

CMS COP 9 HIGHLIGHTS: MONDAY 1 DECEMBER 2008

The ninth meeting of the Conference of the Parties (COP 9) to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) opened on Monday, 1 December, in Rome, Italy. Participants met in a morning plenary for a high-level opening ceremony and to consider administrative matters as well as reports by Convention and agreement bodies. In the afternoon, the Committee of the Whole (COW) met to discuss three key policy issues: climate change, highly pathogenic avian influenza and migratory marine species. In the late afternoon, the first Meeting of the Parties (MOP 1) to the Gorilla Agreement resumed for a brief session to discuss outstanding issues.

PLENARY

HIGH-LEVEL OPENING CEREMONY: This session was chaired by CMS Executive Secretary Robert Hepworth. Statements were made by: James Butler, Deputy Director-General of the UN Food and Agriculture Organization; Executive Secretary Hepworth; His Serene Highness Prince Albert II of Monaco; Stefania Prestigiacomo, Italian Minister of Environment, Land and Sea; Fabio De Lillo, Environment Counselor to the City of Rome; and Chris Butler-Stroud, International Chief Executive Officer of the Whale and Dolphin Conservation Society (WDCS). Delegates also watched a video message by UNEP Executive Director Achim Steiner. Coverage of this high-level ceremony can be found at <http://www.iisd.ca/cms/cop9/enbots>.

ADMINISTRATIVE MATTERS: Standing Committee Chair Andrew McNee (Australia) invited delegates to submit their opening statements to the Secretariat, for inclusion in the meeting's report. Delegates adopted the meeting's rules of procedure (UNEP/CMS/Conf.9.4/Rev.1), and elected Fernando Espina (Italy) as COP 9 Chair and Alfred Oteng-Yeboah (Ghana) as Vice-Chair. Chair Espina stressed that CMS and its agreements provide a unique example of addressing conservation challenges with regard to migratory species. Delegates elected Vice-Chair Oteng-Yeboah as Chair of the COW, and Mohammad Sulayem (Saudi Arabia) as Vice-Chair. They also adopted the meeting's agenda and work schedule (UNEP/CMS/Conf.9.1/Rev.4 and 9.2/Rev.3), with a note to include the review of the CMS operational instruments (UNEP/CMS/Conf.9.16); established a credentials committee, as well as a Resources Working Group, chaired by France; and admitted observers.

OVERVIEW OF IMPLEMENTATION: Executive Secretary Hepworth presented an overview of the Secretariat's activities (UNEP/CMS/Conf.9.5 and 9.5/Add.), highlighting new species agreements, cooperation with other multilateral

environmental agreements, awareness-raising events, and the increase in party membership. He called for an increase in staffing levels, especially at the junior level.

Many parties congratulated the Secretariat on its efforts. WDCS commented that the core budget should be increased. France, on behalf of the EU, urged delegates to reflect on the practical arrangements for future Convention activities, with MONACO underscoring the need to structure agreements and Memoranda of Understanding (MOUs) under the Convention. The REPUBLIC OF CONGO expressed hope that the Gorilla Agreement will result in significant impacts on the ground. SOUTH AFRICA urged increasing public awareness. INDIA noted the shortage of manpower and financial resources for implementation. CHILE highlighted the signing of the Andean flamingo MOU. BRAZIL drew attention to the signing of a letter of intent between the Chico Mendes Institute for Biodiversity Conservation and the CMS Secretariat.

REPORTS: Depositary: GERMANY, as Depositary and host government, presented the Depositary's report (UNEP/CMS/Conf.9.6). He noted 17 new signatories since COP 8, bringing the number of contracting parties to 110.

Standing Committee: Standing Committee Chair McNee presented the Committee's report (UNEP/CMS/Conf.9.7). He noted achievements to date with regard to: the significant support to agreements from non-CMS parties; the development of nine new agreements, notably the Gorilla Agreement; investments in Appendix I projects; an increasing focus on migratory marine species; outreach, including the celebration of the Year of the Dolphin; and fundraising, notably the increase in voluntary contributions. He highlighted the Committee's proposal for an intersessional process to address the future shape of CMS. The PHILIPPINES called for increased support for activities in South-East Asia.

Scientific Council: Scientific Council Chair John Mshelbwala (Nigeria) presented the Council's report (UNEP/CMS/Conf.9.8), elaborating on intersessional activities and the last two Council meetings. He said the pre-COP 9 Council meeting had underlined the vital importance of the CMS Small Grant Programme and its positive impact in the field, and had urged that the Programme be returned to the core budget. ARGENTINA lamented the short duration of the Scientific Council meetings.

COMMITTEE OF THE WHOLE

CLIMATE CHANGE AND MIGRATORY SPECIES: The Secretariat introduced this agenda item, including a resolution submitted by Australia and revised by the Scientific Council (UNEP/CMS/Res.9.7/Rev.1).

AUSTRALIA stressed the need to prioritize efforts for Appendix I species, and called for guidance on the administrative and legal consequences of climate change on the arrangements of CMS agreements. MONACO, supported by WWF and WDCS, called for drafting a resolution on migratory arctic marine animals. WWF drew attention to mitigation, in addition to adaptation activities. The COUNCIL OF EUROPE underscored the work of its Group of Experts on Biodiversity and Climate Change. The INTERNATIONAL WHALING COMMISSION highlighted its upcoming workshop on climate change impacts on cetaceans. The EU emphasized related resolutions developed under the Ramsar Convention on Wetlands and the African-Eurasian Migratory Waterbird Agreement. SOUTH AFRICA called for collaboration with the Convention on Biological Diversity (CBD) *Ad Hoc* Technical Expert Group on Biodiversity and Climate Change.

The REPUBLIC OF CONGO called for taking into account deforestation, SENEGAL and MALI underscored some countries' inability to face climate change impacts, including desertification, and GUINEA called attention to the lack of research on the effects of climate change on freshwater river basins in West Africa. CHILE, ARGENTINA and INDIA urged focusing on migratory species rather than issues covered by other conventions. COW Chair Oteng-Yeboah called on a small group to revise the draft resolution.

AVIAN INFLUENZA: Rebecca Lee, Wildfowl and Wetlands Trust and member of the CMS-led Task Force on Avian Influenza, described the Task Force's work. She said the Task Force was established in 2005 to provide a liaison mechanism to increase the effectiveness of responses to highly pathogenic avian influenza by ensuring that international efforts do not overlook vital information concerning migratory species. Lee outlined the draft resolution on avian influenza (UNEP/CMS/Conf. 9.8/Rev.1), noting that the original draft has been expanded to also address other infectious wildlife diseases.

Scott Newman, FAO and Task Force member, described how human factors such as climate change, globalization and habitat destruction contribute to the spread of infectious diseases. He said the Task Force has created a framework for work on other diseases, and highlighted the proposed creation of a joint FAO-CMS Task Force for Emerging Diseases of Wildlife.

The EU, the PHILIPPINES, INDIA and ARGENTINA supported the draft resolution, with the EU urging that efforts focus on the most pressing animal diseases, INDIA calling for more scientific knowledge on underlying causes such as habitat degradation, and ARGENTINA noting the appropriateness of the Task Force being funded through voluntary contributions. CHILE argued that wildlife diseases that do not have direct economic consequences also merit action.

The Secretariat of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS) highlighted the work of its Task Force on Epizootics. The Ramsar Convention Secretariat encouraged participants to make use of the information contained in Ramsar Resolution X.21 (Guidance on responding to the continued spread of highly pathogenic avian influenza). The Great Apes Survival Project (GRASP) Secretariat drew parallels with gorilla conservation, noting that the Ebola virus kills over 90% of infected hominids. COW Chair Oteng-Yeboah deferred further discussion until Wednesday.

MIGRATORY MARINE SPECIES: The Secretariat introduced a discussion paper (UNEP/CMS/Conf.9.26/Rev.1), which includes elements for a draft resolution to be elaborated at COP 9. COW Chair Oteng-Yeboah drew attention to draft resolutions on by-catch and ocean noise (UNEP/CMS/Res.9.18/Rev.1 and 9.19).

AUSTRALIA prioritized by-catch, and noted the work undertaken by CBD and, with the US, by the UN General

Assembly with regard to the high seas. With NEW ZEALAND, he called for the inclusion of seabirds. MONACO, with WWF, requested paying particular attention to bluefin tuna.

Barry Baker, CMS Scientific Councilor for by-catch, urged commissioning a global assessment of by-catch. IRAN called for cooperation with regional fisheries management organizations. The INTERNATIONAL FUND FOR ANIMAL WELFARE said COP 9 should consider the strategic direction of CMS in marine species conservation. The US drew attention to the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations. Noting the many definitions of by-catch, WWF, supported by the EU, suggested defining by-catch as captured non-target species and discarded juveniles of target species.

GUINEA BISSAU called for a reference to ensuring that national legislation is harmonized with conventions. The EU argued that it is premature to refer to regional expertise hubs in the resolution, and called for emphasizing the expertise and support of the FAO and regional fisheries management organizations. ACCOBAMS brought attention to the Barcelona Convention on the Protection of the Mediterranean Sea against Pollution. COW Chair Oteng-Yeboah called on a working group to revise the draft resolutions.

RESUMED GORILLA AGREEMENT MOP 1

Gorilla Agreement MOP 1 Chair Samy Mankoto (UNESCO) reopened the session, noting outstanding discussions on: action plans on the eastern and western lowland gorillas; financial and administrative matters; monitoring and reporting; and establishing the Technical Committee.

Delegates adopted the Action Plan for the eastern lowland gorilla (UNEP/CMS/GOR-MOP1/7c) without amendment. Ian Redmond, GRASP, introduced the Action Plan on the western lowland gorilla (UNEP/CMS/GOR-MOP1/7a), noting that this subspecies is declining the most rapidly. EQUATORIAL GUINEA announced a ministerial decree that bans the capture and selling of all primate species. The REPUBLIC OF CONGO described challenges with regard to gorilla conservation in the country, and said it will submit reservations concerning this Action Plan to the Secretariat. Ian Redmond suggested adding reference to the major threat of Ebola. UGANDA proposed including preambular reference to existing national programmes. The document was adopted with these amendments.

Delegates approved the proposed text on financial and administrative matters, which is to be included in the meeting's report, without amendment. In this text, MOP 1 notes and agrees on the budget estimates prepared by the Secretariat, and recognizes the need to find additional funding for project implementation.

The meeting also discussed draft resolutions on monitoring and reporting (UNEP/CMS/GOR-MOP1/Res.1.1) and the establishment of the Technical Committee (UNEP/CMS/GOR-MOP1/Res.1.2). Following several textual suggestions made by the REPUBLIC OF CONGO, UGANDA, NIGERIA and UNEP, delegates decided to reconvene the meeting on Wednesday, to adopt revised draft resolutions and discuss remaining pending issues.

IN THE CORRIDORS

As parties to the Convention on Migratory Species met in Rome, many delegates commended the hard work of the Secretariat during the past three years in making this a "Convention that works." Looking forward to the week's discussions, several delegates noted that, unlike previous COPs, this meeting would not likely be mired in debate on contentious species listings. Most participants felt species proposals should not be controversial, although some expected the saker falcon and sharks listings to provide some hiccups. Many pointed to the future institutional structure of the Convention as the main challenge to be addressed at this meeting, with one delegate remarking that the Convention may well find itself at a turning point in this regard.