council, and to review and endorse the Draft Resolution on the restructuring of the Scientific Council.

109. The Chair advised that this item would be discussed further in the Drafting Group but opened the floor for preliminary comments.

Interventions were received from the representatives of Australia, Chile, Ecuador, Egypt, the EU and its Member States, New Zealand, Switzerland and Uganda, as well as the observers from the United States and Humane Society International.

110. Points raised included the following:

- The importance of representative regional and taxonomic expertise;

- The need for greater use of modern technology such as use of tele-conferencing and electronic workspaces;
- The unacceptability of a ‘business as usual’ approach;
- The necessity to represent organizations such as IPBES;
- The need for voluntary participation of Parties and observers;
- The advantages of starting work intersessionally;
- A reluctance to restrict numbers of Party-appointed Councillors;
- The need to appoint the most appropriate experts regardless of the status within CMS of their country of origin; and
- The advantages of a fully open relationship with all who wished to contribute to the work of the Council, including NGOs.

111. Mr Barbieri responded briefly to the comments made and the Chair deferred further discussion to the Drafting Group, remarking that a balanced compromise was needed.

### **ENHANCING THE RELATIONSHIP BETWEEN THE CMS FAMILY AND CIVIL SOCIETY (ITEM 21.3)**

112. Prof. Alfred Oteng-Yeboah (Ghana) made a presentation introducing document UNEP/CMS/COP11/21.3 Rev.1 *Enhancing the Relationship Between the CMS Family and Civil Society*, which included a Draft Resolution submitted by the Government of Ghana.

113. It was timely and appropriate that CMS Parties were fully appraised of what the NGO community might be able to contribute to CMS in future. Models needed to be explored to facilitate NGO involvement in CMS processes, and Wild Migration had agreed to take a lead in this. Prof Oteng-Yeboah concluded by inviting the COW to support the Draft Resolution included in Document COP11/Doc.21.3.

114. The Chair reminded the meeting that this item had been brought forward in the agenda of the COW at the request of Brazil so that it could be referred to the Drafting Group for further discussion and amendment. The floor was opened for preliminary comments.

115. Interventions were made by the representatives of Australia, Brazil, Chile, Egypt, and the EU and its Member States, together with observers from the Born Free Foundation, IFAW and Wild Migration. All speakers thanked the Government of Ghana for preparing the document and all looked forward to further discussions in the Drafting Group.

116. Substantive points raised included the need for enhanced cooperation – not only with NGOs as expressed in the text, but also among CMS Parties – and the need to make full use of available ‘citizen science’.

### **RULES OF PROCEDURE (ITEM 4)**

117. Mr Chris Wold (Secretariat) introduced document UNEP/CMS/COP11/Doc.4 *Rules of Procedure*, and explained in detail the consequences of the proposed amendments to Annexes 2 and 3.

118. The Chair confirmed that this item would be further discussed in the Drafting Group but opened the floor for preliminary comments.

119. The representative of the EU and its Member States supported dealing with this item in the Drafting Group. For consistency the EU would welcome an amendment to the Rules of Procedure stating that the credentials for EU delegates to CMS meetings could be signed by Commissioner for Environment.

120. The representative of New Zealand recalled that New Zealand had chaired the Standing Committee Working Group that had considered this issue. Thanks were due to all Parties that contributed as well as to the Secretariat for its support and careful review. Many of the Secretariat's proposals in Annex 3 to the document were minor 'tidying-up' amendments that were consistent with the Working Group's intentions and New Zealand supported those. Others were more substantive and New Zealand therefore supported the proposal to take this item forward in the Drafting Group and looked forward to being an active participant.

121. The Chair invited all those Parties and observers who wished to bring forward further comments or proposed amendments to participate in the Drafting Group discussion of this item.

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

#### **Arrangements for Meetings of Conference of the Parties (item 18.1)**

122. Mr Chris Wold (Secretariat) introduced document UNEP/CMS/COP11/Doc.18.1 Arrangements for Meetings of the Conference of the Parties and the Draft Resolution annexed to it. The Standing Committee (StC) had established a Working Group on this issue and the StC had accepted all the Group's recommendations at its 41<sup>st</sup> meeting. The document also contained additional recommendations from the Secretariat including *inter alia*:

- Whether certain of the StC's proposals might better be addressed through adjustments to the Rules of Procedure;
- Observations relating to practical concerns, especially with regard to the proposed timing of specific meetings;
- Provision of documents on memory sticks;
- A lack of flexibility that would be needed for the Secretariat to put in place the best possible arrangements for each meeting of the COP.

123. Taking these and other considerations into account, the Secretariat wondered whether a Resolution on this topic would be the best way forward.

124. The Executive Secretary noted that the document entered into very fine detail. It was sometimes extremely difficult to abide by very strict rules in all regards. It might be better to retain flexibility. Some of the current proposals could have the effect of tying the hands of the Secretariat. Rather than a Resolution, it might be better for the COP simply to take note of the document as guidance to the Secretariat.

125. The Chair opened the floor for comments.

126. The representative of the EU and its Member States stated that the EU supported the principle of improving the operation of the COP, but wished to bring forward a number of proposed amendments. He detailed these proposals to the meeting and confirmed they had been sent to the Secretariat.

127. Referring to the substantive comments from the Secretariat and from the EU, the representative of New Zealand felt it would be possible to build in the necessary flexibility requested by the Secretariat, while maintaining the Draft Resolution. She suggested referring the matter to the Drafting Group or to a small 'Friends of the Chair' group.

128. The Chair invited New Zealand and the EU to hold bilateral discussions and to come back to a future session of the COW.

### **Repeal of Resolutions (item 18.2)**

129. Mr Chris Wold (Secretariat) made a presentation introducing document UNEP/CMS/COP11/Doc.18.2 *Repeal of Resolutions and Recommendations*, prepared by the Secretariat on behalf of the Standing Committee (StC). At its 41<sup>st</sup> Meeting, the StC had considered recommendations of a Working Group established to consider: (a) the lack of definition of the terms "Resolution" and "Recommendation"; and (b) the need to retire Resolutions and Recommendations (or specific paragraphs thereof) that were no longer in force. The StC had accepted all of the Working Group's recommendations. A Draft Resolution was contained in the Annex to the document and this set out proposed definitions, as well as a process for retiring Resolutions and Recommendations. Within the Draft Resolution, the Secretariat had also proposed changing the term "Recommendation" to "Decision", as well as a provision for Resolutions and Decisions to come into effect 90 days after the meeting at which they were adopted, unless otherwise specified.

130. The Chair invited comments from the floor.

131. The representative of the EU and its Member States indicated that the EU could support the Draft Resolution subject to the inclusion of two amendments which he proceeded to table. These would be communicated to the Secretariat in writing.

132. The representative of Australia believed that further clarification was required surrounding the definition proposed for "Decision" in the Draft Resolution. She tabled a specific amendment in this regard.

133. There being no further comments, the Chair invited Australia and the EU to come together with the Secretariat in a 'Friends of the Chair' group in order to finalize the text of the Draft Resolution so that it could be presented for adoption by Plenary.

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

134. Mr Chris Wold (Secretariat) made a presentation introducing Document UNEP/CMS/COP11/Doc.18.3/Rev.1 *Enhancing the effectiveness of the Convention through a process to review implementation*. He noted that CMS was in a very small category of MEAs without such a review process. The paper summarized the relevant processes used by other MEAs and other relevant agreements to enhance implementation and compliance. The Draft Resolution contained in the Annex to the document proposed a way forward by which the Parties could consider establishing such a review process for CMS.

135. The Chair opened the floor for comments.

136. Interventions were made by the representatives of Switzerland, the EU and its Member States, Chile (on behalf of the Latin America & Caribbean region), Egypt, Israel, Uganda and Ecuador and the observers from UNEP, IFAW, EUROBATS, ACCOBAMS and Wild Migration.

137. While some of the above-mentioned delegations expressed general support for the DR, others raised substantive concerns, relating in particular to the justification for, and likely effectiveness of a review process or compliance mechanism.

138. The Chair emphasized that the Draft Resolution would only establish a process for undertaking work on this issue in the run-up to COP12. It would not be obliging the Parties to establish a review process or compliance mechanism at the present COP. He recalled that the slogan of COP11 was “Time for Action” and it therefore seemed a pity to defer this important topic.

139. The representatives of Switzerland and Egypt supported the Chair’s comments.

140. The representative of New Zealand tabled a specific amendment to operative paragraph 2 of the Draft Resolution, which she felt might offer a way forward that all Parties could be comfortable with.

141. Following further discussion, with additional remarks made by the representatives of the EU and its Member States, Ecuador, Uganda, Chile and Peru, the Chair concluded that this matter should be referred to the Drafting Group.

<b>Committee of the Whole 15.30–18.30</b>
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### **SIGNING CEREMONY**

142. The Executive Secretary invited representatives of countries ready to sign Memoranda of Understanding under the CMS and with appropriate full powers to do so, to come forward to sign the relevant instruments.

143. The representative of Sweden signed the Memorandum of Understanding on the Conservation of Migratory Sharks.

144. The Government of Samoa had announced that that its Minister of Environment would also sign the Sharks MOU in the coming days, bringing the number of signatories to 38.

145. Switzerland and the Czech Republic signed the MOU on the Conservation of Migratory Birds of Prey in Africa and Eurasia, bringing the number of signatories to 48.

146. The Executive Secretary invited the representative of the Environment Agency of Abu Dhabi to sign the extension of the Partnership Agreement first concluded in October 2009.

147. The representative of the Environment Agency of Abu Dhabi stated that the UAE was glad to continue supporting the CMS Office in Abu Dhabi.

148. The Executive Secretary invited the observer from Humane Society International to sign a Partnership Agreement with CMS.

149. The meeting acknowledged the signing of the MOUs and Partnership Agreements with warm applause.

## **CMS INSTRUMENTS (ITEM 22)**

### **IMPLEMENTATION OF EXISTING INSTRUMENTS (ITEM 22.1)**

### **DEVELOPING, RESOURCING AND SERVICING CMS AGREEMENTS (ITEM 22.2)**

### **ASSESSMENT OF MOUs AND THEIR VIABILITY (ITEM 22.3)**

150. Ms Melanie Virtue (Secretariat) introduced documents UNEP/CMS/COP11/Doc.22.1 *Implementation of Existing CMS Instruments* and UNEP/CMS/COP11/Doc.22.3 *Assessment of MOUs and their viability*. These covered 19 MOUs, plus the Gorilla Agreement which was implemented in the same way as an MOU. A total of 14 MOUs and the Gorilla Agreement and 19 Agreements were serviced by the Secretariat, three instruments were serviced by outposted Secretariats and two by Parties themselves. A difficult situation had arisen since the number of instruments had increased but not the funding for their coordination or implementation.

151. Ms Virtue introduced Document UNEP/CMS/COP11/Doc.22.2 *Developing, Resourcing and Servicing CMS Agreements* and in particular the Draft Resolution contained in Annex 2. Parties had requested the development of a set of criteria to guide the development of any future agreements and 14 such criteria were presented.

152. The representative of Chile, referring to document COP11/Doc.22.1, observed that a Plan of Action for Andean Flamingos had been developed under the Andean Flamingo MOU but that the first Meeting of Signatories to the MOU was still pending. She expressed a wish to schedule such a meeting at this COP so that the relevant countries could take forward the MOU. Document COP11/Doc.22.3 indicated incorrectly that there were information gaps for certain species in the Latin America & Caribbean region. All relevant information had already been communicated to the Secretariat.

153. The representative of Belarus, as a key Range State, reported on the status of the Aquatic Warbler MOU. Belarus considered the MOU to be a useful tool for management of the species, and the sharp declines that had occurred during the 20<sup>th</sup> century had been stabilized. Belarus thanked the Secretariat for its support and invited those Range States that were not yet Signatories to join the MOU as soon as possible.

154. The representative of the EU and its Member States expressed satisfaction with progress reported on most MOUs but found it unfortunate that some were not functioning properly. The EU tabled proposed amendments to the Annex of the Draft Resolution contained in document COP11/Doc.22.2.

155. The representative of Argentina followed up the intervention of Chile on document COP11/Doc.22.1 by noting that information provided by Argentina on actions taken for the conservation of the Ruddy-headed Goose (*Chloephaga rubidiceps*) were not reflected in the report. Argentina had reported actions under the MOUs on Ruddy-headed Goose and Huemul (*Hippocamelus bisulcus*) at a workshop held in Santiago, and offered to provide any further information required.

156. The representative of Switzerland welcomed the reports and the suggested criteria and supported the Draft Resolution. However, some improvements in clarity were needed in document COP11/Doc.22.2, for the benefit of those developing new instruments in the future.

157. The representative of Senegal enquired about the MOU on Atlantic Marine Turtles. The Coordination Unit in Dakar had been closed, since when the MOU had ceased to function effectively.

158. The observer from the United States noted that her country was a Signatory to several CMS MOUs. Under item 22.2 the United States supported the concept of criteria for assessing proposals for species-specific instruments. With regard to item 22.3, it was pleasing to note that the vast majority of comments made by the United States and other countries had been reflected in the document.

159. Ms Virtue responded on behalf of the Secretariat. She thanked Chile and Argentina for their comments regarding information on South American species. The Secretariat greatly appreciated the efforts of the region and confirmed that all the expected information had been received by the Secretariat, even if this was not explicit in the document. The Secretariat had noted the request for a Meeting of Signatories to the Andean Flamingo MOU. The point raised by Senegal had been taken on board and underlined the difficulty of working on new instruments when existing ones had insufficient funding.

160. The Chair observed that Parties had endorsed the Draft Resolution contained in document COP11/Doc.22.2 subject to inclusion of the amendments tabled by the EU. He concluded that that the Draft Resolution could then be forwarded to the Plenary for adoption.

#### **Concerted and Cooperative Actions (item 22.4)**

161. Mr Marco Barbieri (Secretariat) introduced document UNEP/CMS/COP11/Doc.22.4 on *Concerted and Cooperative Actions*, drawing attention to the Draft Resolution contained in the document. A voluntary contribution from Germany had supported a consultant to develop a proposed rationale, criteria and guidance on listing a species for Concerted or Cooperative Actions, and on the outcomes sought when species were proposed for such Actions.

162. The EU and its Member States supported consolidating the two categories of actions in a single category of “Concerted Actions”. The Draft Resolution should specify this explicitly and it might be appropriate to repeal parts of Resolutions 3.2 and 5.2 which had defined Concerted and Cooperative Actions thus far. Implementation of the measures set out in the consultant’s should be completed by COP12 and undertaken in the framework of preparing the Companion Volume under the new Strategic Plan.

163. Mr Barbieri confirmed that the Secretariat would liaise with the consultant to clarify whether the proposal of the EU would require revision of the Draft Resolution.

164. The Chair observed that the absence of comments from other delegates suggested that the EU’s proposal could be endorsed. He invited the EU to liaise directly with the Secretariat to amend the Draft Resolution, if necessary, so that it could be taken forward to Plenary.

## AMENDMENT OF CMS APPENDICES (ITEM 24)

### Criteria for amendment of the Appendices (Item 24.2)

165. Mr Barry Baker (Appointed Scientific Councillor for Bycatch), presented Document UNEP/CMS/COP11/Doc.24.2 Rev.1 *Assessing Proposals for the Amendment of CMS Appendices*. A Draft Resolution was contained in Annex II of the document.

166. The representative of Chile considered that some of the proposals regarding the use of IUCN Red List Criteria were not applicable to all Parties, and suggested that an online intersessional group could review this and report to the next COP.

167. The representative of Ethiopia expressed concern about the use of IUCN criteria which were not always appropriate for the unique characteristics of migratory species. He presented the example of the White-eared Kob (*Kobus kob*) as a species for which high numbers do not necessarily reflect a favourable conservation status. He suggested a mixed approach should be applied, complementing the use of IUCN Red List Criteria with additional criteria to be developed specifically for migratory species.

168. The representative of New Zealand supported the proposed guidelines, but expressed concern over the proposal in square brackets to develop more detailed guidelines for consideration by the next COP.

169. The representative of Brazil considered these criteria to be fundamental to the work of CMS. However, greater clarity was needed in some parts of the document and Brazil made specific proposals on how this could be achieved. Brazil supported the suggestion of Chile for additional work to be carried out intersessionally.

170. The representative of the EU and its Member States recognized both the importance of clarity in the process of reviewing listing proposals, and the value of using the existing IUCN Red List assessments to support listing decisions. The EU was conscious of the importance of coherence between different MEAs, in in this case CMS and CITES. In the case of marine species, coherence with Regional Fisheries Management Organizations should also be ensured.

171. Subject to inclusion of some minor amendments, the EU strongly supported the adoption of the Draft Resolution.

172. The representative of CITES noted that Rio+20 had emphasized the importance of using agreed criteria for the listing of species. He welcomed the clarity of the proposal, which, if adopted would make it easier for CITES and CMS to work together. At present there were mismatches between the respective Appendices of the two Conventions, resulting in conflicting obligations for many states which were Party to both Conventions, as well as lost opportunities for shared action. It was important that stakeholders received clear and consistent messages from both CITES and CMS. Periodic reviews of Appendices under CITES ensured that they reflected current needs, and CMS might want to consider this.

173. The representative of Australia considered it important to note that this was only a guidance document and that the Scientific Council would retain flexibility to exercise its judgement when considering proposals for inclusion of species in the CMS Appendices. It

would be unfortunate if the new guidelines were not tested further before more detailed ones were developed. Australia tabled a number of minor amendments.

174. Following brief responses from Mr Baker to the points raised, the Chair concluded that there appeared to be broad support for adopting the Draft Resolution subject to inclusion of a small number of amendments. All participants with proposals for amendments were asked to send these to the Secretariat by the end of the day. The document would be revised and the COW would revisit this item on 6 November.

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

### **Cross-cutting conservation issues (item 23.4)**

#### **Ecological Networks (item 23.4.1)**

##### Application of Ecological Networks to CMS (item 23.4.1.1)

##### Strategic Review of Aspects of Ecological Networks relating to Migratory Species (item 23.4.1.2)

175. Mr Marco Barbieri (Secretariat) made a presentation introducing documents UNEP/CMS/COP11/Doc.23.4.1.1 *Review of the Application of Ecological Networks to CMS* and UNEP/CMS/COP11/Doc.23.4.1.2 *Ecological Networks: A Strategic Review of aspects relating to migratory species*, as well as the associated information papers COP11/Inf.22, COP11/Inf.23, COP11/Inf.24 and COP11/Inf.25. Mr Barbieri drew particular attention to the Draft Resolution contained in the Annex to COP11/Doc.23.4.1.1.

176. The Chair opened the floor to comments on what he considered to be an important and exciting initiative.

177. The representative of the EU and its Member States supported the adoption of the Draft Resolution, recognizing it as an indispensable step to addressing the needs of migratory species from an ecological network perspective. Given that the draft resolution had already benefitted from the evaluation of the CMS Scientific Council, the EU saw no need for further amendments to the present version. The EU and its Member States looked forward to the initiatives that would be undertaken to address this key conservation issue based on the use of the best scientific information to guide prioritization of actions.

178. The representative of Ukraine welcomed the work being undertaken to promote the development of ecological networks. Ecological networks, both national and regional, were a priority of Ukraine's ecological policy and Ukraine supported the Draft Resolution.

179. The representative of Philippines welcomed the Draft Resolution and detailed a number of proposed amendments that had been submitted electronically to the Secretariat.

180. The representative of Argentina thanked the Scientific Council and Secretariat for their efforts and, while supporting the Draft Resolution in general, tabled several proposed amendments, which would be submitted to the Secretariat electronically.

181. The observer from BirdLife International welcomed the excellent Strategic Review and the Draft Resolution and particularly welcomed the proposed amendments tabled by Philippines. BirdLife was pleased to offer further assistance on the topics covered by the Draft Resolution.

182. The representative of South Africa supported the statement made by BirdLife International and welcomed what it considered to be an excellent review. South Africa wished to propose a few amendments to the Draft Resolution. These would be submitted in writing to the Secretariat.

183. The representative of New Zealand proposed minor amendments to one operative paragraph of the Draft Resolution and undertook to send these to the Secretariat.

184. The Chair invited all those who had commented to send any proposed amendments to the Secretariat as soon as possible and in any case by the end of the day. A small Working Group would be established to take forward this Agenda item on Thursday 6 November and the COW would return to the issue on 7 November.

#### **Programme of Work on Climate Change and Migratory Species (item 23.4.2)**

185. Mr Borja Heredia (Secretariat) briefly introduced document UNEP/CMS/COP11/Doc.23.4.2 *Programme of Work on Climate Change and Migratory Species*, which included a Draft Resolution submitted by Costa Rica.

186. Lic. Gina Cuza Jones, the CMS National Focal Point of Costa Rica, and Prof Colin Galbraith, Chair of the Working Group on Climate Change, made a joint presentation presenting the topic and the documents in more detail.

187. The Chair opened the floor to comments.

188. The representative of Ecuador considered the Programme of Work (POW) to be an excellent practical example of cooperation and synergy for the CMS Family as a whole, as well as for CMS itself. UNFCCC COP20 would soon take place in Peru, amid high expectations. IPCC had recently highlighted the inter-relationships between climate change and species. Ecuador therefore looked forward to approval by COP11 of both the POW and the Draft Resolution itself.

189. The representative of the EU and its Member States considered the POW as a first starting point. Much further work was still necessary. An in-depth review of the existing scientific literature on the effects of climate changes on wild species was urgently needed, as well as activities to stimulate analyses of relevant scientific information. At the same time there was a need to make the best possible use of existing key case studies that provided guidance on how best to react to the effects of climate change on migratory species. The EU and its Member States invited the CMS Secretariat to support the intersessional Working Group on climate change, including through promotion of fund-raising activities to guarantee adequate financial resources.

190. However, the EU considered that this further work should be fully coordinated with the overall work of the CMS. The appropriate tools for this coordination would be the Companion Volume of the new Strategic Plan. At national level, specific actions should be integrated into

NBSAPs and into national plans for the mitigation of and adaptation to climate change. The EU tabled a number of amendments to the Draft Resolution in this regard, and confirmed it would submit these in writing. Finally, the EU invited the Secretariat to collaborate more closely with IUCN in order to avoid duplication of species vulnerability assessments and to report on progress in the implementation of the POW in terms of the measures taken and their effectiveness.

191. The representative of Australia supported the proposed POW and the present version of the Draft Resolution. Given the significant resources that would be required for implementation, Australia suggested evaluation and prioritization of activities within the POW.

192. The representative of Argentina welcomed the POW but indicated that it would submit to the Secretariat some specific amendments to the Draft Resolution, in particular making it clear that the POW should be implemented according to the circumstances of each individual Party.

193. Endorsing the Draft Resolution and welcoming the POW, the representative of Egypt considered that a clearer timeframe for implementation was required, and underlined the need for significant resources. He urged countries to reflect the POW in their NBSAPs and suggested that one pilot project should be developed to serve as a demonstration.

194. Prof. Galbraith briefly responded to some of the points raised, observing that there seemed to be a general view that prioritization was required.

195. The Chair asked participants who had concrete comments and proposed amendments to submit those to the Secretariat before the end of the day. It seemed as if there was broad support and it was therefore likely that any amendments would be fairly limited in scope. He would endeavour to return to this Agenda item in the COW on the morning of 6 November.

### **Renewable Energy Technologies Deployment and Migratory Species (item 23.4.3)**

#### Renewable Energy and Migratory Species (item 23.4.3.1)

196. Mr Marco Barbieri (Secretariat) briefly introduced document UNEP/CMS/COP11/Doc.23.4.3.1 *Renewable Energy and Migratory Species* and the Draft Resolution contained in Annex I to the document.

#### Guidelines for Sustainable Deployment (item 23.4.3.2)

197. Mr Jan van der Winden (Bureau Waardenburg bv) made a presentation introducing document UNEP/CMS/COP11/Doc.23.4.3.2 *Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment*.

198. On behalf of the Secretariat, Mr Barbieri thanked the Bureau Waardenburg for the good work done under extremely tight time limits.

199. The Chair opened the floor to comments.

200. The representative of Brazil welcomed the efforts of the CMS Secretariat, AEWB Secretariat, BirdLife International and IRENA in compiling the report and guidelines.

Considering that adverse impacts of renewable energy technologies could be substantially minimized through careful site selection and planning, Brazil agreed with, and emphasized the need to work carefully on, sensitivity mapping to inform planners and developers about the potential importance of birds in choices regarding renewable energy construction sites. A resolution from Brazil's National Environmental Council had mandated the Brazilian environment authorities to publish annually a national report detailing the main aggregation sites known for migratory birds, as well as the known flyways within its territory, to assist in the development of such mapping. This was now a legal obligation on the Government.

201. Brazil believed that information on which species were the most impacted could only be achieved by means of comprehensive Environmental Impact Assessments (EIAs) and appropriate post-construction monitoring, resulting in a complete meta-data overview.

202. Taking these comments into account, Brazil supported the Draft Resolution and wished to be part of this initiative when the moment came to expand the geographical scope of the Energy Task Force beyond the African-Eurasian region to South America.

203. The representative of Egypt welcomed the guidelines and endorsed the Draft Resolution. He suggested the removal of the square brackets from one of the operative paragraphs and provided information on relevant experience in Egypt.

204. The representative of the EU and its Member States supported the Draft Resolution and suggested that in its further work the Task Force should make use of existing guidelines and experience from other conventions (e.g. Bern, Ramsar), agreements such as EUROBATS and other organizations (e.g. IUCN) to avoid duplication of work and to ensure identification of best practices.

205. The representative of South Africa welcomed the Draft Resolution and supported the guidelines document. South Africa joined Egypt in suggesting that the square brackets could be removed and also indicated it would submit an amendment in writing to the Secretariat.

206. The representative of Chile wondered if it was appropriate to be adopting an information document through the Draft Resolution.

207. The observer from ACCOBAMS noted that the Draft Resolution was in line with the objectives of ACCOBAMS, notably ACCOBAMS Resolution 4.17 on Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area. The ACCOBAMS Secretariat would provide the CMS Secretariat with the relevant reference to Resolution 4.17 to be included in the guidelines.

208. The representative of Argentina supported the Draft Resolution and guidelines but pointed out that document Inf.26 had been prepared without an opportunity for Parties to make contributions. Relevant experience from Argentina could usefully be included as an input and to help ensure there was no regional bias in the document. Argentina also wished to bring forward amendment to the Draft Resolution emphasizing the voluntary nature of the guidelines, whose implementation would depend on the specific circumstances of each Party.

209. The Chair asked all participants who wished to proposed amendments to communicate these to the Secretariat before the end of the day and closed the session of the COW at 18.40.