



Council of the  
European Union

**Brussels, 21 May 2024**  
**(OR. en)**

**9287/24**

**ENV 465**  
**PECHE 157**

### **INFORMATION NOTE**

---

**From:** General Secretariat of the Council

**To:** Delegations

---

**Subject:** 14th meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS COP 14) (Samarkand, Uzbekistan, 12-17 February 2024)  
- Statements by the EU and its Member States

---

Delegations will find in the [Annex](#), for information, a compilation of statements/speaking points delivered on behalf of the European Union and its Member States at the abovementioned meeting.

**14<sup>th</sup> meeting of the Conference of the Parties to the Convention on the Conservation of  
Migratory Species of Wild Animals (CMS COP 14)  
(Samarkand, Uzbekistan, 12-17 February 2024)**

**- Statements by the EU and its Member States -**

**Opening Statement on behalf of the European Union and its Member States**

Mr(s) Chairman,  
Your Excellencies,  
Ms Executive Secretary,  
distinguished Delegates,  
Ladies and Gentlemen

Belgium speaks on behalf of the EU and its Member States.

The EU and its Member States would like to express their sincere gratitude to the government of Uzbekistan for hosting this important meeting in the beautiful and historical city of Samarkand. We are also highly appreciative of the huge amount of work undertaken by the Secretariat, the Standing Committee and the Scientific Council in preparation of this Conference of the Parties.

The European Union and its Member States recognize the invaluable role that migratory species play in maintaining the health and balance of ecosystems across the globe. We consider this global gathering a major milestone in accelerating the implementation of the Kunming-Montreal Global Biodiversity Framework, including the preparation of a new Strategic Plan for Migratory Species, initiating the development of a joint Programme of Work with the CBD Secretariat to collaborate on implementation and capacity-building, and engaging with the upcoming IPBES assessment on spatial planning and ecological connectivity, among others.

We also appreciate the continuous work of the CMS Family, in bringing forward Concerted Actions, Initiatives and species-specific Action Plans, addressing the complex challenges on a global scale. These endeavours should be sustained, enhanced, and supplemented with additional actions necessary to improve the conservation of migratory species and their habitats, in particular through strengthened collaboration at regional and global level with sector organizations and partners, other biodiversity-related conventions, UN entities, NGOs, and other stakeholders.

We also thank the proponents for their science-based proposals to amend the Appendices, helping to ensure the long-term survival of these animals and the ecosystems they inhabit.

Furthermore, we welcome the launch, at this meeting, of the first-ever report on the State of the World's Migratory Species, as well as new global guidelines and best practices to minimize impacts on migratory species. These landmark outcomes will be a good basis for the identification of needs and priorities for future actions.

Finally, we look forward to working closely with all of you and are fully committed to make this meeting a success.

### **Agenda item 3: Adoption of the agenda and meeting schedule**

#### **Agenda item 3.1: Provisional Agenda and documents**

The EU and its Member States support the adoption of the provisional agenda and the list of documents without any comment.

### **Agenda item 11: Report of the United Nations Environment Programme**

This is a point of information where it is not expected to have any intervention unless the EU would like to ask for any clarification or request the inclusion of any missing information.

### **Agenda item 14: Strategic planning**

#### **Agenda item 14.1: Implementation of the Strategic Plan for Migratory Species 2015-2023**

The EU and its Member States appreciate the final progress assessment of the implementation of the Strategic Plan for Migratory Species 2015-2023 and would like to thank the UN Environment Programme World Conservation Monitoring Centre (UNEP-WCMC) for the preparation of the Final progress Report.

This report provides a good overview of the progress and results achieved in the implementation of the Strategic Plan for Migratory Species 2015-2023 and offers a good basis for the identification of the needs and priorities for action in the future.

The EU and its Member States acknowledge the positive results achieved in relation to some targets, as those related to awareness raising and improved governance arrangements. However, the report also acknowledges that actions undertaken so far are not proving sufficient to reduce direct pressures. Migratory species and their habitats continue to be detrimentally affected by multiple threats, showing declining trends driven by overexploitation. This indicates that, overall, use of these species or their habitats remains unsustainable. The data and pressures reported show that more measures are needed to minimize or mitigate the impacts of fisheries and hunting, and other forms of harvest and take on migratory species and their habitats.

The State of the World's Migratory Species report produced for COP14 found that 75% of the of CMS-listed species for which threat data were available in IUCN Red List assessments are affected by habitat loss, degradation and fragmentation, 70% are affected by overexploitation and 46% are affected by climate change. At the same time, addressing specific pressures impacting migratory species, such as climate change and habitat loss, was considered to be among the greatest challenges during implementation by many Parties.

Intensified action is needed to reduce the multiple anthropogenic pressures on migratory species and their habitats to non-detrimental levels.

Some successes have been reported in the identification of critical sites but the inclusion of identified critical habitats and sites in protected areas and area-based conservation measures is an essential second step required and it also needs to be effective in maintaining their quality, integrity, resilience and functioning.

Mainstreaming migratory species priorities into relevant sectors and strategies and tackling harmful incentives will also require strengthened efforts in the future, while positive incentives, such as direct payments to implement sustainable agriculture or land management, and initiatives to compensate for damage caused by wildlife should continue.

The EU and its Member States also acknowledge that many relevant activities are already underway or under development in the framework of the Convention to address resulting impacts, including, the ongoing work of CMS task forces, the development of guidelines, such as guidance for avoiding and/or mitigating the negative effects of light pollution, and the proposal of new Resolutions to COP14, for example, on reducing the risk of vessel strikes for marine megafauna. These activities should be continued, strengthened and complemented by other actions needed to improve the conservation on migratory species and their habitats.

We also consider that more intensive action is needed to achieve the aims of the Convention, along with the wider global goals of conserving biodiversity and protecting and restoring natural ecosystems, and the lessons learned from this final progress report can guide the identification and prioritisation of actions needed.

## **Agenda item 14.2: New Strategic Plan for Migratory Species**

The EU and its Member States welcome the proposed new Strategic Plan for Migratory species and thank the Secretariat for coordinating its preparation.

We acknowledge the importance of the SPMS vision to 2032, the relevance of its six strategic goals for the period 2024-2032 and the alignment of the Strategic Plan with relevant resolutions, including on climate change, renewable energy, infrastructure, ecological connectivity, and conservation measures for CMS species. We also appreciate the linkages to wider global priorities, notably the Kunming-Montreal Global Biodiversity Framework, and possibilities provided by the new BBNJ Agreement to establish Marine Protected Areas important also for migratory species in areas beyond national jurisdiction.

The EU and its Member States support the proposed Draft Resolution, on the adoption of the Strategic Plan for Migratory Species 2024-2032, included in Annex 1, and the Draft Decisions concerning its implementation and monitoring, included in Annex 2 to the Document COP14/Doc.14.2, with some amendments.

However, we would like to flag that there are some concerns regarding the development of indicators and reform of the national reporting template which needs to be looked at more in detail. The new SPMS foresees that for all CMS species the "conservation status (CS)" will be the measure to evaluate actions, which is in line with the Convention text. Parties will be required to report on the conservation status via the national reporting. It is our concern, that the assessment of conservation status for species is not straightforward as the term conservation status has no agreed definition and for example the use of the term in CMS pre-dates its use in other contexts such as in the EU-Nature directives. Due to this we foresee several issues if the Member States are tasked to report on the conservation status of CMS species in the CMS report.

There is currently no universal method to assess the conservation status of species as the assessment varies between taxonomic groups, habitats and regions. As such, we currently do not see how reporting conservation status to CMS would be possible.

Also reporting on the conservation status alone would be insufficient to assess the success of the measures and activities. The change in conservation status (improvement of conservation status) would need to be assessed and for this the assessment of conservation status must be standardized. Then the change is actually measurable and not the result of different assessment methods. As such, the IUCN red List status is currently the only way of having this kind of comparative information. Therefore, we would suggest that the primary tool for assessing conservation status is the IUCN red list status which is also used for listings, and we would suggest to change the footnote 2 accordingly to make that clear.

The EU and its Member States express their will to ensure the implementation of this new Strategic Plan in their territory and to support the implementation of relevant actions in other countries that are parties of the CMS.

The EU and its Member States are committed to cooperate with and within all relevant bodies such as regional fisheries management organizations and regional seas conventions to reach the goals of the SPMS and call on CMS Parties and the CMS secretariat to strengthen cooperation with and within such bodies.

We have some minor amendments that we will provide to the Secretariat in writing.

## **Agenda item 15: Scientific Council**

### **Agenda item 15.1: Evaluation of the results of the restructuring of the Scientific Council**

The EU and its Member States consider it premature to enlarge the number of Party-appointed Councillors of the ScC-SC based on the very low number of responses from Parties and the important budgetary implications of this increase in the number of Councillors. They therefore propose to postpone this decision to COP-15, regarding Resolution 12.4.

We support the proposed adjustment of the Rules of Procedure of the CMS Scientific Council and its Sessional Committee as contained in Annex 2 to provide a clear procedure in case an alternate member resigns or there are less than three alternates per region, or a COP-appointed Councillor is no longer in a position to serve on the Sessional Committee during the intersessional period.

The EU and its Member States support the adoption of the draft Decision as contained in Annex 3 as it reflects the agreement by COP13 to review the applicability of the COP-appointed Councillor subject areas at COP15. We would like to make some changes that make clear that working groups and task forces should mainly convene virtually.

Furthermore, we should keep in mind the scientific nature of the Scientific Council and be aware of not shifting too much to discussing policy and governance questions in the Scientific Council, but focus on the scientific questions.

We will provide our minor amendments to the Secretariat in writing.

### **Agenda item 15.2: Scientific Council Membership**

The European regional group would like to re-appoint as regional members of the Sessional Committee of the Scientific Council:

- M. João José de Bastos Loureiro (Portugal)
- M. Ruben Moreno-Opo (Spain)
- Mrs. Daliborka Stankovic (Serbia).

As alternates, the European regional group would like to re-appoint:

- M. Jean-Philippe Sibley (France)
- M. James M Williams (UK)

We would also like to appoint, as alternate:

- M. Simon Nemptov (Israel)

Regarding the COP-appointed Councillors for the subject area of Aquatic Mammals, the European regional group supports:

- Vanesa Patricia Tossenberger (Argentina)



Regarding the COP-appointed Councillors for the subject area of Climate Change, the European regional group supports:

- Des B.A Thompson (UK)

### **Agenda item 16: Election of Parties to the Standing Committee**

The European regional group would like to appoint as Parties to the Standing Committee: Italy (2<sup>nd</sup> term), Monaco (2<sup>nd</sup> term) and UK (1<sup>st</sup> term).

The European regional group would like to re-appoint as Alternates to the Standing Committee: France and Croatia as well as appoint as Alternate Montenegro.

### **Agenda item 17: CMS contribution to the Kunming-Montreal Global Biodiversity**

#### **Framework**

The EU and its Member States welcome and commend the engagement of the CMS Secretariat in the process for developing the post-2020 Global Biodiversity Framework (GBF).

We value very positively the steps already undertaken to contribute to the implementation of the GBF, including the preparation of a new Strategic Plan for Migratory Species that provides linkages to the GBF, engaging in the Bern process, initiating the development of a joint Programme of Work with the CBD Secretariat to collaborate on implementation and capacity-building, and producing guidance on maximizing the effectiveness of protected and conserved areas through application of ecological connectivity and landscape-scale conservation planning.

The GBF and related CBD Decisions will contribute to addressing key threats to and conservation needs of migratory species. Likewise, implementation of CMS commitments will contribute to the implementation of many aspects of the GBF.

The EU and its Member States support the Resolution and Decisions to be adopted by the COP on the CMS engagement in CBD processes, which aim to support the implementation of the Kunming-Montreal Global Biodiversity Framework in areas of relevance to CMS, contribute to the work of the CBD Ad Hoc Technical Expert Group (AHTEG) on Indicators for the Kunming-Montreal Global Biodiversity Framework, and to strengthen cooperation and develop a new Joint Work Programme with the CBD Secretariat.

We have some minor amendments that we will provide to the Secretariat in writing.

## **Agenda item 18: Synergies and partnerships**

### **Agenda item 18.1: Synergies and partnerships**

The EU and its Member States welcome the report that details the progress on implementation of synergies and partnerships and on NGO participation in CMS processes.

We appreciate the efforts made by the CMS Secretariat in engaging with other organizations and partners, and the positive collaboration with other biodiversity-related conventions, UN entities, NGOs, and other stakeholders to promote the work of CMS.

The EU and its Member States encourage the Secretariat to continue its cooperation with all these organizations, to promote further dialogue and collaboration with other key stakeholders and to strengthen efforts to increase the engagement of indigenous peoples, youth groups and local communities in CMS processes. In this regard, we like to highlight the Youth participation in the CBD with the work of GYBN as an excellent example on how Youth can provide valuable input into processes of an MEA. And recently, the 77th meeting of the CITES SC (SC77) has recommended the establishment of the CITES Global Youth Network.

The EU and its Member States also underline the importance of the adoption of the treaty on Biodiversity Beyond National Jurisdiction (BBNJ) and of strengthening collaboration with regional bodies such as regional fisheries management organizations and regional sea conventions.

We have some minor amendments that we will provide to the Secretariat in writing.

### **Agenda item 18.2: Cooperation with Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)**

The EU and its Member States welcome the decision of IPBES 10 to undertake three new assessments on areas of work of great relevance to CMS. These include a fast-track methodological assessment of integrated biodiversity-inclusive spatial planning and ecological connectivity, a fast-track assessment on monitoring biodiversity and nature's contributions to people, and a second global assessment on biodiversity and ecosystem services.

The decision of IPBES-10 to undertake the assessment on connectivity is a historic milestone, and a recognition of the importance that connectivity has gained in the last years in the context of numerous global processes including the Kunming-Montreal Global Biodiversity Framework, the eighth replenishment of the Global Environment Facility (GEF), the UN Decade on Restoration and the UN General Assembly.

On the basis of this successful outcome of IPBES 10 and the fruitful cooperation between CMS and IPBES, the EU and its Member States support the continuation of the engagement with IPBES on a similar level as in recent years. In particular, CMS and IPBES should cooperate closely for the development of the assessment on ecological connectivity.

The EU and its Member States support the amendments proposed to resolution 10.8, the deletion of Decisions 13.11 - 13.13 Cooperation between the Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services (IPBES) and CMS, and the adoption of new Decisions.

#### **Agenda item 19: Communications, outreach and information management**

The EU and its Member States welcome the summary of the communication, outreach and information management activities since COP13.

We appreciate the efforts made by the CMS Secretariat and the IMCA Unit to improve communication and outreach, and to raise greater public awareness of migratory species, the multiple threats they face and the obstacles to their migration.

The EU and its Member States support the adoption of the draft Decision as it will significantly contribute to the ongoing enhancement of CMS communication, outreach and information management activities and to the implementation of the 'Strategic Communications Assessment'.

#### **Agenda item 20: Atlas of Animal Migration**

The EU and its Member States congratulate the Scientific Council, the Parties and stakeholders involved in the development of the Atlas of animal. During this period, three of the four modules of the atlas have been launched. Central Asian mammals, African-Eurasian birds and marine turtles consequently have reference literature improving the understanding of their migratory behaviour, and supporting management programs that improve their conservation status globally.

We encourage Parties to support the continuation of this work, both with new groups of migratory animals or in new regions.

The EU and its Member States would however like to stress the importance of avoiding an unnecessary increase of our reporting burden. While it is important that experiences of Parties will be heard and taken into consideration. Therefore, a lighter process for gathering feedbacks should be considered, for example through a notification.

We also feel that the Scientific Council could be asked to provide further advice and guidance to the Secretariat on updating existing and developing additional modules of the atlas as well as on improving the usability of the atlas if required.

The EU and its Member States recognize the collective effort made by the CMS family on this topic and can support the proposed decisions with some amendments which we will provide to the Secretariat in writing.

## **Agenda item 21: Conservation Status of Migratory Species**

### **Agenda item 21.1: State of the World's migratory species**

### **Agenda item 21.2: Assessment of the risk posed to CMS appendix I-listed species by direct use & trade**

### **Agenda item 21.3: In-depth review of the conservation status of individual CMS-listed species**

The EU and its Member States acknowledge the high-quality work done by the CMS Secretariat and partners, including UNEP-WCMC and IUCN, in relation to assessing the conservation status of migratory species most notably the production of the:

- State of the World's Migratory Species report
- Assessment of the Risk Posed to CMS Appendix I-Listed Species by Direct Use and Trade
- Depth Review of the Conservation Status of Individual CMS-Listed Species contained in document UNEP/CMS/COP14/Doc.21.3.

The EU and its Member States welcome the first-ever State of the World's Migratory Species report. They also recognize the need to regularly review information on the status of and threats to migratory species, as well as on knowledge and implementation gaps, to help inform ongoing and future actions by CMS Parties and the wider global community to conserve these species. The EU and its Member States also highlight the importance of such a regular review for the objectives defined in the Strategic Plan for Migratory Species 2024-2032. The EU and its Member States can therefore support the proposal for a regular review at alternate meetings of the Parties, starting at COP16, and subject to availability of resources. The EU and its Member States also urge the CMS Secretariat to seek synergies with relevant IPBES assessments, most notably but not restricted to the planned assessment on spatial planning and ecological connectivity.

Similarly, the EU and its Member States also support the general idea of the development of an online CMS Data Dashboard, subject to availability of resources and provided data interoperability with other relevant data bases.

Finally, the EU and its Member States can also adopt the decisions guiding the implementation of the recommendations from the current reports, and to prepare the next edition of the report.

### **Agenda item 22: Implementation of the Programme of Work 2020-2023**

The EU and its Member States thank the Secretariat for the work done on the 2020-2023 Programme of Work (POW). We also acknowledge for the contributions made by Parties or entities for the implementation of the activities of the POW.

However, out of the 131 items listed in the POW 2020-2023, 64 have been completed, 44 have progressed significantly but have not been completed and unfortunately 23 could not be implemented due to lack of financial and/or human resources.

For the complete implementation of the POW 2020-2023, amounts of over €15 million were obtained, which is a good amount but really insufficient, as this represented just 46% of the total amount required for implementing the whole POW. For achieving the implementation of the still not completed or not advanced activities for the following triennium, financial and human support is vital.

We consider it important that during the period 2024-2026 these not completed and not advanced activities will be included in the following Programme of Work, with a clear prioritisation, addressed and achieved; as well as the rest of the activities that will be proposed.

### **Agenda Item 23: National Reports**

The EU and its Member States support the continuous work of the Secretariat in the revision and improvement of the NR template, including gap analysis and the incorporation of information from other areas of work as requested at COP13, and in particular relating to the Programme of Work on Climate Change and Migratory Species.

We endorse the online reporting template developed by the Secretariat, in collaboration with the UNEP-WCMC, and its guidance document, and encourage remaining Parties to submit their NRs using these tools for their timely consideration at COP14.

The EU and its Member States welcome the conclusions from the UNEP-WCMC's analysis of submitted NRs, including progress made, remaining implementation gaps, and the need to address remaining anthropogenic pressures, concerning the conservation of migratory species and their habitats.

In this regard, we would like to point out that there should ideally be a follow up from that analysis in the sense that the Secretariat engages with Parties where gaps in implementation have been identified to see whether this has been, or could be, ameliorated. In particular, the EU and its Member States would like to highlight that the Secretariat could bring persistent issues into the process of the review mechanism under Resolution 12.9 which foresees under B that “The bases for initiating the review process shall be: 1. The triennial review of National Reports by the Secretariat;”

The EU and its Member States welcome the change of reference from the Aichi Targets to the Kunming-Montreal Global Biodiversity Framework in the draft Resolution.

We agree with the draft Decisions presented, which will contribute to the continuous improvement of the NR template and its guidance into the future based on lessons learned.

## Agenda item 24: Review Mechanism and National Legislation Programme

The EU and its Member States:

- Welcome the progress report to implement the Review Mechanism and National Legislation Programme
- Reiterate the importance of the National Legislation Programme in the correct and full implementation of CMS and call for Parties in a capacity to do so to provide legal and technical support as well as financial resources to facilitate the implementation of the programme.
- Appreciate the development of operational guidelines to provide clarity and guide the Secretariat and the Standing Committee in managing the Review Mechanism files, and we support its adoption with two changes.
- First, regarding the operational guidelines, under the first heading, we would like to strike the first sentence as well as the word information from the second sentence. The reason is that this broad possibility to ask for confidentiality regarding findings and reports is not in line with the principle enshrined in the Resolution 12.9 in Section I.A. para. 3 which states explicitly that findings and reports are treated in an open and transparent manner.” The only exception to that rule is that communications between the Secretariat and individual Parties on specific implementation matters are generally confidential. So an exception to the general rule is only for such communications, but not for findings, reports nor for information generally. We uphold that transparency is essential for this mechanism, and we do not wish to renegotiate the Resolution which represents a carefully drafted compromise reached at COP12.
- In relation to the Draft Decisions (Annex 2), we can generally accept the proposals but would like to propose one small edit. We would like to change the word “invite” to “urge” in Decision 14 BB. a). This decision addresses the implementation of Article III para. 5 of the Convention. We would certainly like to urge Parties rather than to simply invite Parties to implement this legally binding and central provision of the Convention.

We will provide our suggestions to the Secretariat in writing.

## **Agenda item 25: Review of Decisions**

The EU and its member states thank the Secretariat for the proposals for the retirement of the COP13 decisions and resolutions. We can support the proposals made in the Annex I except for **Decision 13.16 and Dec 13.71** where we would appreciate some further clarification. For **Decision 13.16**, the Secretariat indicated that an information document was produced to inform CITES management authorities of species listed in CMS Appendix I that may be subject to trade under CITES. There is however no indication in the document how the CITES Secretariat was involved in the development of this document.

As the involvement of the CITES Secretariat was a request by the Parties to the CMS Secretariat, and important to facilitate cooperation among the MEAs at national level, we would like to know how the CMS Secretariat involved the CITES Secretariat in the development of this document.

In **Decision 13.71**, Parties were requested to provide information regarding legal acts necessary to address the prohibition of the taking of Appendix-I listed chondrichthyan species. The suggestion to delete is based on rationale that there was a lack of information received from the Parties. However, the need for information still remains, so we are not convinced that this is solved by deleting the COP request to Parties. Our inclination is that given that this is an important topic for us, we would rather suggest that this request to Parties should be repeated by COP14.

We would therefore appreciate some clarification on how the Secretariat intends to address this.

## **Agenda item 26: Definition of the Terms ‘Range State’ and ‘Vagrant’**

### 1. Initial EU /Member States intervention

The EU and its Member States thank the Scientific Council and its working group for the report which demonstrates the complexity of this issue and the difficulties in providing clear and simple guidance.

In particular, we take note of the challenges posed by the lack of data on migratory behaviour, on the need for implementing the precautionary principle when managing species protected by CMS, as well as the fact that binary decisions on vagrancy are difficult to make and would need continuous reassessment in times of increasing climate- induced range shifts of species where a vagrant may actually be a sign for a shifting migration route.



As regards to recommended decisions, we support the recommendation from the ScC to take note of the report.

Furthermore, the EU and its Member States do not consider that any further work is necessary regarding the potential policy and/or legal implications of the assignment of a species as vagrant. We believe that the report is exhaustive in dealing with this issue.

We would therefore suggest that the COP decides that no further work is necessary on this item and we have a new Draft Decision proposal to that effect which will be provided to the Secretariat in writing.

## 2. Second intervention if needed

*NOTE: In first instance, the EU will not mention anything about not adopting the guidance.*

*However, in case there is a suggestion from the Secretariat or from the floor to not only “take note” of the report but to adopt/welcome/endorse etc. the guidelines, the EU will oppose that and take the floor again to add the following:*

As indicated in our previous statement, the EU and its Member States can agree to follow the ScC to note the report. But we do not support any kind of adoption or other endorsement of the guidance by the COP for various reasons. In particular, we are concerned that we would be introducing a new term which is not part of the Convention text but at the same time goes to the core of the Convention by redefining the definition of range state in the convention text. It thus opens the door for an exception from the obligations in the Convention which is not in the text. This is particularly problematic when the new concept – and therefore the exception - remains ambiguous and adds uncertainty. As we can see from the draft guidance, it remains very difficult to generally define vagrancy, and even more so with changing migration patterns in times of climate change.

We therefore do not support adopting the guidance nor recommending the guidance for use by Parties.

*NOTE: ONLY if others insist on the need for further work, this will be added:*

We feel that we do not need to invest more time and resources. We are not convinced that there is a conservation benefit that would flow from such additional work, and we do not share the view that there is a problem to be fixed.

## **Agenda item 27: Aquatic species conservation issues**

### **Agenda item: 27.1: Fisheries-induced threats**

#### **Agenda item 27.1.1: Bycatch**

Improving gear selectivity and reducing the impact of fisheries on sensitive species at risk of incidental catch is an EU priority, based on the requirements of EU legislation and commitments made in the EU Biodiversity strategy for 2030. The EU has set many measures to protect various sensitive species, including endangered sharks and rays, marine turtles, seabirds and marine mammals, and to mitigate and reduce their bycatch in fisheries. In this regard, the EU and its Member States acknowledge the situation of Baltic Harbour Porpoise and the importance to take a set of additional measures to minimize bycatches. The same applies in regional fisheries management organisations (RFMOs) where the EU advocates for the conservation and sustainable management of sharks' stocks falling under their mandates.

In the EU, as well as in regional fisheries organisations, fisheries management decisions are based on the best available scientific advice. It is therefore important that the appropriate monitoring programmes are implemented in countries allowing for the species assessments and understanding the extent of the incidental catches of sensitive species in fisheries (bycatch rates).

With the above in mind, the EU and its Member States consider that it is important for the CMS family to set shared principles to prevent, minimize and where possible eliminate bycatch of protected species, based on the work of the Scientific Council. It is also important to facilitate improving national bycatch monitoring programmes and assessments underpinning decision-making. The EU and its Member States also emphasize the need to first and foremost prevent bycatch of all endangered species.

In addition, the proposed decision under the CMS should reflect the knowledge collected and the work undertaken by relevant fisheries bodies. Overlap with and duplicating the work of other relevant organisations, such as the IWC and its Bycatch Mitigation Initiative, should be avoided.

For these reasons, the EU and its Member State suggest to concentrate the focus of the decision and the CMS resources on establishing sound principles on bycatch mitigation and on fostering collaboration with fisheries bodies and internationally recognised scientific bodies. The work should be concentrated on species that are of highest concern as well as on areas with least advanced bycatch avoidance measures in place, support should be provided to members with the least advanced capacities. In this context, we proposed some additional concrete actions in the guidelines.

These suggested amendments will provide to the Secretariat in writing.

### **Agenda item 27.1.2: Fishing Aggregating Devices**

Fish aggregating devices (FADs) are a very sensitive topic. Depending on the circumstances, they may reduce environmental impacts of fisheries, but they can also considerably increase fishing pressure and marine pollution. When considering FADs, all their potential impacts must be assessed, and there is still considerable scientific debate on the issue.

Regional fisheries management organisations (RFMOs) have been working intensively on the management of FADs for many years, especially with regard to tuna fisheries. This includes a range of measures for minimising impacts from fisheries on protected and/or endangered species as well as avoiding increasing fishing pressure on commercial stocks. These measures are based on data collected through fisheries management and monitoring measures adopted by the RFMOs and on the expertise and advice provided by the Scientific Committees of these organizations.

With the above in mind, the EU and its Member States consider that the proposed decision fails to recognize the complexity of the issue, in particular the risks to increase fishing pressure in the absence of state of the art scientific assessment. It should reflect the knowledge collected and the work undertaken by relevant fisheries bodies, and avoid overlapping and duplicating with the work of other relevant organisations. It is suggested to concentrate its focus and resources on fostering collaboration with fisheries bodies, areas and species with least advanced knowledge and management systems in place and supporting its Members with the least advanced capacities.

We will provide our suggestions to the Secretariat in writing.

### **Agenda item 27.1.3: Maltreatment and Mutilation of Seabirds in Fisheries**

The European Union and its Member States take note of the report from the working group investigation; and agree to adopt the Decisions contained in the Annex of this document.

### **Agenda item 27.2: Marine pollution and other threats**

#### **Agenda item 27.2.1: Effects of Marine Pollution on Migratory Species**

The EU and its Member States recognise that marine environments are affected by a range of different types of pollution and that impacts of pollutants also appears to be highly significance for migratory marine wildlife.

We also recognise the need to integrate the threat of marine pollution, when developing conservation plans. Specifically considering long-term pollution-induced threats to the survival, health and welfare of the taxa concerned, including effects on reproduction. (We agree that there is a need to increase knowledge and encourage appropriate actions to address and mitigate pollution, including at source.)

We acknowledge that other organisations also work on the challenge of marine pollution, including UNEP, OSPAR and the Arctic Council, and many relevant information they offer can benefit the CMS.

(In addition, to address pollution threats, we recognise the need to develop science-based actions, taking take into account feeding, breeding, migratory grounds, and solid indicators)

(The EU and its Member States also agree with the proposal of setting rapid-response systems to effectively deal with acute pollution problems, such as chemical, oil or plastic pellet spills.)

We would like to support the Decisions directed at the Scientific Council, with a few amendments, highlighting the collaboration between similar initiatives from other bodies, such as the IWC, and prioritising the efforts on the chemical, oil, plastics and debris pollution for now, as light and noise pollution have their own work strands.

Finally, the EU and its Member States recognise the collective effort made by the CMS family on this topic and recognise the key role of Parties for providing technical and capacity building to this purpose.

We support this document and associated decisions and take note of the report contained in Annex 1.

We have provided our suggestions to the Secretariat in writing.

#### **Agenda item 27.2.2: Marine noise**

The EU and its Member States welcome the Working Group Report contained in Annex 1.

We recognise the collective effort made by the CMS family on this topic and recognise the key role of Parties and other members of the CMS family for providing technical and capacity building to this purpose.

(The EU and its Member States also agree with the proposal to inform the Scientific Council at the 7th meeting of the Sessional Committee about experiences and lessons learned in the application of these Guidelines, and the need for additional guidance on assessment and mitigation of marine noise.)

The EU and its Member States and supports the adoption of the draft Decisions as contained in Annex 2 of this document with one suggestion directed to the Scientific Council regarding the existing guidance on impact of sonar and other military-use sound sources on migratory species and to investigate whether further guidelines may be needed to address and mitigate these impacts.

We will provide you with our suggestion in writing.

### **Agenda item 27.2.3: Vessel Strikes**

The EU and its Member States recognise the threat posed by vessel strikes to marine migratory species listed in the CMS Appendices, including sirenians and pinnipeds, marine turtles, sharks, and rays.

With some amendments, The EU and its Member States supports the adoption to the draft Resolution contained in Annex 1 and the draft Decision in Annex 3.

We recognise the need to encourage systematic reporting of all vessel strike incidents involving whales, dolphins or porpoises to the Ship Strikes Database of the International Whaling Commission. In that regard, we would suggest to add a reference to the IWC work as well as IMO particularly in sensitive sea areas in Decision 14.BB (b) of Annex 3.

We would also like to highlight that on July 7, 2023, as proposed by France, Italy, Monaco and Spain, the IMO's Marine Environment Protection Committee (MEPC 80th session) adopted the institution of a Particularly Sensitive Sea Area (PSSA) in the North-Western Mediterranean Sea, in order to protect cetaceans from the risk of ship collisions, ship-generated pollution and to increase awareness on a critically important area for the fin whale and the sperm whale. We suggest adding this as an example in the resolution text.

The EU and its Member States also welcome the Guidance on Reducing the Risk of Vessel Strikes for Whale Sharks (*Rhincodon typus*).

We will provide our suggestions to the Secretariat in writing.

### **Agenda item 27.3: Marine wildlife watching**

#### **Agenda item 27.3.1: Recreational in-water interactions**

The EU and its Member States recognise the collective effort made by the CMS family on this topic and acknowledge the key role of Parties and other members of the CMS family for providing technical and capacity building to this purpose.

We are conscious of the rapidly increasing occurrence and popularity worldwide of recreational in-water interactions with aquatic wildlife. Solid evidence that a large number of aquatic mammal species are sensitive to disturbances caused by in-water interactions, generates the pressing need to understand and manage any detrimental effects on the behaviour, welfare and biology of the target species, and the consequent indirect effects on local environments and human communities.

The EU and its Member States support the adoption of the draft amendments to Resolution 12.16, the amendment proposed by the Scientific Council and the draft Decisions.

The EU and its Member States endorse the Guidelines for Recreational In-water Interactions with Marine Wildlife.

#### **Agenda item 27.4: Area-based Conservation Management**

##### **Agenda item 27.4.1: Important Marine Mammal Areas**

The European Union and its Member States welcome the additional 81 new IMMAs that have been identified since COP13, along with the additional 22 CMS-listed species that have been included in newly identified IMMAs.

The EU and its Member States take note of the report of the IUCN Marine Mammal Protected Areas Task Force on the progress of the IMMA process, contained in Annex 1, and thank the Aquatic Mammals Working Group for their work. The EU and its Member States propose an additional paragraph in the Decision to encourage Parties to apply the same standards as used by the IUCN SSC/WCPA when designation protected areas for marine mammals in regions not yet assessed for identification of IMMAs which would also support the progress of work of the Task Force.

The EU and its Member States support the adoption of the Decisions contained in Annex 2, with the suggested amendments by the Scientific Council, and agree to delete Decisions 13.54-13.57.

We will provide our suggestions to the Secretariat in writing.

### **Agenda item 27.4.2: Important shark and ray areas**

The European Union and its Member States acknowledge the progress made by the IUCN SSC SSG in developing selection and review criteria for identifying important shark and ray areas. We consider that ISRAs are an advisory, expert-based classification that can be used as a valuable resource for the integration of shark, ray, and chimaera species into existing and future national, regional, and international conservation strategies.

The EU and its Member States emphasize that further progress should be done in consultation with Signatories and Range States, and other relevant international or regional bodies who have management decision powers. In particular, this will require to foster consultation and coordination between IUCN SSC SSG, Parties, Range States, intergovernmental organizations and relevant fisheries management bodies with a view to mutually support the objective of science-based conservation and sustainability of fishing of sharks and rays based on an ecosystem-based approach.

In the decision we would like to underline that ISRAs should be taken into account for spatial planning and conservation action with the view to implement targets 1 and 3 of the Global Biodiversity Framework, including NBSAPs.

Amendments to the draft resolution and draft decision are proposed to that effect and some also reflect the comments of the Scientific Council. We will provide these amendments to the Secretariat in writing.

### **Agenda item 27.4.3: Seagrass ecosystems**

The EU and its Member States welcome the proposed resolution and decision. Seagrass habitats have multiple roles in providing for diversified ecosystems, including for migratory species, and for carbon sequestration and storage. The EU has put in place protected marine areas and fisheries restrictive measures to protect seagrass habitats. It is currently stepping up its efforts with a view to restore these habitats.



The EU and its Member States support the adoption of the Resolution contained in Annex 1 as revised by the Scientific Council to include an additional paragraph to recognise the ecological and economic value of marine migratory species for seagrass ecosystems, their ability to provide nature-based solutions to climate change, and additions in several paragraphs to give more specifications.

Regarding the Draft Decision (Annex 2), the EU and its Member States could also support it as revised by the Scientific Council, with additions in several paragraphs to give more specifications and one minor technical amendment.

We will provide our suggestions to the Secretariat in writing.

### **Agenda item 27.5: Marine Mammals**

#### **Agenda item 27.5.1: Conservation priorities for cetaceans**

Cetaceans is a large and diverse taxonomic group of over 90 species that can be found in all the world's oceans and seas and some large river-systems, and that have a crucial role in marine ecosystems and in the mitigation of climate change. But over 50 of the species are already listed on the CMS Appendices, being affected by ever-growing and diverse threats. The EU and its Member States appreciate the work done by the Aquatic Mammals Working Group and CMS partner organization OceanCare for review of implementation of the Cetacean Programme of Work and the identification of priorities for their conservation. This review formed the basis of the underlying Resolution and Decisions, which highlight the many cross-cutting issues and activities that affect cetaceans and emphasise priorities for their conservation.

The EU and its Member States note the conservation recommendations for Range States of specific cetacean species, with the inclusion of 2 dolphin species under the prioritization of bycatch mitigation and 3 species under the demand for the development of adaptive conservation efforts. We will provide those suggestions to the Secretariat in writing.

The EU and its Member States support the adoption of the proposed resolution and decision.

### **Agenda item 27.5.2: Singles Species Action Plan for the Atlantic Humpback Dolphin (*Sousa teuszii*)**

The EU and its Member States thank the Government of the Principality of Monaco under the Migratory Species Champion Programme to provide funds to the development of an Action Plan at a Range State meeting and leading the development of the draft Single Species Action Plan (SSAP) for the Atlantic Humpback Dolphin (*Sousa teuszii*).

EU and its Member States thank the consultants and Law of the Wild for their work on the draft Single Species Action Plan.

EU and its Member States support the adoption of the draft Resolution including the Single Species Action Plan for the Atlantic Humpback Dolphin (*Sousa teuszii*), and the draft Decisions with minor editorial amendment.

We recognise the collective effort made by the CMS family on this topic and acknowledge the key role of Parties in providing technical assistance and capacity-building to this purpose.

### **Agenda item 27.5.3: Sirenians, Pinnipeds and Otters**

Given the decreasing population trend for several of these aquatic mammal species, an assessment of their conservation needs is now more urgent than ever. The EU and its Member States therefore support the adoption of the proposed decision with minor amendments that we will provide to the Secretariat in writing.

### **Agenda item 27.6: Marine turtles**

#### **Agenda item 27.6.1: Marine Turtles**

The EU and its Member States take note of the work done by the Scientific Council in progressing in the implementation of the work programme of Decisions 13.70. The EU and its Member States thank the work done to carry out the activity c) and agree that more time and funds are necessary to implement activities a) and b).

Given the concerning conservation status of all marine turtle species and their interaction with fisheries, the EU and its Member States support the proposed joint initiative between CMS and the IOSEA Marine Turtle MOU to prepare an overview of the status of knowledge regarding bycatch reduction and mitigation for marine turtles.

The EU and its Member States support the adoption of the proposed draft decision with the inclusion of the amendments proposed by the Scientific Council and some minor editorial changes. We will provide our suggestions to the Secretariat in writing.

**Agenda item 27.6.2: Single Species Action Plan for the Hawksbill Turtle  
(*Eretmochelys imbricata*) in South-East Asia and the Western  
Pacific Ocean Region**

The EU and its Member States welcome the work of the CMS Secretariat, IOSEA Marine Turtle MOU Secretariat and WWF to develop the Single Species Action Plan for the Hawksbill Turtle in South-East Asia and the Western Pacific Ocean Region.

The EU and its Member States support the adoption of the draft Resolution with the inclusion of the text proposal from the Scientific Council, including the Single Species Action Plan.

We also support the adoption of the draft Decisions for the Hawksbill Turtle in South-East Asia and the Western Pacific Ocean Region, with some minor editorial amendments.

Finally, we recognise the importance to reach out to non-Party Range States to encourage them to adopt the SSAP for their own use and join forces with CMS Parties and MOU Signatories in order to address the urgent need for action related to these key threats to Hawksbill Turtles in the South-East Asia and Western Pacific Ocean Region.

We have minor amendments that we will provide to the Secretariat in writing.

## **Agenda item 27.7: Fish**

### **Agenda item 27.7.1 : Single Species Action Plan for the Angel shark (Squatina squatina) in the Mediterranean Sea**

The EU and its Member States welcome the work of the Advisory Committee and the Secretariat to develop the Single Species Action Plan for the Angelshark in the Mediterranean Sea.

The EU and its Member States thank the Government of the Principality of Monaco under the Migratory Species Champion Programme to provide funds that allowed the development of SSAP for the Angelshark in the Mediterranean Sea.

The EU and its Member States support the adoption of the draft Resolution including the Single Species Action Plan for the Angelshark in the Mediterranean Sea and the draft Decisions, with one minor amendment.

We will provide that suggestion to the Secretariat in writing.

Finally, the EU and its Member States recognise the collective effort made by the CMS family on this topic and recognise the key role of Parties for providing technical and capacity building to this purpose.

### **Agenda item 27.7.2: Freshwater Fish, including the European Eel**

The EU and its Member States support the proposed draft decision with some amendments.

The EU action plan to protect and restore marine ecosystems for sustainable and resilient fisheries, includes critically endangered species that are commercially fished, such as the European eel. For such migratory species, the cooperation of all range States is essential. We therefore fully support the approach to develop an action plan for the European Eel under CMS.

We consider that a similar comprehensive action is necessary for freshwater fish. The EU water policy already includes such approach. For Instance, the EU 2030 Biodiversity Strategy calls for greater efforts to restore freshwater ecosystems and the natural functions of rivers. Besides calling for better implementation of existing legislation on freshwater, the Biodiversity Strategy sets the target to make at least 25 000 km of rivers free-flowing again by 2030, by removing primarily obsolete barriers and restoring floodplains and wetlands.

We highlight that there is growing evidence of the potential negative consequences of altered flow regimes on fluvial ecosystems and the fisheries they support, including marine fisheries.

**Agenda item 27.7.3: Implementation of the CMS Appendix I-listing for the Oceanic Whitetip Shark (*Carcharhinus longimanus*)**

The EU and its Member States welcome the work of the Government of the Maldives to improve the implementation of the oceanic whitetip shark CMS Appendix I listing.

We noted with concern that the once highly abundant species is now Critically Endangered and that, despite actions made by Regional Fisheries Management Organizations to adopt strict management measures, the species is still subject to illegal, unreported and unregulated fishing and trade.

In European waters it is estimated that the species has declined by at least 50% for a three generation period (46 years), therefore qualifying as ‘Endangered’. The oceanic whitetip shark population declines exceed 98% in all oceans, assessing it as ‘Critically Endangered’ globally.

The EU and its Member States consider the dire conservation status of the oceanic whitetip shark and the challenges in achieving full compliance with the FAO (Food and Agriculture Organization of the United Nations), tRFMOs, CITES and CMS of high concern.

The EU and its Member States support the adoption of the draft Decisions on the implementation of the CMS Appendix I listing for the oceanic whitetip shark with some amendments. We propose to add dates in the draft Decisions directed to the Parties and the Secretariat, as was suggested by ScC-SC6 when assessing the proposal for a Concerted Action for the oceanic whitetip shark.

The EU and its Member States consider a robust compliance monitoring review process that encompasses the CMS obligations for all species, including the oceanic whitetip shark, and all CMS Parties a key weakness that we would like to urgently address as it is a prerequisite for ensuring the effectiveness of CMS Decisions.

Finally, we support the recommendation from the Scientific Council to develop a new Concerted Action proposal for submission to COP15 that includes research activities to fill important knowledge gaps such as, inter alia, information on genetics, movement patterns and critical habitat.

We have some minor amendments that we will provide to the Secretariat in writing.

## **Agenda item 28: Avian species conservation issues**

### **Agenda item 28.1: Prevention of illegal killing, taking and trade of migratory birds**

The EU and its Member States welcome the report presented by the Secretariat on the illegal killing of birds (IKB). The engagement by Parties as a result of work developed within the task forces established for both the Mediterranean and the East Asian-Australasian regions is quite positive. The outcomes achieved are becoming more relevant to get accurate data of the impact of IKB at different scales and to implement efficient policies to halt this serious threat for migratory birds. So, we would like to congratulate the members of MIKT and ITTEA with their involvement and efforts made, and recommend a strengthening of these activities. We propose to give the authority to the Task Forces to make a proposal for the further development of the Scoreboard to the Secretariat, which can make propositions of amendments to the Standing Committee for adoption. To make clear that decisions are made by a formal body but based on the input from the Task Forces.

*§ linking with the achievement of KM GBF T5*

For achieving the goals, engagement of Parties needs to be further increased for the next intersessional period. In the case of the EU, we would also like to express our general support for the implementation of the Rome Strategic Plan 2020-2030 and the Mediterranean Region and the MIKT Workplan 2021-2025, especially through the provision of information to the Scoreboard and increasing the cooperation with other countries in sharing data and best practices.

Finally, the EU and its Member States agree with the amendments to the Resolution and with the Draft Decisions proposed by the Secretariat including the suggestions proposed by the Scientific Council.

### **Agenda item 28.2: Action plan for migratory landbirds in the African-Eurasian Region**

The EU and its Member States acknowledge the continued determination for developing the Action Plan for Migratory Landbirds in the African-Eurasian Region (AEMLAP) and its program of work by the different coordination bodies: the Steering Group, the Working Group, the Study Group and the CMS Secretariat. We agree on the need for reinforcing the financial capacity of this initiative and the importance of organizing technical and operational workshops to focus on key aspects for landbird conservation, such as habitat management and protection in different regions.

We hope that during the next intersessional period 2024-2026 a greater number of activities included in the Action Plan and its program of work could be carried out, working towards achieving the set goals. Especially, in the areas that are not covered by other CMS initiatives like AEWA, Raptors MOU or the different task forces on illegal killing of birds.

The EU and its Member States agree with the amendments to the Resolution and with the draft Decisions proposed by the Secretariat including the suggestions proposed by the Scientific Council.

### **Agenda item 28.3: Preventing poisoning of migratory birds**

The EU and its Member States recognize the effort made by the Secretariat in managing the Preventing Poisoning Working Group and in implementing Resolution 11.15 and Draft Decisions 13.39 and 13.40 during the last intersessional period. We would like to thank the CMS ad hoc working group for the assessment provided to the European Chemicals Agency on the evaluation process for phasing out the use of lead ammunition and fishing weights in the EU. We hope this ongoing process will finally reach a positive conclusion and contribute to reducing the impact of lead intoxication on migratory birds.

We also see that a new impulse is needed to strengthen the work and outcomes of the Preventing Poisoning Working Group and its linked Task Force dedicated to the Lead issue. We call for the support of all members of the CMS family, and especially Parties, to collaborate and to allow hiring a coordinator, and support organizing workshops in the most sensitive and affected areas in order to increase awareness and capacity building in fighting against bird poisoning.

Moreover, the EU and its Member States agree with the amendments to the Resolution and see that the Draft Decisions proposed by the Secretariat include new reporting commitments for Parties.

We would like to highlight that the data suggested to be provided is not easily accessible at different scales and that the analysis of the cross-related impact could be complex. It would be useful to be more specific on which information is required exactly and for which purpose, so as not to overburden Parties with reporting exercises. If other Parties feel this is needed, we would suggest to include this new demand into the national reports that Parties already submit to CMS and to request the Scientific Council to provide advice on how to move forward with this information request.

Finally, the EU and its Member States agree with the amendments to the Resolution and with the Draft Decisions proposed by the Secretariat including the suggestions proposed by the Scientific Council.

## **Agenda item 28.4: Flyways**

### **Agenda item 28.4.1: Flyways**

The EU and its Member States agree with the proposal of continuation of the Flyways Working Group and its associated initiatives as shown in the new amended text of the Resolution 12.11, including the new additions suggested by the Scientific Council. We would also support the new Draft Decisions presented with some amendments that suggest the streamlining of the new monitoring and reporting needs to avoid overburdening Parties. This will contribute to improving implementation of the priorities included in the Programme of Work for Migratory Birds and Flyways 2014-2023.

We hope that during the next triennium the Flyways initiative will increase its activities and geographical coverage, since we believe it is a valuable initiative. Parties and other members of the CMS family have a key role for contributing financially and operationally to this purpose.

Finally, the EU and its Member States agree with the amendments to the Resolution and with the Draft Decisions proposed by the Secretariat including the suggestions proposed by the Scientific Council. We have some minor suggestions, which we will provide to the Secretariat in writing.

### **Agenda item 28.4.2: Initiative for the Central Asian Flyway**

The EU and its Member States acknowledge the work carried out by the Government of India and agree with the proposal of establishing an Initiative for the Central Asian Flyway (ICAF) and a Secretariat for the ICAF to enhance cooperation and synergies, increase scientific and technical expertise in the region and address the conservation priorities needed; we support the changes suggested by the Scientific Council, especially increasing cooperation and coordination between the Range States in the CAF region. We also support the Resolution, the suggestions proposed by the Scientific Council, which will contribute to providing resources for the implementation of the initiative and the update of the CAF Action Plan. Engagement of Parties and provision of financial and technical resources will be vital for the next intersessional period.

It is also acceptable for the EU and its Member States to adopt the Terms of Reference of the Initiative annexed to the Resolution.



We hope that during the next triennium an institutional framework and a Secretariat will be established for the Central Asian Flyway Initiative so that it can start implementation and international cooperation, for the benefit of the migratory birds of the Region.

Finally, the EU and its Member States agree with the amendments to the Resolution and with the Draft Decisions proposed, including the suggestions proposed by the Scientific Council.

We will provide our amendments to the Secretariat in writing.

### **Agenda item 28.5: Action Plans for birds**

#### **Agenda item 28.5.1: Action plans for birds**

The EU and its Member States acknowledge the long and efficient progress made by all the CMS family in proposing, preparing, adopting and developing International Single Species Action Plans. This is one of the most relevant activity lines that has enabled the increase of global coordinated efforts for improving the conservation status of several threatened migratory birds. Therefore, we would like to support the continuation of the technical work of the already approved action plans and the launch of new proposals for species in need of special attention.

From a European perspective, we would like to encourage the continuation of several action plans already adopted for species such as the White-headed Duck, the European Roller, the European Turtle Dove, the Great Bustard and the Cinereous Vulture, and welcome the launching of a new action plan for the Steppe Eagle.

We agree with the text suggested in the draft amended Resolution 12.12, including the additions suggested by the Scientific Council. We also support the new Draft Decisions presented.

Finally, we would like to add two paragraphs at the end of the draft amended resolution to underline the contribution of the species action plan to the KMGBF and to refer to the identification of the Steppe Eagle as a high priority species for an International Single Species Action Plan. The latter is also added to the draft decision. We will provide our amendments to the Secretariat in writing.

### **Agenda item 28.5.2: Action Plan for the Christmas Island Frigatebird**

The EU and its Member States acknowledge the Australian Government for the work made and the document submitted and the Government of the Philippines for co-sponsoring it, and support the adoption of the Single Species Action Plan for the Christmas Island Frigatebird as submitted, as well as the recommendations made by the Scientific Council. We welcome the joint adoption by the EAAFP and CMS since it offers an opportunity for collaborative conservation of this threatened species; It is time now to focus on the implementation of the Action Plan and take effective action.

For this purpose, engagement of the Range States is crucial during the next intersessional period 2024-2026 to achieve the objectives and goals foreseen in the Action Plan.

We have one minor suggestion that we will provide to the Secretariat in writing.

### **Agenda item 28.5.3: Action Plan for the Great Bustard in Asia**

The EU and its Member States acknowledge the work made by the Mongolian Government, the Eurasian Bustard Alliance and the Wildlife Science and Conservation Center of Mongolia and support the adoption of the Action Plan for the Great Bustard in Asia, in agreement with the recommendation for its adoption made by the Scientific Council. It is time now to promote the implementation of the Action Plan and take action for the protection of this species.

For this purpose, engagement of the Range States of its Asian populations for international cooperation is crucial for the next intersessional period, especially taking into account that the adoption of the Action Plan has been already postponed from COP13 to COP14.

We hope that during the next intersessional period 2024-2026 a great number of the actions and objectives proposed in the Action Plan can finally be executed for the benefit of this magnificent and vulnerable bird species, with populations in various EU countries as well. The Signatories of the Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (*Otis tarda*) are aware of the need for cross-border initiatives and concerted actions for the benefit of the species, and can share experiences and guidelines for the implementation of the Action Plan within the framework of the MOU.

### **Agenda item 28.6: African-Eurasian Vultures**

The EU and its Member States welcome the report prepared by the Secretariat. It includes useful information about the work accomplished by the Parties and, especially, by the Vulture MultiSpecies Action Plan Coordination Team operating under the Raptors MOU and the organizations involved in it.

We acknowledge the efforts and progress made towards improving the status of vulture species, one of the most threatened groups of migratory species. We are optimistic after seeing the involvement and results of the projects combating illegal taking and killing of vultures in Europe, or the banning of toxic anti-inflammatory drugs in Asia, but we all need to increase the intensity and range/coverage of conservation actions in these and in other regions, to eliminate crucial threats like intentional and unintentional poisoning, belief-based use and trade or habitat loss. For the next intersessional period, we also would like to call for international cooperation for strengthening the capacity and the operational activities specifically in the African region to reverse the dramatic population trends of most vulture species.

The EU and its Member States would like to express their support to the amended Resolution 12.10 and to the draft Decisions presented.

### **Agenda item 28.7: Saker Falcon Global Action Plan**

The EU and its Member States acknowledge the long and efficient progress made by all the CMS family in proposing, preparing, adopting and developing the Saker Falcon Global Action Plan. This is one of the most relevant activity lines that has enabled the increase of global coordinated efforts for improving the conservation status of the Saker Falcon. Therefore, we would like to support the continuation of the work of the SakerGAP and the launch of new proposals for the species' needs that require special attention.

From a European perspective we would like to encourage the continuation of several actions taken in Saker Falcon's conservation such as the Flagship Projects, reintroduction programmes and LIFE projects. Many of these activities are carried out in various European countries.

We want to acknowledge the work made by the Saker Falcon Task Force and all the CMS family involved in the SakerGAP, as well as the work made and the support given by the International Association for Falconry and Conservation of Birds of Prey and the Mohamed bin Zayed Raptor Conservation Fund. Moreover, we encourage these organisations, and other stakeholders to keep on helping and working in favour of this important Action Plan.

Finally, we agree with the text suggested in the draft amended Resolution 11.18 with one minor amendment and we also support the new Draft Decisions presented. Encouraging Parties to continue support, also with technical and financial resources, to ensure the effective delivery of the SakerGAP, to target key areas to reduce the impacts of taking and electrocution on the species and to finalize and test the Adaptive Management Framework.

We will provide you our amendment in writing.

## **Agenda item 29: Terrestrial species conservation issues**

### **Agenda item 29.1: Joint CITES-CMS African Carnivores Initiative**

The EU and its Member States thank the Secretariat and the Scientific Council for the preparation of the document. We are aware of the great challenge that the conservation of big carnivores brings, such as human wildlife conflict, illegal killing and habitat fragmentation.

We congratulate the range states of the four species for their cooperation to tackle the difficulties and for their efforts for the implementation of the African Carnivores Initiative (ACI).

The EU and its Member States welcome the comprehensive ACI Programme of Work and commend ACI Members on their efforts in implementing it, including urgent actions which are necessary to address the dire situation of the North-East African Cheetah (*Acinonyx jubatus soemmeringii*). We welcome the fruitful cooperation of the CITES and CMS Secretariats and perceive this initiative as a good model for pragmatic and effective cooperation between Multilateral Environmental Agreements.

## **Agenda item 29.2: Sahelo Saharan megafauna**

### **Agenda item 29.2.1: Sahelo Saharan Megafauna Concerted Action**

The EU and its Member States support the establishment of a Sahelo-Saharan Megafauna Initiative (SSMFI), also expanding the Concerted Action work to the Danakil and adjoining desert and semidesert, adding the African Wild Ass (*Equus africanus*) to the Initiative, as well as Soemmerring's Gazelle (*Nanger soemmerringii*) should it be listed on CMS; and thus closing the Concerted Action as completed. As long as the Secretariat, as stated in Activity 5 of the presented document, will take an important role providing technical support to the Sahelo-Saharan Megafauna Range States for the execution of the Action Plan, the conservation and cooperation actions in this region can continue.

We want to acknowledge the Secretariat, the Co-Chairs of the IUCN Species Survival Commission (SSC) Antelope Specialist Group (ASG) and the National Agency of Waters and Forests of Morocco for the work made. We would also like to encourage these mentioned organisations and other ones that also support this Initiative, to keep on helping and working in favour of these important conservation and cooperation actions.

We would also like to encourage Parties that have not yet done so to make an effort to provide the required funding for these ongoing actions over time.

And we hope that the SSMFI will be approved and established as mentioned, since we believe it is a valuable initiative.

### **Agenda item 29.2.2: Sahelo Saharan Megafauna Initiative**

The EU and its Member States consider the efforts made so far over the Sahelo-Saharan Megafauna as one of the most relevant fauna actions under the CMS and one of the most longstanding.

We acknowledge the work made by the Government of Morocco and support the establishment of a Sahelo-Saharan Megafauna Initiative (SSMFI).

Moreover, the EU and its Member States support the adoption of the Action Plan for Sahelo-Saharan Megafauna announced in the Resolution and Annexed to the document, to frame and develop the actions and measures to be undertaken for the Sahelo-Saharan Megafauna Initiative species, aligned with strategies already developed for other species, which clearly reflects the actions and measures required for the conservation of the Sahelo-Saharan megafauna species.

Engagement and leadership from the Secretariat, as well as human and material resources will be vital. The EU and its Member States consider that a systematic lack of predictable and adequate funding has prevented the full fledging of this Initiative over the years, and in this respect, we request the Secretariat to renew all possible efforts and explore funding sources to solve this systemic lack of funding for this valuable initiative.

We believe the Sahelo-Saharan Megafauna Initiative to be a valued one and hope that it will address many of its marked objectives and develop many of the proposed activities.

### **Agenda item 29.3: Central Asian Mammals Initiative**

The EU and its Member States support the continuation of the Central Asian Mammals Initiative (CAMI) and the new changes suggested by the Scientific Council. We also support the Draft Decisions proposed and the suggestions made by the Scientific Council, specifically adding requests for the Scientific Council to take action.

We want to acknowledge the work made by the Secretariat and all the CMS family involved in the CAMI, as well as the financial, technical, logistical and political support given by the Caucasus Nature Fund, the UNEP office in Vienna, the Government of Switzerland, UNDP Kazakhstan, the Forestry and Wildlife Committee of Kazakhstan, the Association for the Conservation of Biodiversity of Kazakhstan, the Government of the UK, WWF Russia and others. We encourage these organizations and others that had also contributed, to keep on helping and working in favour of this Initiative.

However, some key activities of the Programme of Work (POW) covering the entire Central Asian Mammals Initiative region and additional CAMI species, for which the Secretariat was responsible, were not implemented due to the lack of time and funding. Therefore, engagement of Parties and provision of financial and technical resources will be vital for the next intersessional period.

We hope that during the next triennium the CAMI Range States and the CMS Secretariat will develop the important strategy needed for the policy guidance and technical tools created under the CAMI framework to enhance implementation by the relevant actors of the region, and that Range States could pay more attention and work at the Persian Leopard Range-Wide Strategy, for the benefit of this species and the other mammals of the CAMI region.

#### **Agenda item 29.4: African Elephant**

##### **Agenda item 29.4.1: African Elephant Action Plan**

The EU and its Member States thank Cameroon and Zimbabwe for drafting this document and congratulate all the African Elephant Range States on their involvement in establishing this revised and updated Action Plan for the conservation of this species. The EU and its Member States support the African Elephant Action Plan (2023) and underline its significance in the joint conservation of this species.

We support the Scientific Committee's amendments to the draft resolution on the topic of funding. In conclusion, we invite parties to consider contributing to the African Elephant Fund to help implement this updated African Elephant Action Plan and further the conservation of this species.

##### **Agenda item 29.4.2: West African Elephant MOU**

The EU and its Member States congratulate range states for amending the Memorandum of Understanding and thereby achieving alignment with the amended African Elephant Action Plan. We thank the Secretariat for having assisted range states in this process and for continuing to support the implementation of the Memorandum of Understanding and the African Elephant Action Plan, as mandated by CMS Resolution 12.9, including through fundraising. We support the deletion of Decisions 13.99 and 13.100.

#### **Agenda item 29.5: African Wild Ass**

The EU and its Member States support the Road Map for the Conservation of the African Wild Ass. The adoption of the presented document will extend the research and strengthen conservation activities.

For this purpose, cooperation of not only the Range States where the presence of the species is confirmed but also of the Range States where there is probable species distribution is crucial during the next intersessional period.

We want to acknowledge the Secretariat for the work carried out regarding this Road Map and encouraging all organizations that had contributed to keep on helping and working in favour of this important scientific and conservation actions.

We hope that during 2024-2026 the needed genetic analyses and collection of samples for DNA analysis can be achieved.

### **Agenda item 29.6: Jaguar**

#### **Agenda item 29.6.1: Conservation Measures**

The EU and its Member States commend and thank the Secretariat for having supported the Range States in this endeavour since the last COP in a way that has already prepared the ground for the activities to come. We strongly welcome the initiative by the Range States to follow up and give meaning to the listing of this iconic species. We fully support the proposed decisions outlining a process designed to achieve meaningful, coherent and integrated conservation measures.

Current species range, compared to its historical range, is severely fragmented and continues to decline. There is still a need for international cooperation and coordination support, better protection of subpopulations with transboundary corridors, and prioritizing corridor management to avoid extinction of more isolated populations. Consequently, we need better scientific knowledge of Jaguar populations in the regions concerned, for instance, to better understand population movement patterns and to find out if there are population exchanges between Range States concerned.

We hope that during 2024-2026 the needed Range State meeting will be organised, specific conservation measures to implement and a specific format to cooperate will be decided by Range State Parties, and conservation measures will be launched.

#### **Agenda item 29.6.2: Initiative for the Jaguar**

The EU and its Member States congratulate the Range States for following up on the listing of the Jaguar at the last COP and for bringing this proposal to this COP. We fully support the intention of this proposal.



In order to be successful, cooperation of not only the Range States but also additional implementation partners is needed. The exemplary cooperation between the Range States as well as the CMS and CITES Secretariats in this process gives us hope that the Initiative will indeed make a difference for the conservation of this iconic species. We particularly welcome the idea that the CMS Jaguar Initiative is envisaged to be later transformed into a Joint CITES-CMS Jaguar Initiative.

Cooperation between various MEAs with complementary mandates is of utmost importance for addressing conservation of species with multiple threats that cut across the different mandates, as is the case for Jaguar.

We have some suggestions for streamlining and clarifying some paragraphs of the draft resolution and the draft decisions. We support the suggestions from the Scientific Council to include “partners” before “non-governmental organisations” in the original op. 3. But for the draft joint Programme of Work that the Secretariat shall prepare (Decision 14. FF), we suggest it to be a Joint CITES-CMS Programme of Work for the conservation of the Jaguar. In this regard, we welcome Decision SC77 Doc. 43 of the CITES Standing Committee on the development of a joint working programme for Jaguar conservation.

We would also like to highlight that there is still a lack of knowledge existing regarding this species. We propose an emphasis on making efforts on better knowledge on the movement patterns of individuals. We will provide our suggestions to the Secretariat in writing.

Finally, we hope that during 2024-2026 the needed draft Programme of Work for the Jaguar will be prepared and consequently implemented.

### **Agenda item 29.7: Pastoralism**

The EU and its Member States thank the Secretariat for the preparation of the document and encourage Parties to submit to the Secretariat information on national measures for rangeland management and pastoralism, as well as share information on challenges, lessons learned and needs for further capacity development.

We encourage parties to take measures to reduce the impact of pastoralism in migratory species habitats, while working on solutions to ameliorate the livelihoods of pastoral communities, in a way that those communities may enhance their economies without unsustainable use of the habitats.

We agree to the comments and the proposed changes to 14 BB b) requesting the Scientific Council to “provide recommendations to support Parties in addressing the impact of pastoralism on CMS-listed species and in realizing the potential benefits to ecosystem health and resilience associated with the holistic management of rangeland and migratory species including soil restoration and climate change adaptation and mitigation.” We also agree with the proposed change to 14 CC f). With these changes, the EU and its Member States can agree and support the draft decisions. We have provided our suggestions to the Secretariat in writing.

### **Agenda item 30: Crosscutting conservation issues**

#### **Agenda item 30.1: Intentional take**

##### **Agenda item 30.1.1: Priorities for addressing illegal and unsustainable taking of migratory species**

The EU and its Member States thank the Secretariat for the document and proposed amendments. The EU and its Member States acknowledge the complex challenges analysed in the document and support the path taken by Secretariat on this issue. The EU and its Member States support the revised resolution 11.31 and the proposed decision with minor amendments.

As the Agreement on Biodiversity Beyond National Jurisdiction (BBNJ) is equally important for marine migratory species as the Kunming-Montreal Agreement, the resolution and the draft decision should be amended accordingly. In addition, the amended draft resolution should focus on migratory species as within the scope of the CMS.

For marine migratory species, the EU and its Member States would like to recall that at international level, the fight against illegal, unregulated and unreported fishing is a priority of fisheries and fisheries-related bodies, is subject of legally binding treaties such as the Port State Measures Agreement and is an important part of the mandate of regional fisheries management organisations. We also suggest mentioning ‘migration range’ rather than ‘flyway’ so as to include marine species when appropriate. We will provide our suggestions to the Secretariat in writing.

### **Agenda item 30.1.2: Aquatic Wild Meat**

The EU and its Member States support the continuation of the work of the Aquatic Wild Meat Working Group. We also support the draft Resolution including an Action Plan to Address Aquatic Wild Meat Harvests in West Africa to make tangible progress towards the sustainable management of aquatic wild meat harvesting across West Africa and to secure the conservation status of all impacted CMS-listed species.

The EU and its Member States also agree with the draft Decisions presented which will contribute to improve implementation of the priorities included in the Programme of Work for Aquatic Wild Meat Working Group.

We hope that during the coming triennium the Aquatic Wild Meat Working programme will carry out the task proposed from the Frontier article and increase its activities in better networking, bring the issues of aquatic wild meat to the attention of the food security dialogues, and facilitate consideration of the AWM harvest of appendix II-listed shark species, seabirds, crocodylians and freshwater chelonians. In addition, the EU and Member States would like to bring in some new recommendations for research, such as; the improvement of food security and safety of aquatic wild meat use and an analysis of the extent of discard cases and their impact on the availability of aquatic wild meat.

We recognise the collective effort made by the CMS family on this topic and acknowledge the key role of Parties and other members of the CMS family for providing technical support and capacity building to this purpose.

We have some minor amendments that we will provide to the Secretariat in writing.

### **Agenda item 30.1.3: Terrestrial and Avian Wild Meat**

The EU and its Member States thanks the Secretariat for these initiatives and the Swiss government for the financial support to the elaboration of the assessments-

We wish to thank the Secretariat for the work done and take note of the Executive Summary in the Annex of this document. We adopt the draft Decisions in Annex 2 of Document UNEP/CMS/COP14/Doc.30.1.1 and we agree in deleting Decisions 13.109 to 13.112.

We furthermore welcome the report “Impacts of Taking, Trade and Consumption of Terrestrial Migratory Species for Wild Meat”. We find it important to include follow-up work based on the recommendations of the report in the resolution and decisions under agenda item 30.1.1., including a mandate for the secretariat to finalize the report on avian wild meat, as necessary.

We will provide this in writing to the Secretariat.

Finally, the EU and its Member States encourage Parties, non-Parties and stakeholders to increase national efforts on population estimates, management and monitoring of wildlife species, and develop and implement science-based management plans for CMS-listed species subject to unsustainable or illegal taking.

## **Agenda item 30.2: Conservation planning and management**

### **Agenda item 30.2.1: Ecological Connectivity**

#### **Agenda item 30.2.1.1: Ecological connectivity - Policy aspects**

The EU and its Member States thank the Secretariat for the preparation of the document. The EU and its Member States acknowledge the different circumstances and challenges of countries to build a coherent network of protected areas and moreover to coordinate with neighbouring countries in finding solutions.

Nevertheless, the EU and its Member States call upon all Parties to find solutions in order to improve ecological connectivity, and to cooperate among different parties to implement the political and administrative measures that may lead to a healthy ecologically connected system which supports more biodiversity and increased resilience to face global change, including climate change.

The EU and its Member States support the consolidation of Resolution 12.26 (Rev.COP13), Resolution 12.7 (Rev.COP13), and the adoption of new Decisions presented in this document with some amendments. In particular, the EU and its Member States suggest to include in the Draft Resolution the words ‘habitats connection without hindrance’ to cover ecological connectivity, as not only species would benefit from it and the habitats also need this connectivity;

We will provide this in writing to the Secretariat.

### **Agenda item 30.2.1.2: Ecological Connectivity – Technical Aspects**

The EU and its Member States thank the Secretariat for this document. As part of the EU's nature policy, we are in the process of improving connectivity in the EU.

Research and solutions to connectivity problems in European territory are key to maintain and recover biodiversity and ecosystem services. Recovering and maintenance of ecosystems connectivity also address the challenges of Climate Change as well as of development such as (urbanisation, roll out of linear infrastructures, and biodiversity over use).

The EU and its Member States will study the reports included in the Annexes and support the efforts of the Secretariat and Scientific Council and the additional work needed to tackle those matters, in particular on the identification of main threats to migration ways and the priority areas for the ecological connectivity of the species concerned.

### **Agenda item 30.2.2: Transfrontier Conservation Areas**

The EU and its Member States thank the Secretariat for its efforts to support transboundary conservation areas in Africa and encourages the Parties and the secretariat to continue working in this way and to expand (when possible) this approach to other countries around the world. We congratulate the Secretariat for the creation of the online tool "Identifying opportunities for transboundary conservation". We fully support the initiative and hope that at the 15th CoP the Secretariat will be able to report good progress in the implementation of this decision.

### **Agenda item 30.2.3: Community participation and livelihoods**

The EU and its Member States thank the Secretariat for the preparation of the document and agree in adopting the resolution presented in Annex 1 and the decision presented in Annex 2 and delete decisions 13.119 – 13.121.

The EU and its Member States accept to include the insertion proposed by ScC-SC: "and dispersal zones" after "valuable corridors".

The EU and its Member States welcome the suggestion by UK that communities should be understood as encompassing all kinds of communities, including Indigenous Peoples and local communities. Furthermore, in that case, there is no need to specify ‘local’ communities separately and we have some amendments to reflect that in the text which we will provide to you in writing.

### **Agenda item 30.3: Infrastructure**

#### **Agenda item 30.3.1: Infrastructure Development and Impact Assessment**

The EU and its Member States welcome the document 30.3.1 and the proposed amendments to resolution 7.2. and support the amended text proposed by the Scientific Council and the Secretariat.

The EU and its Member States also welcome and support the draft decisions laid down in this document and encourage Parties to observe and fulfil the requests made in this chapter, including those related to the Impact Assessment and Migratory Species.

The EU and its Member States request Parties to take into account ecological connectivity and ecological restoration when planning new linear infrastructure and encourage Parties to ensure involvement of relevant businesses and public authorities, in order to embed biodiversity conservation into the public and private decision-making.

We furthermore have some amendments to restructure the draft Decisions, without affecting the content.

We will provide our amendments in writing to the Secretariat.

#### **Agenda item 30.3.2: Renewable energy and powerlines**

The EU and its Member States appreciate the information provided by the Secretariat and would like to thank the Energy Task Force for the growing activity and their useful outputs during the last intersessional period.

The development of new renewable energy infrastructure is essential in the face of climate change and the need to ensure a better environment and a more sustainable future for humankind. But, at the same time, these developments pose an increasing threat to migratory species if the location of these infrastructures negatively affects migratory corridors and sensitive habitats for reproduction, feeding, resting, and wintering. Most of the Parties, and by extent their environmental authorities, are facing nowadays important challenges for performing high quality Environmental Impact Assessments and biodiversity inclusive spatial planning to ensure the conservation of biodiversity. We encourage Parties to engage with the Energy Task Force to learn and to improve the way we could manage and reconcile renewable energy development and migratory species protection.

The EU and its Member States express their support for the Draft Decision proposed by the Secretariat including the amendments proposed by the Scientific Council. We have some minor amendments and would furthermore like to strengthen the text with some requests to the Parties and the Energy Task force to encourage and enable the energy sector to take action in order to progressively reduce negative impacts on biodiversity, increase positive impacts, and promote actions to ensure sustainable patterns of production.

We will provide you with our amendments in writing.

#### **Agenda item 30.4: Threats**

##### **Agenda item 30.4.1: Climate change**

The EU and its Member States thank the CMS Secretariat for this programme of work and in particular welcome the review process which has provided a range of documents to provide solutions and actions to Parties to address climate change and its impact on migratory species.

The EU and its Member States have taken this interaction into consideration from the beginning, mainstreaming climate in our internal EU legislation on the protection of migratory species, such as the Birds and Habitats Directives that underpin our Natura 2000 network. We are convinced it is necessary to ramp up this work at the international level, since climate knows no frontiers, and by definition neither do migratory routes.

For that reason, the EU and its Member States propose to strengthen the language in the documents for consideration by the Conference of the Parties. In particular, we would like to see more ambition on three particular concepts.

Firstly, nature-based solutions are one of the most important tools to address climate change and biodiversity loss jointly. These are part of the key messages out of the review process but are not adequately referenced in the proposed text.

Secondly, in order to jointly address both global threats in a successful manner it is imperative to make the most of potential synergies with the work done under other conventions, such as UNFCCC and CBD, but also under other bodies such as the IPCC and IPBES.

Finally, we also find it important that the issue of climate change is taken into account in national strategies and plans for the conservation of migratory species and their migratory routes.

We will provide our comments in writing to the Secretariat.

#### **Agenda item 30.4.2: Insect decline and its threats to migratory insectivorous animal populations**

The EU and its Member States fully agrees that insect decline represents one of the threats that contribute to population decline of many CMS-listed migratory insectivorous species. In addition to the impact on ecosystem functioning and on critical ecosystem services, such as pollination, the global insect decline affects migratory insectivorous species by reducing the availability of food during migration and at other stages of their lifecycles. We acknowledge that land-use changes, climate change, pesticide use, and pollution are the main drivers of insect decline worldwide; these drivers are often intertwined and may act simultaneously.

We also recognize that there are gaps in the understanding of the impacts of insect decline on migratory insectivorous species, and that there is a need to intensify insect monitoring and exchange of data. All the aforementioned aspects are part of the EU's 'New Deal for Pollinators', a comprehensive action plan to address the decline of pollinating insects in the EU that we will be happy to share with CMS Parties.

The EU and its Member States therefore support the draft decision including further work on this issue from the Scientific council so as to provide recommendations to COP15.



### **Agenda item 30.4.3: Wildlife Disease**

The EU and its Member States thank the Secretariat for the preparation of this very comprehensive document on wildlife disease. We acknowledge the complex challenges posed by wildlife disease for migratory species that are presented in this document, not least when exacerbated by climate change, as we are observing in 2023 and 2024 with an extreme El Nino phenomenon.

We concur that a preventive One Health approach is needed and should be prioritised to prevent, in a collaborative and transdisciplinary way, the (re)emergence of zoonotic pathogens that migratory species can harbour.

We support the amendments to Resolution 12.6 as well as the proposed new Resolution and decisions because of the importance to minimize infectious disease risks to wildlife, while highlighting the continuous risks of Avian Influenza for wild bird populations, poultry and human health.

We have some minor amendments to reflect this and to stress the urgency of engaging with the WHO before its next Assembly in May this year. We will provide these in writing to the secretariat.

### **Agenda item 30.4.4: Light pollution**

The EU and its Member States welcome the work done by the Secretariat and the COP-appointed councillor on Marine Pollution, in disseminating and updating the CMS Light Pollution Guidelines, through a thorough consultation process within the Sessional Committee, that has allowed the production of a more complete version of the mentioned Guidelines.

The EU and its Member States agree with the proposed amendments to Resolution 13.5 and support the adoption of the new CMS Light Pollution Guidelines. Indeed, these guidelines are an important step forward in addressing this increasing threat to migratory species. The EU and its Member States have a minor amendment that we will provide to the Secretariat in writing.

### **Agenda item 30.4.5: Plastic Pollution**

The EU and its Member States recognise the importance of being aware of plastic pollution having serious negative effects on the environment and human health and that plastic pollution is a very important issue for migratory species and ecosystems and can result in, among others, the poisoning and entanglement of species as well as in the degradation of the habitats they depend on.

The EU and its Member States support adoption of the draft resolution and decisions presented and the revisions proposed by the Scientific Council, including some minor amendments.

The EU and its Member States highlight that the initial focus was for many years on marine debris, but we would like to underline that this agenda item is about the impacts of plastic pollution on aquatic, terrestrial and avian species.

In addition, we would highlight the importance of developing, in collaboration with other organisations such as FAO or NGOs, a harmonised standard and guidance relating to the circular design of fishing gear in order to prepare for its re-use, repair or recycling, in line with the current EU work under the standardization bodies to develop such standard.

Having said that, we would like to acknowledge the comment made by the ScC that the resources to develop a report on the impact of plastic pollution, are overstretched and suggest to combine the efforts with draft Decision 14.BB (a) from the document under AI 27.2.1.

Finally, we recognise the collective effort made by the CMS family on this topic and recognise the key role of Parties and other members of the CMS family for providing technical and capacity building to this purpose.

We will provide our suggestions in writing to the Secretariat.

### **Agenda item 30.5: Conservation implications of animal culture and social complexity**

The EU and its Member States take note of the work done by the Expert Group on Animal Culture and Social Complexity and the Secretariat to address tasks mentioned in Decision 13.103 and the recommendations laid down in Annex 1 of the doc. 30.5. Rev1.

The EU and its Member States welcome draft Decisions laid down in Annex 2 of this document but would ask the Secretariat to clarify paragraph 14.CC a) i., as to its purpose as well as how the mentioned activities can provide advice on phylogenetic inference. Furthermore, we have a proposed amendment in paragraph 14.CC b) ii. to better reflect the recommendation of the Permanent Forum to disconnect the term “local communities” from the term Indigenous Peoples.

The EU and its Member States encourage stakeholders, including the Secretariat, to organise appropriate activities to facilitate Parties to address the recommendations and draft decisions laid down in this document as well as to cover the detected knowledge gaps.

We will provide our suggestions in writing to the Secretariat.

### **Agenda item 30.6: Tourism**

The EU and its Member States thank the United Kingdom of Great Britain and Northern Ireland for their work in preparing Document 30.6/Rev.1, as well as the Secretariat for its ongoing work on bringing together ecotourism and migratory species in a peaceful and respectful manner.

The EU and its Member States remain committed to fostering ecotourism and better aligning it with our collective commitments and targets for biodiversity conservation, restoration and sustainable use. In particular, the EU and its Member States support strong, bold actions that take into account migratory species, their routes and other needs, when designing, implementing and revising national tourism plans and other initiatives.

In broad terms, the EU and its Member States support the proposed Annex to Resolution 12.23, as it provides up-to-date guidelines and measures for Parties and other stakeholders, including IPLCs, to make ecotourism more nature-oriented and to comprehensively account for migratory species.

Similarly, the EU and its Member States would like to propose some minor adjustments to the text in three aspects. First of all, strengthening the language of the Annex to reflect the urgency of the actions needed. Second, to better reflect the plurality of actors that are involved in the design, implementation and revision of national tourism action plans, strategies, guidelines and protocols. Third, to connect this economic activity and its considerations regarding migratory species with other challenges that affect biodiversity loss. We will provide our suggestions in writing to the Secretariat.

## **Agenda item 31: Amendment of CMS Appendices**

### **Agenda item 31.1: Taxonomy and nomenclature**

The EU and its Member States take note of the work done by the Scientific Council in reviewing the taxonomy and nomenclature of bird and fish taxa following the updates published in the reference literature considered in Resolution 12.27. Therefore, we support the changes proposed in the names of the bird and fish taxa as recommended in the main document.

In relation to marine mammals, the proposal for adopting a new taxonomic reference (replacing Perring et al., 2009 for [www.marinemammalscience.org](http://www.marinemammalscience.org)) is also acceptable according to the rationale and criteria proposed by the Scientific Council. The exercise made in Table 2 to make coherent the nomenclature of several species/subspecies among different international agreements (CMS, CITES) and IUCN is also acknowledged so the proposal for using the new taxonomic reference (SMM) is appropriate.

The EU and its Member States also support the approach given by the SC to the proposal of using the Catalogue of Life as taxonomic and nomenclatural source. The accuracy and applicability of this important global tool should be reviewed in a thorough way before its potential adoption as CMS official reference. The work that the SC and other MEAs bodies could undertake to investigate this is important and acknowledged in advance.

### **Agenda item 31.2: Disaggregation of avian families and genera listed on Appendix II**

The EU and its Member States acknowledge the work done by the Intersessional Working Group of the Scientific Council in assessing the situation of the taxa belonging to aggregated families and genera included in Appendix II and providing a list of species belonging to those families and genera with a significant proportion of individuals fulfilling the criteria to be considered as migratory and with an unfavourable conservation status. This exercise is quite helpful for Parties to consider the further implementation of conservation actions.

We would like to express our support to the recommendation made by the Scientific Council in relation to the different alternatives evaluated to treat species listed in aggregated families and genera under Appendix II. We are also of the opinion that the best approach is to retain in Appendix II all species of the families which allow the implementation of any future need without formally amending the Appendices. It is very useful to know which are the migratory species with an unfavourable conservation status so that Parties can prioritise their work.

In conclusion, the EU and its Member States recognize the relevant work made by the Scientific Council and support the draft Resolution and Decision.

### **Agenda item 31.3: Potential Avian Taxa for Listing**

The EU and its Member States take note of the work done by the Scientific Council in preparing a List of avian species that meet CMS movement criteria and have an unfavourable conservation status, that are not included within aggregated families and are not currently included individually in either Appendix I or Appendix II of CMS. This is a useful exercise to assist Parties in the identification of potential species to be listed and help in the evaluation of listing proposals submitted to COP. It can also guide the CMS avian family to prioritize and focus on the bird species which are in more urgent need of collaborative action.

We agree with the idea that a similar exercise is undertaken by the Scientific Council for other migratory taxa. The EU and its Member States can support the adoption of the Resolution and Decisions proposed but have one change in the first operational paragraph where we want to replace ‘Endorses’ by ‘Take note of’.

We will provide our suggestion in writing to the Secretariat.

### **Agenda item 31.4: Proposals for amendment of Appendices I and II of the Convention**

#### **Agenda Item 31.4.1: Proposal for the inclusion of the Eurasian Lynx (*Lynx lynx*) in Appendix II and Balkan Lynx (*Lynx lynx balcanicus*) in Appendix I of the Convention**

The EU and its Member States would like to thank the Governments of North Macedonia as proponent, and Uzbekistan, Bosnia and Herzegovina and Albania as co-proponents, for submitting this proposal.

We support the inclusion of the Eurasian Lynx in Appendix II of the Convention, and of the Balkan Lynx in Appendix I as this subspecies is facing a serious extinction risk nowadays.

The conservation status of the Eurasian Lynx (*Lynx lynx*) as a whole would benefit from international cooperation. Given that several Eurasian Lynx populations are isolated and fragmented, international cooperation under CMS could result in improving habitats and connectivity for this species. Increased connectivity would also help address inbreeding problems for those populations.

The EU and its Member States support using Kitchener et al. (2017) as the taxonomic reference for the Eurasian Lynx and its subspecies.

**Agenda item 31.4.2: Proposal for the inclusion of the Pallas's Cat (*Felis manul*) in Appendix II of the Convention**

The EU and its Member States would like to thank the Government of Kazakhstan for submitting this proposal.

The EU and its Member States support the inclusion of Pallas's Cat in Appendix II of the Convention.

We also think that inclusion of Pallas's Cat in CMS Appendix II will help international cooperation and coordination, better protection of subpopulations and the habitats they depend upon, ensuring the necessary connectivity for a species that needs large home ranges, in order to avoid the overall decline and extinction of more isolated populations.

**Agenda item 31.4.3: Proposal for the inclusion of the Guanaco (*Lama guanicoe*) in Appendix II of the Convention**

The EU and its Member States would like to thank the Governments of Bolivia, Chile, Paraguay and Peru for submitting this proposal.

The available information allows concluding that the species requires coordinated action of the range countries to ensure its appropriate management, including the safeguarding of the connectivity and conservation of isolated populations. For these reasons, the EU and its Member States support the inclusion of this species in Appendix II of the Convention.

**Agenda item 31.4.4: Proposal for the inclusion of Lahille's Bottlenose Dolphin  
(*Tursiops truncatus gephyreus*) in Appendix I and II of the Convention**

The EU and its Member States would like to thank the Governments of Argentina, Brazil and Uruguay for submitting this proposal.

The EU and its Member States consider that the existing data provide evidence of the migratory nature of the population between Uruguay and Brazil. In the case of the population in Argentina, further research will be necessary to overcome the existing uncertainties in this regard.

The EU and its Member States also consider that the inclusion of this sub-species in Appendices I and II of the CMS will foster collaboration between the three proponent countries. Furthermore, it will enhance national and regional management of this endangered sub-species to tackle its main threats, namely contamination, bycatch, habitat degradation and overfishing.

For these reasons, the EU and its Member States support the inclusion of the Lahille's bottlenose dolphin in Appendices I and II of the Convention.

**Agenda item 31.4.5: Proposal for the inclusion of the Baltic Proper population of  
the Harbour Porpoise (*Phocoena phocoena*) in Appendix I of the Convention**

The Baltic Proper population of the Harbour Porpoise has long been of conservation concern, with marked declines noted over the last century. Currently it is considered as Critically Endangered, with some 500 individuals according to the only abundance estimate available, of 2011-2013. Main threats relate to unusually high bycatch rates (specially in static gear such as gillnets) and environmental contaminants. Also, underwater noise may potentially cause displacement and behavioural impacts.

Regular transboundary movements by individuals have been recorded across Swedish-Polish waters, but there is evidence that it spans the waters of at least nine countries. Individual actions by each of the countries within the distribution range of the Baltic Proper population of the Harbour Porpoise have proven insufficient to improve its conservation status. In this sense, the EU and its Member States expect that its inclusion in Appendix I of the CMS will provide the basis for more effective collaborative action for the conservation of this population by all Range States bordering the Baltic Proper and, for this reason, have submitted and support this proposal.

**Agenda item 31.4.6: Proposal for the inclusion of the Peruvian Pelican  
(*Pelecanus thagus*) in Appendix I and II of the Convention**

The EU and its Member States would like to thank the Governments of Chile, Ecuador, Panama and Peru for this proposal.

The EU and its Member States can support the inclusion of the Peruvian Pelican in Appendices I and II of CMS.

This is a threatened species whose population has plummeted in a few decades. It is currently facing several serious threats, such as competition with fisheries, bycatch, overexploitation of guano, and the effects of natural events such as El Niño and of avian flu. The ongoing highly pathogenic Avian Influenza (HPAI) A (H5N1) has affected hundreds of thousands of wild birds around the world, and has reduced pelican populations by alarming numbers. The 2023 and 2024 El Niño, which appears to be an extreme one, is resulting in severe weather disruption and higher sea temperatures, and, judging by past impacts, is likely to have a major negative effect on the Peruvian Pelican.

Therefore, we think that the inclusion of the species in Appendices I and II will help to strengthen much needed international cooperation in conservation activities over it.

**Agenda item 31.4.7: Proposal for the inclusion of the Magellanic Plover  
(*Pluvianellus socialis*) in Appendix I of the Convention**

The EU and its Member States would like to thank the Governments of Chile and Argentina for submitting this joint proposal.

The EU and its Member States support the inclusion of the Magellanic Plover in Appendix I of the Convention.

If the latest census carried out between 2022 and 2023 got it right, and the population has declined to no more than 500 individuals, there is reason for concern. Also, because this small population is facing a variety of direct and indirect anthropogenic threats, including degradation of its breeding and wintering habitats. As the Scientific Council noted, BirdLife International has recommended developing a proposal to up-list the species to ‘Vulnerable’.

Therefore, inclusion in Appendix I will help to strengthen binational collaboration between the range states, Chile and Argentina, new conservation measures for this species and its habitat.



**Agenda item 31.4.8: Proposal for the inclusion of the Southern African population of the Bearded Vulture (*Gypaetus barbatus meridionalis*) in Appendix I of the Convention**

The EU and its Member States would like to thank the Government of South Africa for submitting this proposal.

The EU and its Member States support the inclusion of the Southern African population of the Bearded Vulture on Appendix I of the Convention. This population is small (fewer than 400 individuals), declining, and may soon be facing extinction. The species is facing many threats, including deliberate and unintentional poisoning, hunting and collision with power lines, habitat loss and degradation. This is compounded by genetic isolation. Therefore, we think that the Southern African population of the Bearded Vulture would benefit from its inclusion in Appendix I.

**Agenda Item 31.4.9: Proposal for the inclusion of the Sand Tiger Shark (*Carcharias taurus*) in Appendix I and II of the Convention**

The EU and its Member States would like to thank the Governments of Brazil and Panama for submitting this proposal.

The Sand Tiger Shark (*Carcharias taurus*) is already protected under EU law via Appendix II listing of the Barcelona convention, but according to the available information, it is clear that this species requires the adoption of additional measures for its strict protection, and that collaborative action at international level is essential to ensure the implementation of protective actions throughout its range. Following the Precautionary Principle, the EU and its Member States therefore support the inclusion of all the populations of this species in Appendices I and II of the Convention.

**Agenda Item 31.4.10: Proposal for the inclusion of the Blackchin Guitarfish (*Glaucostegus cemiculus*) in Appendix II and the Mediterranean Sea population of this species in Appendix I of the Convention**

The EU and its Member States would like to thank the Government of Israel for submitting this proposal.

In the Mediterranean, the Blackchin Guitarfish is listed under Annex II of Barcelona Convention, establishing restrictions upon members of the GFCM, including the EU. Under the EU legislation (Technical Measures Regulation), all guitarfishes (*Rhinobatidae*) are listed as prohibited species.

Therefore, the EU and its Member States support the inclusion of the Mediterranean Sea population of Blackchin Guitarfish in Appendix I.

The available information allows concluding that international cooperation under CMS within the Mediterranean Sea and along the west coast of Africa will significantly benefit the conservation status of this critically endangered species and, thus, the EU and its Member States support the proposal for its inclusion in Appendix II of the Convention.

**Agenda item 31.4.11: Proposal for the inclusion of the Bull Ray  
(*Aetomylaeus bovinus*) in Appendix II and the Mediterranean Sea population of  
this species in Appendix I of the Conventi**

The EU and its Member States would like to thank the Government of Israel for submitting this proposal.

The available information allows concluding that the proposal will benefit the conservation status of the Bull Ray. In the Mediterranean, the Parties to the Barcelona convention decided in December 2023 to give a strict protection status to the Bull Ray. Therefore, enhancing international cooperation under Convention on the Conservation of Migratory Species and, in the case of the Mediterranean Sea population, enforcing the implementation of more strict protection actions will further strengthen its protection.

For these reasons, the EU and its Member States support the inclusion of the species in Appendix II of the Convention and of the Mediterranean Sea population in Appendix I.

**Agenda Item 31.4.12: Proposal for the inclusion of the Lusitanian Cownose Ray  
(*Rhinoptera marginata*) in Appendix II and the Mediterranean Sea population of  
this species in Appendix I of the Convention**

The EU and its Member States would like to thank the Government of Israel for submitting this proposal.

The available information allows concluding that the proposal will benefit the conservation status of the Lusitanian Cownose Ray. In the Mediterranean, the Parties to the Barcelona convention decided in December 2023 to give a strict protection status to this species. Therefore, enhancing international cooperation under the Convention on the Conservation of Migratory Species and, in the case of the Mediterranean Sea population, enforcing the implementation of more strict protection actions will further strengthen its protection.

For these reasons, the EU and its Member States support the inclusion of the species in Appendix II of the Convention as well as the inclusion of the Mediterranean population in Appendix I.

**Agenda item 31.4.13: Proposal for the inclusion of the Gilded Catfish  
(*Brachyplatystoma rousseauxii*) in Appendix II of the Convention**

The EU and its Member States would like to thank the Government of Brazil for submitting this proposal.

Even though this migratory species is currently assessed as “Least Concern” under the IUCN Red List, overfishing together with other factors acting individually or in synergy, including deforestation, mining and the construction of hydroelectric dams, represent an increasing harm that can compromise its survival in the near future. In fact, there is already evidence of major impacts in this sense. There is also a clear need to carry out a knowledge programme on this species and on the pressures to which it is subject to better calibrate the potential of an international management plan.

Therefore, in order to protect the species, the EU and its Member States consider that there is a clear need for international coordinated action, which will have to help local communities to anticipate possible impacts on fishermen’s catch and, hence, on their income, to manage and conserve the Gilded Catfish transnationally.

The EU and its Member States support the inclusion of the Gilded Catfish in Appendix II of the Convention.

**Agenda item 31.4.14: Proposal for the inclusion of the Lualaba Catfish or Piramuta  
(*Brachyplatystoma vaillantii*) in Appendix II of the Convention**

The EU and its Member States would like to thank the Governments of Brazil and Panama for submitting this proposal.

Even if this migratory species is currently assessed as of “Least Concern” or “Vulnerable”, depending on the countries, overfishing together with other factors acting individually or in synergy, including deforestation, mining and the construction of hydroelectric dams, represent an increasing harm that can compromise its survival in the near future. In fact, there is already evidence of major impacts in this sense. Therefore, in order to protect the species, the EU and its Member States consider that there is a clear need for international coordinated action, which will have to help local communities to anticipate possible impacts on fishermen’s catch and, hence, on their income. For these reasons, we support the inclusion of the Amazonian Laulao Catfish in Appendix II of the Convention.

### **Agenda item 32: Implementation of the Concerted Actions process**

#### **Agenda item 32.1: Concerted Actions**

The EU and its Member States support the continuous work of the CMS Family since COP10 in consolidating processes for Concerted and Cooperative Actions. In this regard, we support the draft revised Resolution 12.28 (Rev.COP13). We consider the text modifications enhance the effectiveness of these processes, improving procedural and policy aspects by reflecting the current practice and integrating previous lessons learned from its implementation. Likewise, we consider the modifications in the Guidelines to the implementation of the Concerted Actions Process (Annex 1) and Template for proposing Concerted Actions (Annex 2) to also follow this approach in better aligning with the latest practice, as does the repeal of Annex 3.

#### **Agenda item 32.2: Assessment of progress in the implementation of Concerted Actions and possible proposals for their extension**

##### **Agenda item 32.2.1: Report on the implementation of the Concerted Action for the Nut-Cracking populations of the Chimpanzees (*Pan troglodytes verus*) of West Africa**

The EU and its Member States acknowledge the work carried out by the IUCN SSC PSG SGA Working Group on Chimpanzee Cultures (WGCC) and support the closing as completed of the Concerted Action for the Nut-Cracking Populations of the Chimpanzees (*Pan troglodytes verus*) of West Africa.

We hope that the identification of a broader initiative on chimpanzee cultures and behavioural diversity serves to lead on the proposed Concerted Action.

As well as the fortification of existing databases to better integrate information on chimpanzee culture and behavioural diversity, the extension of the public engagement more broadly across the species' range and the expansion of the direct conservation actions.

**Agenda item 32.2.2: Report on the implementation of the Concerted Action for the Giraffe (*Giraffa camelopardalis*)**

The EU and its Member States support the renewal of this Concerted Action for the period 2023-2028, in agreement with the recommendation made by the Scientific Council. It is unfortunate that no activity of the Concerted Action for the Giraffe in the previous intersessional period could be implemented.

The EU and its Member States would like to encourage Range States, as well as the CMS Secretariat, to seek synergies with other regional activities such as the Joint CITES-CMS African Carnivores Initiative, and where possible, to hold regional meetings jointly, as recommended in COP13 by the Scientific Council. We also want to stress the urgency, for this Concerted Action to be effective, to have a coordinator for it, as well as to seek for and to have an appropriate funding for its development, as already suggested in COP13. This will be vital for this Concerted Action for the next intersessional period.

And we hope that during the period 2024-2028 the planned actions can start and be implemented with celerity, in the benefit of the species.

**Agenda item 32.2.3: Report on the implementation of the Concerted Action for the Humpback Whales (*Megaptera novaeangliae*) of the Arabian Sea**

The EU and its Member States acknowledge the work carried out by the Arabian Sea Whale Network and support the extension of the Concerted Action for the Humpback Whales of The Arabian Sea for next triennium, in agreement with the recommendation made by the Scientific Council.

The EU and its Member States express satisfaction with the significant progress reported in almost every aspect of the Concerted Action. We recognize the challenges faced globally, particularly the impact of the Covid pandemic, which has played a role in hindering the creation of the regional Conservation Management Plan. We appreciate the positive steps taken during the 2022 Oman workshop to enable progress towards the creation of a regional CMP.

The EU and its Member States would like to emphasize the commitment to continuing work by the ASWN as it contributes to a better understanding of the population, increased awareness of conservation needs, and the effective design of management measures.

**Agenda item 32.2.4: Report on the implementation of the Concerted Action for the Eastern Tropical Pacific Sperm Whales (*Physeter macrocephalus*)**

The EU and its Member States acknowledge the work carried out by the CMS Scientific Council Expert Working Group on Animal Culture and Social Complexity, in collaboration with Red de Cachalotes del Pacífico and support the extension of the Concerted Action for the sperm whales (*physeter macrocephalus*) of the Eastern Tropical Pacific for the next triennium, in agreement with the recommendation made by the Scientific Council.

The EU and its Member States express satisfaction with the significant progress reported in each aspect of the Concerted Action. The EU and its Member States highlight the positive steps taken during the “Cachalotes del Pacifico” workshop to create a collaboration network across Range States.

The EU and its Member States support the addition of new research and conservation fronts in order to face the lack of knowledge concerning the sperm whales.

**Agenda item 32.2.5: Report on the implementation of the Concerted Action for the Atlantic Humpback Dolphin (*Sousa Teuszii*)**

The EU and its Member States acknowledge the progress made in the implementation of the Concerted Action for the Atlantic Humpback Dolphin (*Sousa teuszii*).

The EU and its Member States support the closing of this Concerted Action and the redirection of focus towards the implementation of the Single Species Action Plan presented to this Conference for adoption.

It is considered of high importance to support the long-term sustainability of Atlantic Humpback Dolphin populations and their habitats by reducing the negative impacts of human activities, with a particular focus on research, awareness-raising, capacity-building and conservation action.

We recognise the collective effort made by the CMS family on this topic and acknowledge the key role of Parties in providing technical assistance and capacity building to this purpose.

**Agenda item 32.2.6: Report on the implementation of the Concerted Action for the populations of Harbour Porpoises (*Phocoena phocoena*) in the Baltic Sea and Iberian Peninsula**

The EU and its Member States acknowledge the progress made in the implementation of the Concerted Action for the Harbour Porpoise (*Phocoena phocoena*) in the Baltic Sea and the Iberian Peninsula and recognise its benefits for the Baltic Sea and Iberian harbour porpoise populations.

We welcome the work of Coalition Clean Baltic, Whale and Dolphin Conservation, Humane Society International and ORCA. The commitment to defining indicators for harbor porpoise abundance and distribution within the MSFD, active engagement with the EC for the protection of both populations, and collaboration with Seas at Risk to drive action through the EU Joint Recommendation process, particularly on addressing bycatch, were acknowledged and valued.

The EU and its Member States support the closing of this Concerted Action in the event that the Baltic Proper Harbour Porpoise is added to Appendix I of the Convention, noting that further attention still needs to be paid to the situation of the species in both the Baltic and Iberian regions.

**Agenda item 32.2.7: Report on the implementation of the Concerted Action for the Great Bustard (*Otis tarda*) in Asia**

The EU and its Member States acknowledge the work done by the Mongolian Government, the Eurasian Bustard Alliance and the Wildlife Science and Conservation Center of Mongolia and support the extension of the Concerted Action for the Great Bustard in Asia for the next triennium, in agreement with the recommendation for its adoption made by the Scientific Council.

We acknowledge the efforts made by the Range States, the relevant authorities, organizations and volunteers involved in the implementation of the Concerted Action, as well as the financial and technical support they provided.

Being aware of the complexity and the difficulties of the implementation of the measures and actions envisaged in the Concerted Action and the related draft Action Plan to mitigate the threats to this globally threatened species also present in various EU Member States, we encourage the Range States and all the stakeholders involved that during the period 2024-2026, the research, conservation and cooperation actions will be continued, with the consideration of the Central Asian Flyway (CAF) Initiative.

Finally, we look forward for those Range States that haven't done so yet, to join the concerted action in the near future.

**Agenda item 32.2.8: Report on the implementation of the Concerted Action for the Antipodean Albatross (*Diomedea antipodensis*)**

The EU and its Member States acknowledge Australia, Chile and New Zealand for the work carried out and support the continuation of the Concerted Action for the Antipodean Albatross for the next triennium, in agreement with the recommendation made by the Scientific Council.

Good efforts have been made among the activities and objectives proposed for this Concerted Action.

Nevertheless, further urgent action is needed in the future to improve the status of the species and for reducing the impacts of oceanic longline fishing operations in the Range States countries. For this purpose, engagement of fisheries in the Range States, Commonwealth agencies in Australia to act in a manner consistent with the objectives of trying to achieve a zero bycatch of seabirds, and address with concrete actions the problem with trawl fleets and seabirds in Chile is crucial for the next intersessional period.

It is worth highlighting that action taken for this species will also have a positive impact to other seabirds of the South Pacific Ocean.

We hope that during the 2024-2026 period actions on research, conservation and cooperation with fisheries, fishers and fisheries organisations can continue and meet the conservation challenges that this species faces.

**Agenda item 32.2.9: Report on the implementation of the Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*) and the Bottlenose Wedgefish (*Rhynchobatus australiae*)**

The EU and its Member States in general support the updated version proposed for the Concerted Action presented in Annexe I.

The EU and its Member States take note of the actions that have been undertaken at the global level in support of the implementation of this Concerted Action and welcomes the work that has been done by IUCN SSC SSG.



The EU and its Member States welcome the data collection on other rhino rays, considering their unfavourable conservation status, as it may help refine species-specific data to better understand listed species and identify their further conservation needs.

However, having in mind the workload of the proposal, we consider that much of the focus of the Concerted Action for the next triennium should be on species that are listed on CMS and on those regions where the CMS-listed species occur.

We recognise the collective effort made by the CMS family on this topic and acknowledge the key role of Parties and other members of the CMS family for providing technical and capacity building to this purpose.

### **Agenda item 32.3: New proposals for Concerted Actions for the triennium 2024-2026**

#### **Agenda item 32.3.1: Proposal for a Concerted Action for Chimpanzee (*Pan troglodytes*) behavioural diversity and cultures already listed in Appendix I and II of the Convention**

The EU and its Member States recognise the importance of the proposed Concerted Action for the Chimpanzee (*Pan troglodytes*) Behavioural Diversity and Cultures.

The EU and its Member States thank the IUCN Species Survival Commission's (SSC) Primate Specialist Group (PSG) Section on Great Apes (SGA) Working Group on Chimpanzee Cultures (WGCC) and the CMS Expert Working Group on Animal Culture and Social Complexity for its work and support.

We hope that this Concerted Action proposal will be approved so that most of the planned activities could be initiated during this year 2024, and that there will be the requested funding to be able to accomplish them for the 2024-2026 period, for which potential donors and financial support are needed.

#### **Agenda item 32.3.2: Proposal for a Concerted Action for the Straw-Coloured Fruit Bat (*Eidolon helvum*) already listed in Appendix II of the Convention**

The EU and its Member States acknowledge the importance of the proposed Concerted Action for addressing the conservation needs of the straw-colored fruit bat (*Eidolon helvum*).

We recognise the need to raise awareness about the ecological importance of the species in the long-distance dispersal of seeds and hence its crucial role in maintaining genetic connectivity among fragmented patches in tropical rainforests and distant habitats because of their capability to fly over long distances.

Developing a Conservation Action Plan with as many range states as possible, including outreach and awareness raising among local populations and working towards protection and restoration of roosting sites across the migratory range, seem to be crucial actions to address the decline of the species and improve its conservation status.

The EU and its Member States would like to thank the organisations that provide financial support to the implementation of important activities, such as monitoring and migration research to better understand connectivity between populations, supported by the Max Planck Institute of Animal Behaviour in collaboration with African partners, and the outreach activities developed by Rwanda Wildlife Conservation Association.

We support the approval of this Concerted Action proposal so that the planned activities could be implemented in the triennium 2024-2026.

**Agenda item 32.3.3: Proposal for a Concerted Action for the Pallas's Cat  
(*Felis manul*) proposed for listing in Appendix II of the Convention**

The EU and its Member States acknowledge the importance of the proposed Concerted Action for Pallas's Cat.

We support the approval of this Concerted Action proposal and the addition of Pallas's Cat to Appendix II of CMS.

We believe that effective implementation of the Concerted Action and Programme of Work will enhance the conservation status of Pallas's Cat across its range, especially for populations that are small, fragmented, and declining, as well as contribute to fill knowledge gaps.

The listing of Pallas's Cat on Appendix II of the CMS Convention, the Concerted Action and the inclusion in the Central Asian Mammals Initiative will raise awareness for the species among policymakers and the public as well as contribute to improving its conservation status throughout its range.

The EU and its Member States appreciate the support to research and conservation, capacity building and training across the species range by the IUCN SSC Cat Specialist Group, the Manul Working Group (MWG) and Pallas's Cat International Conservation Alliance. We also acknowledge the efforts undertaken by NGOs and research institutes, and hope that the listing on Appendix II of the Convention will increase the support from governments to the conservation of the species and its integration into their National Biodiversity Strategy and Action Plan.

**Agenda item 32.3.4: Proposal for a Concerted Action for the Eurasian Lynx (*Lynx lynx*) proposed for listing in Appendix II (and Appendix I for *Lynx lynx balcanicus*) of the Convention**

The EU and its Member States support the approval of the Concerted Action for the Eurasian Lynx (*Lynx lynx*) and the proposal for listing this species on Appendix II and for *L. l. balcanicus* on Appendix I of the Convention.

We believe that the implementation of this Concerted Action together with the proposed listing on the Appendices of the Convention will contribute to the recovery of their populations, including through improved cooperation between the Range States and more focused conservation efforts of all stakeholders.

The EU and its Member States also recognise the need to improve knowledge about the distribution, abundance and trends of *L. l. isabellinus* and to assess its conservation status. We think that including this subspecies in the CAMI Programme of Work will facilitate the development of a range-wide conservation strategy that can support the species transboundary conservation. We also acknowledge the need to assess the conservation status of *L. l. dinniki* according to IUCN Red List standards.

The EU and its Member States appreciate the work and efforts undertaken so far by IUCN Specialist Groups, several universities, and other scientific institutions, as well as national authorities and the engagement of several large conservation organisations and expect that additional funding will be provided to support the activities promoted by this Concerted Action in the various Range States.

**Agenda item 32.3.5: Proposal for a Concerted Action for the Franciscana Dolphin (Pontoporia blainvillei) already listed in Appendix I and II of the Convention**

The EU and its Member States recognise the importance of the Concerted Action for the Franciscana dolphin.

The EU and its Member States welcome the Concerted Action proposal presented by the governments of Argentina, Brazil and Uruguay and take note of the activities proposed.

We recognise that the main potential obstacle to implement this Concerted Action, is considered to be a lack of funding.

Lastly, the EU and its Member States agree that the Concerted Action supports the implementation of the existing IWC Conservation Management Plan.

**Agenda item 32.3.7: Proposal for a Concerted Action for the Blue Shark (Prionace glauca) already listed in Appendix II of the Convention**

The EU and its Member States recognize the importance of the proposed Concerted Action for the Blue Shark (*Prionace glauca*) as Blue sharks have been listed on CMS App. II already in 2017, but nothing has happened since then on this species as it was not listed in the Sharks MoU.

The species is heavily fished and its management falls under the remit of RFMOs throughout its geographic range. Under the auspices of RFMOs, international cooperation is ongoing in terms of data collection, scientific research, stock assessments, conservation and management etc.

Nevertheless, their populations are declining in many areas of the world. CMS – just as CITES – can help by complementing fisheries management efforts from a species conservation perspective.

Therefore, the EU and its Member States recognise that it is important to foster collaboration between CMS, CITES, RFMOs etc., this should be done in the context of the respective mandates of each organisation.

In this context, this CA is welcome as it entails such measures.

The concerted action associated with a listing is a good tool to formulate measures that should be done as a consequence of the listing. This is particularly true in the case of the blue shark where the MoU Sharks – normally the implementation instrument for sharks under CMS - failed to list the Blue shark, thus leading to a lack of forum for collaboration of CMS Parties on the Blue shark.

(Scenario 1: no amendments are proposed to the list of activity by Parties)

Therefore, the EU and its Member States generally support the CA. We do think that concerted actions can be a good tool to suggest actions by Parties and other actors enhance efforts to protect species listed under Appendix II in a concerted manner.

(Scenario 2: amendments are proposed to the list of activity by Parties)

Therefore, the EU and its Member States generally support the CA, although, we could suggest some amendments of the list of activities, and 2 additional activities.

The first one is to foster collaboration among NGOs, relevant international and regional organisations such as RFMOs, etc. and leading the international dialogue to reach a global commitment to protect the blue shark.

The second activity that we would like to suggest is the preparation of a synthesis report on the blue shark worldwide subject to the availability of external resources. The EU and its Member States believe that CMS, the leading organization for the protection of migratory wild animals, is well suited to lead the work of a synthesis report on the global status of the blue shark.

We do think that concerted actions can be a good tool to suggest actions by Parties and other actors enhance efforts to protect species listed under Appendix II in a concerted manner.

We will provide our suggestions to the Secretariat in writing.

## Closing Statement of the EU and its Member States

Thank you, Mr Chair,

It is now almost a week since we arrived in Samarkand full of energy to steer our joint work in the context of the CMS. As the COP draws to a close, although we may be tired from long days, we can look back with satisfaction to a very productive and constructive Conference of the Parties.

The EU and its Member States are very pleased with the progress that we have made together during this COP. As we saw from the excellent report on the State of the World's Migratory Species launched this week, the trends are not good and we face a huge challenge to better protect and restore the populations of migratory species, both at national level and through international cooperation, as "Nature knows no border".

But there is also cause for optimism. We have a forceful global commitment on biodiversity through the Kunming-Montreal Global Biodiversity Framework that will drive action to protect and restore nature. And in the CMS community, we have this week shown leadership and made commitments to address many of the pressures and the drivers that impact on migratory species, such as light pollution, deep sea mining, poisoning, habitat fragmentation, bycatch and plastic waste.

Similarly, while we do not celebrate the need to list species on the appendices of the CMS (because listing a species is an acknowledgment of the dire state of the species), listing is also a key step to improve its protection. We must therefore be satisfied that we have taken the step of affording protection to quite a number of threatened migratory species through their new listing in the appendices of the CMS during this COP. We hope that we will one day be in a position to find that our efforts have led to their recovery.

We have also adopted a new, ambitious strategic plan and a budget that matches these ambitions to the fullest extent possible given the circumstances. But we can only get the outcomes we all hope for if budgetary contributions are made promptly. We therefore call upon those countries with arrears to regularise their situation. We also call on those parties in a position to do so, to make voluntary contributions towards the programme budget.

We hope that CMS will continue to grow in membership over the years to come. It is a platform where parties can overcome their differences and find solutions that enable us all to contribute to the protection of our migratory species. We now must take these resolutions and decisions back home and work to ensure that they are implemented at the national level.

The EU and its Member States would like to wholeheartedly thank the government of Uzbekistan and the city of Samarkand for their warm welcome during this COP. We also would like to thank the Secretariat, the Scientific Council, the Standing Committee, and the Chairs for all the work done before and during the COP to ensure that all proceedings have gone smoothly despite the large number of issues on the agenda.

Finally, we would like to thank all our colleagues, the delegates and the representatives of the NGOs and other institutions that participated in this Conference of the Parties. We much appreciate the open minds, the constructive discussions and the sense of common responsibility that have prevailed throughout this COP.

Thank you.

---