



Council of the
European Union

Brussels, 18 November 2014
(OR. en)

15726/14

ENV 914
PECHE 545

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Outcome of the eleventh Conference of the Parties to the Convention on Migratory species of wild animals (CMS COP 11) (Quito, Ecuador, 4-9 November 2014)
- Report by the Presidency and the Commission

Delegations will find in the Annex a report by the Presidency and the Commission on the above subject.

**Outcome of the eleventh Conference of the Parties
to the Convention on Migratory species of wild animals (CMS COP 11)**

(Quito, Ecuador, 4-9 November 2014)

- Report by the Presidency and the Commission -

The Conference was attended by [59] Parties (53 with valid credentials) out of 120, including 18 EU Member States (Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Germany, Italy, Latvia, Luxembourg, Poland, Portugal, Spain, Sweden, The Netherlands, United Kingdom). With over 900 delegates, it has been the largest CMS COP ever held.

In general, EU amendments to draft CMS resolutions were all accepted after negotiations. For the issue of bird poisoning, the EU requested amendments to both the Guidelines and the Resolution but during the negotiations within the Avian Working Group the prevailing position was to accept amendments only for the Resolution. Therefore, the Guidelines were accepted without changes. However, the approved amendments to the Resolution fully reflected the EU position, clearly stating that *"it is for each Party to determine whether or how to implement the recommended actions, considering the extent and type of poisoning risk, whilst having regard to their international obligations and commitments, including those under the Convention"*.

COP 11 endorsed all the EU listing proposals: European roller (*Coracias garrulus*) and Mediterranean subpopulation of Cuvier's beaked whale (*Ziphius cavirostris*) in Appendix I, the three thresher shark species – genus *Alopias* - in Appendix II. The proposals to include the polar bear and the European eel in Annex II, presented by Norway and Monaco respectively, were also approved, while the proposals on the lion (Asiatic and African, *Panthera leo* complex) were withdrawn by Kenya (proponent) with the agreement to present a new proposal for adoption by COP 12 after further work on the conservation of the African lion by its range states with the support of CMS Secretariat. All other proposals for amendments to the CMS Appendices were approved (and the outcome is thus in line with the Council Decision establishing the EU position on these proposals). As for listing criteria, the endorsed guidelines clarify, among the others, how IUCN Red List criteria should be used to guide the assessment of listings. The Scientific Council will trial the use of the guidelines and report back to the COP 13 on their effectiveness.

The COP approved three Species Action Plans: Argali Sheep in Central Asia (strictly linked to the Central Asian Mammals Initiative also approved), Pacific Loggerhead Turtle (*Caretta caretta*) and Saker Falcon (*Falco cherrug*). Also the African Eurasian Migratory Landbirds Action Plan (AEMLAP) was approved.

Marine environment issues had great importance and visibility. Besides the many new marine species listed in Appendices, resolutions concerning the conservation of sharks and rays, marine debris, cetacean culture, live capture of cetaceans and boat-based wildlife watching were presented at the aquatic working group and then approved, except for the guidelines on boat-based wildlife watching which will require further work.

In order to prioritise the work by the CMS family and for facilitating measurement of the achievements, the Strategic Plan for Migratory Species was adopted. The Plan is structured around five Strategic Goals and 16 Targets which are more specific towards migratory species than the Aichi Biodiversity Targets and have an end date consistent with the CMS COP cycle. It has been decided that a Companion Volume to the Strategic Plan will be prepared for delivering details on mechanisms, associated activities and indicators.

The Memorandum of Understanding on the Conservation of Migratory Sharks was signed during the COP by the representatives of Sweden, and the Government of Samoa announced that its Minister for Environment would also sign this MoU in the coming days. The MoU on the Conservation of Migratory Birds of Prey in Africa and Eurasia was signed by Switzerland and the Czech Republic.

The COP requested the Executive Secretary, in consultation with the relevant secretariats of CMS family instruments, to enhance synergies such as sharing services in areas which are common to the decision-making bodies of the wider CMS family before the 44th meeting of the CMS Standing Committee and COP 12. An independent analysis and report on the legal, financial, operational, and administrative implications of actions will be performed in order to establish benefits and disadvantages. This work will be particularly relevant for further sharing of services between the CMS and AEWAs secretariats.

The COP decided to restructure the Scientific Council. A resolution sets out the new structure, whilst the Secretariat and the Standing Committee have been requested to implement this through an inter-sessional process. The Scientific Council will continue to be composed of members appointed by individual Parties (Party-appointed Councillors) and members appointed by the Conference of the Parties (COP-appointed Councillors). A sub-set of the members of the Scientific Council, to be named the "Sessional Committee" of the Scientific Council, will be identified and composed of COP-appointed Councillors and Party-appointed Councillors. The composition of this Sessional Committee will be a mixture between two of the models set out in the draft COP documents. In particular, a total of 15 Party-appointed Councillors will be selected from a regional perspective, based on an equal number (3) of representatives for each of the UN Regions hosting Parties to CMS. A further 9 COP-appointed Councillors will be selected for their expertise in taxonomic and thematic issues (the COP 11 resolution does not identify which issues these will be).

A number of further institutional arrangements have been adopted, including a revision of the Rules of Procedure and the renaming of "resolutions" (now "decisions") and "concerted and cooperative actions" (now only "concerted actions").

The Costed Programme of Work for the period 2015-2017 was adopted, with a budget for the triennium of € 7 442 629, i.e. an increase with respect to the previous triennium equal to 1.76% (below zero real increase).

The representatives of the European Region within the Standing Committee for the triennium 2015-2017 will be France, Norway and Ukraine, alternate members will be Georgia, Latvia and Switzerland.

The High-level Segment at the start of the COP discussed two approaches towards biodiversity protection: "rights of nature" versus "green economy". The first had relatively strong support in the discussions. There was a strong plea from the Ecuador Chair for the "rights of nature" approach, also in the final statement of the COP.

The Presidency and the Commission wish to thank all the EU delegates for their substantial contribution and cooperative attitude in drafting the EU position papers and for their help during negotiations at COP 11.