

## THE TENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS: 20-25 NOVEMBER 2011

The Tenth Conference of the Parties (COP10) of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) opened on Sunday, 20 November 2011, in Bergen, Norway and will continue through Friday, 25 November 2011. During the week, COP10 will address a packed agenda, including: proposals on the organization and strategic development of the CMS family; extension of the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS) area; a merger of CMS and the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) secretariat functions; and the CMS Strategic Plan. COP10 will also discuss measures to improve the conservation status of Appendix I and II species and conservation issues, including: critical sites and ecological networks for migratory species; barriers to migration; climate change and migratory species; and wildlife disease. Finally it will consider proposals submitted by Parties to amend the appendices of the Convention, including seven species proposals, among them, the giant manta ray (*Manta birostris*), the argali sheep (*Ovis ammon*), and the saker falcon (*Falco cherrug*), proposed for Appendix I and II, Appendix II and Appendix I listings, respectively.

A report on ecological networks as a tool for migratory species conservation, entitled "Living Planet, Connected Planet: Preventing the End of the World's Wildlife Migrations through Ecological Networks," will be launched on 21 November. During the week, CMS will also convene a Donors Meeting for interested governments and non-governmental bodies as well as the private sector to enhance collaboration between the CMS Secretariat and the Convention's donors.

The COP was preceded by the Standing Committee (StC) meeting on 19 November 2011. The Scientific Council (ScC) met from 17-18 November 2011. The First Meeting of the

Signatories to the Memorandum of Understanding (MoU) concerning Conservation and Restoration of the Bukhara deer (*Cervus elaphus bactrianus*) was held on 20 November 2011.

CMS COP10 will be followed on 26-27 November by both the Second Meeting of the Parties (MOP2) to the CMS Agreement on the Conservation of Gorillas and their Habitats and the Seventh Meeting of the Standing Committee of the African-Eurasian Waterbird Agreement (AEWA).

### A BRIEF HISTORY OF CMS

Migratory species are vulnerable to a wide range of threats, including habitat shrinkage in breeding areas, excessive hunting along migration routes, and degradation of their feeding grounds. As a result of international concern over these threats, CMS was adopted in 1979 and entered into force on 1 November 1983. CMS, also known as the Bonn Convention, recognizes that states must be the protectors of migratory species that live within or pass through their national jurisdictions, and aims to conserve terrestrial, marine and avian migratory species throughout their ranges. CMS currently has 116 parties.

The Convention was designed to allow for expansion and revision of commitments and to provide a framework through which parties may act to conserve migratory species and their habitat by: adopting strict protection measures for migratory species that have been characterized as being in danger of extinction throughout all or a significant portion of their ranges (species listed in Appendix I of the Convention); concluding agreements for the conservation and management of migratory species that have an unfavorable conservation status or would benefit significantly from international cooperation (species listed in Appendix II); and joint research and monitoring activities. At present, over a hundred migratory species are listed in Appendix I.

CMS also provides for the development of specialized regional agreements for Appendix II species. To date, seven agreements and 19 MoUs have been concluded. The seven agreements aim to conserve: populations of European bats; cetaceans of the Mediterranean Sea, Black Sea and contiguous Atlantic area; small cetaceans of the Baltic and North Seas;

seals in the Wadden Sea; African-Eurasian migratory waterbirds; albatrosses and petrels; and gorillas and their habitats. The nineteen MoUs aim to conserve: the Siberian crane; the slender-billed curlew; marine turtles of the Atlantic coast of Africa; marine turtles of the Indian Ocean and Southeast Asia; the Middle-European population of the great bustard; the Bukhara deer; the aquatic warbler; West-African populations of the African elephant; the saiga antelope; cetaceans in the Pacific islands region; dugongs; the Mediterranean monk seal; the ruddy-headed goose; grassland birds of southern South America; high Andean flamingos; South Andean Huemul; migratory sharks; and raptors (birds of prey in Africa and Eurasia). These agreements and MoUs are open to all range states of the species, regardless of whether they are parties to the Convention.

Eight Action Plans have also been concluded, on: Central Asian flyway; Sahelo-Saharan antelopes; Chinese crested tern; black-faced spoonbill; spoon-billed sandpiper; Madagascar pond heron; white-winged flufftail; and lesser flamingo. There are also three initiatives on bycatch, Eurasian Aridland mammals and Houbara bustard.

**COP6:** The sixth meeting of the COP (4-16 November 1999, Cape Town, South Africa) adopted resolutions on: institutional arrangements; financial and administrative matters; by-catch; information management; Southern hemisphere albatross conservation; and concerted actions for Appendix I species. Seven species were added to Appendix I, including manatees of the marine areas of Panama and Honduras. Thirty-one species were added to Appendix II, including dolphins of South-East Asia and the whale shark. Recommendations were approved on cooperative actions for various Appendix II species.

**COP7:** The seventh meeting of the COP (18-24 September 2002, Bonn, Germany) added 20 species to Appendix I and 21 to Appendix II, with the fin, sei and sperm whales, and the great white shark being listed on both. COP7 also adopted resolutions on: electrocution of migratory birds, offshore oil pollution, wind turbines, impact assessments, and by-catch. The COP adopted decisions on, *inter alia*: future action on the Antarctic minke, Bryde's and pygmy right whales; improving the conservation status of the leatherback turtle; an agreement on dugong conservation; the American Pacific Flyway Programme; and the Central Asian-Indian Waterbird Flyway Initiative.

**COP8:** The eighth meeting of the COP (20-25 November 2005, Nairobi, Kenya) addressed: the review of CMS implementation; sustainable use; the target to significantly reduce the current rate of biodiversity loss by 2010; measures to improve the conservation status of Appendix I species, including projects on Sahelo-Saharan antelopes and the Siberian crane; measures to improve the conservation status of Appendix II species, including raptors, migratory sharks and marine turtles; proposals for amendments to Appendices I and II; the CMS 2006-2011 Strategic Plan; the CMS Information Management Plan; and financial and administrative arrangements. The meeting added 11 species to Appendix I and 16 to Appendix II,

with the basking shark, Bukhara deer and short-beaked common dolphin listed on both, and witnessed the signing of new MoUs on the West-African elephant and the saiga antelope.

**COP9:** The ninth meeting of the COP (1-5 December 2008, Rome, Italy) adopted 17 resolutions and five recommendations. It listed 11 species on Appendix I of the Convention, including three dolphin species and the West African manatee, as well as the cheetah, with the exception of the populations of Botswana, Zimbabwe and Namibia for which quotas are in place under the Convention on the International Trade of Endangered Species of Wild Fauna and Flora (CITES). Species listed in Appendix II include the African wild dog, saiga antelope and several dolphin populations. Following intense negotiations, mako sharks, the porbeagle shark and the northern hemisphere population of the spiny dogfish were also listed on Appendix II. The proposal to list the saker falcon on Appendix I was eventually withdrawn, but a resolution was adopted that sets out the direction for future work on this species, and proposes listing it at COP10 unless its conservation status improves significantly.

#### INTERSESSIONAL HIGHLIGHTS

**CMS STANDING COMMITTEE 35:** The 35th meeting of the CMS Standing Committee convened on 5 December 2008, in Rome, Italy. It elected, *inter alia*, the officials to fill the posts of Chair and Vice-Chair and officers of the Budget Sub-Committee during the triennium 2009-2011.

**SHARKS II:** The second meeting on International Cooperation on Migratory Sharks under the Convention on Migratory Species (SHARKS II) convened from 6-8 December 2008 at the UN Food and Agriculture Organization (FAO) headquarters in Rome, Italy. The goal of the meeting was to reach agreement on the final form of the instrument to guide the management of migratory sharks, based on two drafts of a legally binding instrument and a non-legally binding instrument (NLBI) prepared by the CMS Secretariat, in consultation with an Intersessional Steering Group on Migratory Sharks. SHARKS II agreed on an NLBI in the form of an MoU for migratory shark conservation and adopted a "Statement on the Outcome of the Meeting."

**WEST AFRICA ELEPHANT MoU:** The first meeting of the signatories (MoS) of the MoU concerning Conservation Measures for the West African populations of the African Elephant (*Loxodonta africana*) took place in Accra, Ghana from 30-31 March 2009. The participants at the first meeting of the Signatory States of the MoU adopted a declaration including: a work programme for the years 2009-2011; support for seeking financial resources for the execution of the established work programme; and the finalization of a list of transboundary areas where collaborative activities are to be strengthened for the management of transboundary elephants.

**CMS STANDING COMMITTEE (EXTRAORDINARY MEETING):** The CMS Standing Committee convened in an extraordinary session on 8 June 2009 to, *inter alia*, address

the decision of UNEP Executive Director to transfer Robert Hepworth, Executive Secretary of the CMS Secretariat, to UNEP headquarters in Nairobi.

**CMS SCIENTIFIC COUNCIL MEETING (ACTIVITY PLANNING MEETING):** The CMS Scientific Council convened on 13 June 2009 in Bonn, Germany for an activity planning meeting, to, *inter alia*, discuss whether the Council should draft a document that explains the purpose of the appendices.

**CMS STANDING COMMITTEE 36:** The 36th meeting of the CMS Standing Committee convened from 2-3 December 2009 in Bonn, Germany, to, *inter alia*, adopt with amendments the Code of Conduct for Partnerships with the private sector.

**SHARKS III:** The third meeting on International Cooperation on Migratory Sharks (SHARKS III) under CMS convened from 10-12 February 2010 in Manila, the Philippines, and was preceded by the Technical Meeting for the Elaboration of a Conservation and Management Plan for Migratory Sharks from 8-9 February. Participants adopted a non-legally binding MoU on the Conservation of Migratory Sharks and a clear procedure for completing work on the CMP. Through informal consultations, delegates agreed that all seven shark species currently in Appendix I and II of the CMS (basking shark, great white shark, whale shark, spiny dogfish shark, porbeagle shark, and shortfin and longfin mako sharks) would be considered under the MoU.

**AQUATIC WARBLER MoU MoS 2:** The Second MoS to the MoU concerning conservation measures for the aquatic warbler (*Acrocephalus paludicola*) met in Biebrza National Park, Poland from 13-15 May 2010. Participants shared information on the status of MoU and Action Plan implementation.

**SIBERIAN CRANE MoU MoS 7:** The Seventh MoS to the MoU Concerning Conservation Measures for the Siberian crane (*Grus leucogeranus*) met in Bonn, Germany from 10-12 June 2010. Participants agreed that the CMS Secretariat would produce an executive summary of priorities and send to national governments requesting support.

**CMS SCIENTIFIC COUNCIL MEETING 16:** The 16th meeting of the CMS Scientific Council convened from 28-30 June 2010 in Bonn, Germany, decided, *inter alia*, to have closer cooperation and collaboration with CITES and the FAO, especially in emergency situations.

**SAIGA ANTELOPES MoU MoS 2:** The Second MoS to the MoU concerning conservation, restoration and sustainable use of the saiga antelope (*Saiga tatarica*) met in Ulaanbatar, Mongolia from 9-10 September 2010. During the meeting, participants recognized that the mass mortality of 12,000 saigas due to disease in the Ural population in West Kazakhstan in May 2010 had undermined long-term conservation efforts and the need for assistance from the international community following the outbreak.

**EUROBATS MoP 6:** The sixth MoP of the Agreement on the conservation of populations of European bats was held from 20-22 September 2010 in Prague, Czech Republic. Participants adopted several resolutions, including on: bat migration, wind turbines and bats as indicators of biodiversity.

**DUGONGS MoU MoS 1:** The first MoS to the MoU on the conservation and management of dugongs and their habitats throughout their range met in Abu Dhabi, United Arab Emirates, from 4-6 October 2010. Participants discussed: the extension of the ambit of the MoU through the addition of further range States as signatories; activities undertaken thus far; and how best to advance implementation of the MoU and its associated Conservation and Management Plan.

**ACCOBAMS MoP 4:** The parties to the Agreement on the Conservation of Cetaceans in the Black Sea Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS) met from 9-12 November 2010 in Monaco, and adopted the "2011-2013 Work Programme," as well as guidelines for: commercial cetacean-watching in the ACCOBAMS area; best practice and procedure for addressing cetacean mortality events related to chemical, acoustic and biological pollution; a coordinated cetacean stranding response during mortality events caused by infectious agents and harmful algal blooms; and the impact of anthropogenic noise on cetaceans in the ACCOBAMS area.

**CMS STANDING COMMITTEE 37:** The CMS Standing Committee convened from 22-24 November 2010 in Bonn, Germany, and decided, *inter alia*, that the CMS Secretariat would: prepare draft guidance to national focal points on how National Biodiversity Strategies and Action Plans (NBSAPs) should be drafted to take account of the conservation of migratory species relevant to CMS and its instruments; and draft a Resolution for COP10 establishing a Working Group to draw up the Strategic Plan 2015-20 and submit it for approval to members of the Standing Committee.

**GRASSLAND BIRDS MoU MoS 1:** The first MoS to the MoU on the conservation of Southern South American migratory grassland bird species and their habitats convened on 14 December 2010 in Asuncion, Paraguay. Participants adopted the Action Plan for Migratory Grassland Birds of Southern South America.

**WEST AFRICA ELEPHANT MoU MoS 2:** The second MoS to the MoU concerning the West Africa Elephant met from 20-21 June 2011 in Niamey, Niger. Participants discussed the revision of the Medium Term International Work Programme and finalization of transboundary projects.

#### COPI0 ASSOCIATED MEETINGS

**CMS SCIENTIFIC COUNCIL 17:** This meeting took place from 17-18 November 2011, chaired by John Mshelbwala (Nigeria). The Secretariat emphasized that the future role of the Committee will need to be strengthened, in addition to increasing efficiency through optimizing intersessional work. They noted the intersessional process regarding the future shape of the CMS, with the Chair of the Future Shape Working Group being asked to revise proposals to reflect the most important activities identified by a drafting group; and the extension to 2014 of the Strategic Plan of the Convention 2006-2011, with amendments to the process discussed at the 37th Standing Committee meeting on the future shape of the CMS. Other discussion points included: a *modus operandi* for dealing with emergencies such as

mass mortality of species, with members expressing concern that the term “emergencies” may be restrictive; the impacts of marine debris; critical sites and ecological networks for migratory species, endorsing a resolution that calls on the scientific council to carry out an evaluation of current networks; the “Revised Guidelines for the Operation of the Small Grants Programme”; and the potential contribution of an Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES).

**CMS STANDING COMMITTEE 38:** This meeting took place on Saturday, 19 November 2011, and was chaired by outgoing Standing Committee Chair Mohammed Sulayem (Saudi Arabia). The Secretariat presented joint work programmes (JWP) to increase collaboration with CITES, the UN Convention on Biological Diversity (CBD) and the Ramsar Convention. Norway and Pakistan proposed additional collaborations with climate change bodies. Executive Secretary Elizabeth Mrema stated that collaborations were happening on an *ad hoc* basis. The StC approved the JWPs.

Executive Secretary Mrema described proposals for the composition of the Standing Committee, which will be decided on Friday, 25 November 2011 at the 39th Standing Committee meeting.

**BUKHARA DEER MoU MoS 1:** This meeting took place on 20 November 2011, with parties from Kazakhstan, Tajikistan and Uzbekistan, as well as international experts meeting to review the conservation status of the Bukhara deer and to agree on future priorities under the CMS MoU on the Conservation and Restoration of the Bukhara deer. Parties heard that since 2002, when the MoU was concluded under CMS, the overall population of the Bukhara deer in Central Asia quadrupled from 350 to 1620. Parties agreed to submit biannual reports to the Secretariat on progress in implementing the MoU and the Action Plan, delegates decided to review and update the Action Plan and to add Afghanistan as an additional range state to the MoU. The participants concluded the meeting by signing a joint statement with key action points reiterating their commitment to the conservation of Bukhara deer across its range.

### **COP10 OPENING CEREMONY**

On Sunday, 20 November, 2011, COP10 opened with a musical performance, which included audience participation in one of the songs.

In the opening, His Highness Prince Bandar Al-Saud of Saudi Arabia, CMS Standing Committee Chair, on the future of the CMS, urged parties to agree on options to provide CMS with institutional support and adequate resources to fulfill its objectives.

Welcoming participants to Bergen, Lisbeth Iversen, Commissioner, Bergen Municipality, noted that migratory species “know no borders,” and, recalling the responsibility to protect these species, said “they belong to all of us and we belong to them.”

Amina Mohammed, UN Environment Programme (UNEP) Deputy Executive Director, pointing to the need to address poverty and inequity when considering biodiversity conservation,

highlighted UNEP’s work on a green economy and the economic valuation of biodiversity and ecosystem services.

Elizabeth Mrema, CMS Executive Secretary, citing the recovery of the populations of the Saiga antelope, emphasized the utility of MoUs among other CMS mechanisms for the conservation of migratory species adding that success depends on cooperation of range states, political will and provision of adequate financing and synergies among MEAs.

Mohammed then invited representatives from five of the biodiversity-related conventions to discuss: synergies; how their respective Secretariats contribute to the conservation of migratory species and habitats; the benefits of collaboration with the CMS and each other; and what collaborative efforts could be enhanced.

Highlighting collaborative efforts among CMS, CITES, Ramsar, FAO, CBD and others, John Scanlon, CITES Secretary-General, stressed the need to work collaboratively to keep species, not only ecosystems, on the conservation agenda.

Nick Davidson, Ramsar Deputy Secretary General, added that collaboration is needed not only between Secretariats and Convention mechanisms, but also at the national level, including between Convention focal points and across government ministries.

Shakheel Bhatti, Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), noted the agreement’s participation in the Liaison Group of Biodiversity-related Conventions, and emphasized the need to “speak as one voice” across sectors to raise concerns about biodiversity loss. He also highlighted synergies, such as the similarity between the concepts of “wise use” under CMS and “sustainable use” under ITPGRFA.

Looking towards the UN Conference on Sustainable Development (UNCSD or Rio+ 20) in 2012, Peter Shei, Representative of Norway and CMS Ambassador, urged dialogue with and involvement of business and other sectors, such as climate change and trade, to encourage cross-sectorial cooperation and understanding.

Elizabeth Mrema highlighted the need to avoid duplication, advising in particular the development of synergies at the national level, such as communication between focal points, and the participation of all biodiversity-related agreements in the development of NBSAPs.

Fernando Spina, CMS Scientific Councillor, Italy, said that the variety of approaches in regards to migratory species protection among range states is a challenge to their conservation and called for cooperation and development of common goals.

H.E. Erik Solheim, Norwegian Minister of the Environment, said that Norway was built on migratory species including salmon, which are an important export product, and various birds which return in May and April.

In conclusion, Prince Bandar Al-Saud said that most countries have migratory species and that their conservation depends on trust and partnership among range states.