



CMS COP-8 HIGHLIGHTS: MONDAY, 21 NOVEMBER 2005

On Monday, 21 November, delegates to the eighth Conference of the Parties (COP-8) to the Convention on Migratory Species (CMS) met in plenary throughout the day to hear welcoming remarks and consider administrative matters, reports and draft resolutions on the 2010 biodiversity target and on sustainable use. A working group met in the evening to further consider the draft resolution on sustainable use.

PLENARY

Addressing the plenary through a video message, Klaus Töpfer, UNEP Executive Director, stressed the increasing relevance of CMS in light of the impacts of climate change on migratory species and the recent avian influenza outbreaks. He recommended linking migratory species conservation with human health, sustainable economic growth and poverty reduction considerations, in accordance with the Millennium Development Goals (MDGs). He supported CMS efforts in providing scientific information on migratory birds, particularly on avian influenza, and in establishing partnerships with the private sector.

Noting that the Convention is at a crucial point in its history, Robert Hepworth, CMS Executive Secretary, highlighted the importance of the COP's guidance on species listings, new agreements, the CMS strategic plan and resources to achieve the 2010 target.

ADMINISTRATIVE MATTERS: Rules of Procedure:

The Secretariat introduced the Provisional Rules of Procedure (UNEP/CMS/Conf.8.4/rev.2 and Corr.), drawing attention to the new rule 12, which requires that submissions of proposed resolutions and recommendations by parties be communicated to the Secretariat at least 60 days before a COP. On rule 15, which makes parties ineligible to vote when contributions are in arrears, he invited concerned parties to provide during COP-8 written evidence of payments in progress. COP-8 adopted the rules, with NORWAY noting that a party should not be excluded from voting when exceptional and unavoidable circumstances delay payments.

Election of officers: Plenary elected Patrick Van Klaveren (Monaco) as COP-8 Chair, Rolph Payet (Seychelles) as Chair of the Committee of the Whole (COW) and COP-8 Vice-Chair, and Roberto Schlatter (Chile) as COW Vice-Chair. Latvia, Niger, Peru, Morocco, and Australia were appointed as members of the Credentials Committee.

Other administrative matters: The plenary adopted the agenda and work schedule (UNEP/CMS/Conf.8.1, 8.1.Add.1 and 8.2) without amendment, and admitted as observers the Scientific Council experts, intergovernmental and non-governmental organizations, and one private sector participant.

REPORTS: Secretariat: Presenting its report (UNEP/CMS/Conf.8.3 and 8.17), the Secretariat emphasized that: the MOU on the Houbara bustard is expected to be concluded during COP-8; several new MOUs are under development; and the possible development of legally binding agreements on the Central Asian Flyway and on gorillas has not been agreed upon. He also highlighted: projects on the Siberian crane, Sahelo-Saharan antelopes, and small-scale research and conservation; the establishment of the "Friends of CMS" as a non-profit association targeting the private sector in Germany as part of the fund-raising strategy; and growing CMS membership, with Samoa becoming the ninety-third party to the Convention in November 2005, and others being expected to join before the end of the year.

Standing Committee: Martin Brasher, CMS Standing Committee Chair, reported on the Committee's activities since COP-7 (UNEP/CMS/Inf.8.6), highlighting the intersessional working group established for presenting options to address financial issues, including the development of budget scenarios. He underscored the Committee's support for fundraising in the private sector, and the importance of the new strategic plan for achieving the 2010 target.

Scientific Council: Colin Galbraith, CMS Scientific Council Chair, reported on the work of the Council (UNEP/CMS/Inf.8.5), focusing on the review of the CMS strategic plan, species listing proposals, and draft resolutions and recommendations for COP-8's consideration. He underscored the importance of: underpinning actions with scientific findings; linking the Council's work with that of other conventions' scientific bodies; and securing further funding for CMS.

Agreements: The Agreement Secretariats presented their respective reports (UNEP/CMS/Inf. 8.4.1 to 4). AEWA highlighted the positive outcomes of its recent Meeting of the Parties (MOP), and activities surrounding its 10th anniversary. ACAP reported the Agreement had recently entered into force, held its first MOP, and initiated various activities. ACCOBAMS noted its expanding membership and recent activities including monitoring, awareness raising and capacity building. EUROBATS highlighted its contribution to the possible establishment of a new instrument focusing on African bats. The IOSEA Marine Turtles MOU reported on growing membership



and activities, stressing the development of an online reporting facility, an interactive mapping system and cooperation with FAO to monitor by-catch.

States: GERMANY, as depositary and host government, reported on the signing of a new host country agreement with CMS, and on his contribution to the "Friends of CMS." AUSTRIA noted its commitment to the Great bustard MOU. COTE D'IVOIRE stressed the important contribution of regional and subregional initiatives to protecting migratory species and reaching the 2010 target. SAMOA stressed the vulnerability of small island developing states (SIDS) and expressed hope that its recent ratification would facilitate technical, scientific and financial cooperation. HAITI emphasized protection of marine mammals by SIDS. Identifying CMS as an ideal umbrella for coordinated action, SEYCHELLES voiced its dedication to sustainable resource use. ERITREA pledged to sign the IOSEA Marine Turtles MOU during COP-8. ALGERIA and IRAN affirmed their intention to join CMS by the end of 2005, and ARMENIA in 2006. CUBA reported on its advanced stage in joining CMS, while HONDURAS underscored the benefits of acceding to CMS, including poverty reduction. COSTA RICA noted serious financial constraints with regard to biodiversity protection, and highlighted the development of a national marine conservation strategy. ANTIGUA AND BARBUDA highlighted the noticeable effects of climate change on SIDS and their biodiversity.

Partners: Bakary Kante, UNEP/DEC Director, reported on UNEP's collaboration with CMS, highlighting initiatives on MDGs and multilateral environmental agreements (MEAs), and on pro-poor markets for ecosystem services within the framework of MEAs. CBD, on behalf of the BIODIVERSITY LIAISON GROUP, said the group had met four times since 2004 to coordinate actions towards achieving the 2010 target. He underscored the importance of information exchange among, and awareness raising about, biodiversity-related conventions, and advocated the ecosystem approach. The CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF THE MARINE ENVIRONMENT OF THE WIDER CARIBBEAN REGION looked forward to a higher degree of integration and cooperation with CMS on the basis of the new Memorandum of Cooperation signed at COP-8. WWF stressed that by-catch is one of the most perverse threats for marine biodiversity. The WORLD ASSOCIATION OF ZOOS AND AQUARIUMS wished to intensify its cooperation with CMS. IUCN highlighted its Memorandum of Cooperation with CMS.

2010 BIODIVERSITY TARGET: The Secretariat reported on CMS activities related to the 2010 target (UNEP/CMS/Conf.8.6/Rev.1 and Inf.8.22), emphasizing that the target is a cross-cutting issue on several agenda items and that the proposed resolution (UNEP/CMS/Res.8.7) focused particularly on the development of indicators to assess CMS contribution to the achievement of the 2010 target, and synergies with other frameworks and bodies. Chair Van Klaveren regretted the limited scope of the resolution. BIRDLIFE INTERNATIONAL requested to be mentioned among the partners for the development of a migratory species index in the context of the Living Planet Index (LPI). The Secretariat noted that the Scientific Council proposed amendments to allow consideration of other indicators under development, in addition to the LPI ones. FRANCE proposed inserting a request to the Secretariat to report to COP-9 on this item.

SUSTAINABLE USE: The Secretariat presented a draft resolution calling for the adoption and application of the Addis Ababa Principles and Guidelines on the Sustainable Use of Biodiversity (AAPGs) (UNEP/CMS/Conf.8.8 and Res.8.1). She recalled that the Scientific Council advised the COP that

AAPGs were in conflict with the CMS principles, which prioritize the protection of threatened species, noting the lack of a definition of "indigenous subsistence use" in the context of AAPGs. Scientific Council Chair Galbraith clarified that discussions on this topic went beyond scientific issues. Calling for a practical and constructive approach and for a suitable mechanism to overcome the "tragedy of the commons," the UK, on behalf of the European Union (EU), supported the adoption of AAPGs, and suggested their precautionary testing and further development. The NETHERLANDS stressed the relationship between sustainable use and the ecosystem approach as applied by CBD, advocating the application of both. Rather than "adopting" AAPGs, AUSTRALIA, supported by SENEGAL, INDIA and NEW ZEALAND, preferred "encouraging their use as appropriate," since not all AAPGs are applicable in the CMS context. The WHALE AND DOLPHIN CONSERVATION SOCIETY (WDCS) cautioned against the use of AAPGs with regard to marine animals. GERMANY favored adoption of AAPGs from the CMS perspective. KENYA stressed the importance of agreeing on sustainable use practices. Noting that criteria for sustainable use differ among countries, he called for the equitable sharing of benefits among range states. Concerned about financial implications, TANZANIA suggested that the CMS-CBD joint work programme implement AAPGs, with the possibility of accessing GEF resources. The INTERNATIONAL FUND FOR ANIMAL WELFARE (IFAW) identified several legal obstacles in applying AAPGs to CMS. IUCN favored the application of AAPGs to CMS, stressing that they are not intended to be binding or universal. Chair Van Klaveren established a working group to discuss the issue further.

WORKING GROUP

The working group on sustainable use, chaired by Ian McLean (UK), met in the evening. Delegates broadly supported AAPGs in the context of CBD; however they discussed whether in the CMS context these Principles could be perceived as an encouragement of consumptive use of migratory species. Delegates also debated whether AAPGs may nevertheless provide a useful framework for assessing the use of CMS species, including non-consumptive use, such as ecotourism. The working group considered options for an alternative resolution, such as: requesting the Scientific Council to consider the compatibility of AAPGs with CMS, while taking into account case studies; recognizing the adoption of AAPGs in other fora; and/or inviting CITES and CBD, when analyzing case studies, to consult with CMS for its specific expertise on migratory species. The working group will reconvene on Tuesday.

IN THE CORRIDORS

The first spark of disagreement at COP-8 was set by the draft resolution on sustainable use, with the proposed adoption of the Addis Ababa Principles (AAPGs) dividing delegates on both legal and policy grounds. Some believed that AAPGs could be applied to CMS without controversy, because the Convention already considers traditional subsistence use of migratory species, and because AAPGs could be a tool to address the root causes of migratory species loss. Several delegates, however, opposed the "migration" of AAPGs, a tool developed under the CBD, to CMS, a separate treaty specifically devoted to species conservation. Some participants were also worried that a COP resolution may encourage consumptive use of migratory species, or even render binding, for CMS parties, guidelines that are voluntary for CBD parties. Considering the amount of discord surrounding this topic, one delegate wondered how much energy will be applied when discussing other, perhaps more prominent issues, such as the future CMS strategic plan and the budget.