

Background CMS CoP13

OVERVIEW

IFAW has a long history of engagement with the Convention on the Conservation of Migratory Species of Wild Animals (CMS), also known as the Bonn Convention, which came into force in 1979 as an intergovernmental treaty under the aegis of the United Nations Environment Programme (UNEP). Its purpose is to bring together countries to cooperate on how they manage and protect species, particularly endangered species, which are migratory and cross national boundaries.

Currently there are 130 parties to CMS (129 Member States and the EU), compared to 183 parties to CITES, and 190+ to CBD. The US, Canada and China are not parties to CMS, which also has significantly less Asian country members than some of the other key forums, while much of Latin America and Europe are parties.

The 13th session of the Conference of the Parties (CoP13) will be held in Gandhinagar in Gujarat, India from 15–22 February, 2020.

A BRIEF INTRODUCTION TO CMS

CMS began with a strong focus on bird conservation but can consider any species that crosses national borders, and now includes a number of terrestrial mammals, whales and sharks listed in its Appendices. CMS Resolutions and Decisions can be across avian, aquatic, terrestrial and cross-cutting (themes). IFAW has less involvement with avian issues but our issues do come into all other areas. CMS requires range states of listed species (i.e. when two or more countries have jurisdiction over a species) to cooperate on how species can be protected and passes resolutions, decisions, and decides agreements or actions it wants member countries to take.

Like CITES animals are listed on CMS, which has two appendices. At CITES App I gives higher protection, while 2 and 3 are lower, and CITES relates only to trade. CMS operates differently with Appendix I for the most endangered species which can be offered stricter protections, so countries should give domestic protection against killing or harassment of those species once they're listed on CMS App I. App II is concerned more with the intent to create some kind of cooperative agreement or arrangement to protect those species. Animals can be listed on both appendices or just one or the other, which is also different from CITES and often causes confusion.

Items are proposed and resolutions are passed or agreements reached. Some agreements relate to how CMS works with other conventions or partners. Agreements are reached on working documents, mostly relating around threats or action plans on certain species. It is less common at CMS than CITES to have large numbers of country proponents for a proposal; many have just one or two.

The Secretariat of the Convention is based in the UN Campus in Bonn, Germany. More info at <http://www.cms.int>

WHY DOES IFAW ATTEND?

As well as being smaller in scale than CITES or CBD, IFAW's involvement with this convention is also on a smaller scale but it is nonetheless an important forum for IFAW's work for various reasons. Results from CMS, compared to CITES, can be less immediate with less tangible outputs. For instance, a CITES decision can have immediate impact on protecting a species from trade, with clear actions a country can face if it does not comply, whereas CMS can decide that a species should be protected domestically but often affected countries will still need to put in place structures for this to happen such as introducing domestic legislation, and compliance requirements are not as clear cut as in other forums which may have stronger enforcement mechanisms. As a result, sometimes after listings or agreements countries do not take the agreed action quickly and it can be hard to achieve the required change without undertaking significant work at a national level in the relevant countries. Nonetheless, this is a relevant forum in the issues and species it covers and IFAW has been very successful in generating political momentum for positive results at other forums such as CITES due in part to outputs from CMS. Similarly, it is effective in terms of creating domestic pressure on a particular country to take action on a species.

CMS also has a mechanism for NGOs to become official cooperating partners. IFAW is a partner to CMS.

KEY ISSUES ON THE CMS AGENDA

At CoP13, there are three particular proposals we are focussing on: jaguars, Asian elephants and oceanic whitetip sharks, all App I or I and II listings.

We have produced a summary of recommendations document which covers these three proposals and all issues of interest on the agenda in greater detail.

See additional messaging and background below -

Jaguar –

Agenda item 27.1.2 – Proposal for the Inclusion of the Jaguar (*Panthera Onca*) in Appendix I and II of CMS (Costa Rica, Argentina, Bolivia, Peru, Paraguay, Uruguay)

IFAW has worked closely with a number of Latin American countries to support this proposal which we want and expect to be successful.

At least 40% of jaguar habitat has been lost over the last 100 years.

Further destruction of jaguar habitat and critical migratory corridors likely poses the greatest threat to the survival of this species.

Co-proposed by six countries in Latin America, this is the highest ever number of co-proponents for a proposal at CMS, excluding proposals sponsored collectively by all EU member states. This demonstrates the strength of regional support to protect this flagship species.

This proposal is important for jaguars which are emblematic of the problems facing many migratory species and it is critical to increase protection to help sustain them in the short and longer term.

Jaguars traverse at least 19 range states, from the US down to Argentina and almost every country inbetween. They typify the problems faced by large mammals crossing fragmented habitats between national borders.

Studies have found at least 26 transboundary populations of jaguar – where regular movement across international boundaries can occur as the animals search for mates and food. Maintaining connections between small sub-populations of jaguars that move across borders is critical to protect them across their range states.

While the jaguar is classed as ‘Near Threatened’ globally, this is due to its assessment focussing on the largest and healthiest population in the Amazon.

A 2018 study found that when IUCN Red List criteria are applied to the other 33 jaguar populations, they qualify as Endangered or Critically Endangered due to their small size, isolation and lack of sufficient management.

Domestically, 13 range states have declared the jaguar to be Endangered, four Vulnerable and two have already suffered local extinctions.

IFAW believes a CMS Appendix I and II listing for the jaguar will encourage greater regional cooperation, particularly for the management of transboundary populations, maintenance or creation of key migratory corridors for isolated populations and prevent further jaguar habitat loss and population declines.

At least half of the jaguar’s 19 range states are parties to CMS.

Asian Elephant –

Agenda item 27.1.1 – Proposal for the inclusion of the Mainland Asian Elephant in Appendix I (India)

IFAW is supporting the listing of the Asian elephant in Appendix I of CMS and recommends that the proposal be amended to include all Asian elephants, not just the Mainland Asian elephant, and IFAW also suggests that it is listed in Appendix II as well as Appendix I.

This means the Asian elephant would be afforded additional protection to cover all its range states, not just mainland ones.

As an example, Asian elephants on the island of Borneo cross the boundaries of Malaysian and Indonesian Borneo so would not be covered by the current wording of the proposal.

The Asian elephant is classified as Endangered by the IUCN, suffering threats from habitat loss and fragmentation, illegal killing for ivory and other products or in retaliation due to human-elephant conflict, or deaths through contact with human infrastructure, such as collisions with trains.

While India is home to 60% of Asian elephants, it shares some of these elephants with neighbouring states (such as Bangladesh) and for populations outside of India, many cross international boundaries where they face a range of threats.

Asian elephants also suffer a gender imbalance due to historical poaching of males for their ivory as only male elephants have tusks.

Many Asian countries are not members of CMS but the aim is to form a regional agreement or MOU with collective actions which can include CMS member and non-member states.

Oceanic whitetip shark –

Agenda item 27.1.8 – Proposal for the inclusion of the Oceanic Whitetip Shark in Appendix I of CMS (Brazil)

Once considered one of the most common tropical shark species in the world, the oceanic whitetip is now one of the most endangered species of shark in the ocean.

Its IUCN Red List status was updated in December 2019 to critically endangered, with its losses averaging 98-100% worldwide.

Decades of overfishing, particularly for the lucrative shark fin soup trade, has decimated this shark's populations throughout its range. The oceanic whitetip is one of the most significantly fished sharks for the fin trade.

Although it can't be legally caught or retained by most international and regional fisheries management organisations it may still go extinct even with those protections due to its already highly depleted population.

This proposal is designed to bolster existing protections and highlight the desperate plight of this species. IFAW believes an Appendix I listing for oceanic whitetip sharks will strengthen the measures already put in place to protect them and also may fill in current management gaps and add an additional legal obligation for domestic protection.

The status of the species and the threat of imminent extinction shows the urgent need for better global protection.

Not many commercially-exploited shark species are currently listed on Appendix I at CMS which may make this proposal slightly more controversial, though we still expect it to succeed, due to the merits of its inclusion and severe population declines.

Other issues of interest

A number of other issues on the schedule are important to us, some concerned with how the convention operates and works with other conventions, how it works with NGO partners of which we are one, discussion on how to make those agreements more meaningful and reviewing how species are currently listed to see if listings remain relevant.

Marine noise and bycatch are also covered and we are supporting these documents with suggestions of small amends. For African carnivores, we are highlighting the need for protection for cheetahs where we know there is significant illegal take of cheetahs in the horn of Africa, for trafficking to the Middle East for the exotic pet trade.

IFAW is supporting CMS' pioneering work on cultural aspects of wildlife conservation, looking at the implications of animal culture/importance of individuals animals in family groups, such as whale song/communication, matriarchs in elephant society and knowledge in the use of tools by chimps being passed on to others, etc. We are keen to see this aspect of CMS work continue. No other convention is currently looking at this issue in such a way and it fits with our belief in the importance of individual animals in conservation.

Transfrontier conservation –

This relates to a network of protected areas across national boundaries and there is significant EU funding for this work, which covers a number of countries where IFAW is active. The aim is to set up a network of protected areas to operate across country boundaries, and may be relevant to some of our areas of work in Africa.

Community participation and livelihoods –

This issue is seen as controversial at CITES because of the focus on trade, but at CMS can be an antidote to that. The focus on communities and livelihoods can be helpful as it highlights alternatives to using wildlife where the conservation of CMS-listed species can also benefit people. A document on this will be discussed at CMS which is looking to solicit case studies. We will be working to have inclusion of IFAW's relevant good case studies on how communities have been engaged and benefited.

Infrastructure Development and Migratory Species –

IFAW is supporting a request for the Scientific Council to establish a multi-stakeholder Working Group on linear infrastructure, to determine priorities for future CMS work.

Globally, at least 25 million kilometres of new roads and 335,000 kilometres of rail track are projected to be developed by 2050.

Development of infrastructure has numerous impacts on migratory species, such as habitat fragmentation, collisions, disturbance and pollution and can cause barriers to movement, wildlife deaths and genetic isolation. Indirect impacts can include increased poaching where humans have more access to wildlife.

IFAW believes there is a compelling need for further CMS work on the topic of infrastructure development and migratory species.

Concerted actions –

This is a looser version of agreements between countries to take actions on specific species or populations. There are a number of new proposals here and suggestions for review of earlier actions.

A new concerted action has been proposed for giraffes, suggesting continental, regional and national action plans which IFAW is supportive of. This shouldn't be controversial. Known as the 'silent extinction' giraffe numbers have plummeted by up to 40% over the last 30 years due to threats including international trade in their parts, as well as habitat loss, civil unrest and illegal hunting.

IFAW is also supporting concerted action on guitarfish and wedgetfish - the most endangered group of sharks - so it is important to have concerted effort around their protection.

Alongside the Asian elephant listing proposal India has also submitted a Concerted Action proposal, which suggests forming an Asian elephant range state agreement.

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