



CONVENTION ON MIGRATORY SPECIES

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CMS COP11 HIGH LEVEL MINISTERIAL PANEL

Uniting the rights of nature and the green economy in the context of sustainable development and poverty eradication: Finding Solutions to Protecting International Wildlife

The rights of nature and the green economy are two approaches that have emerged in response to the ecological crisis and both have gained a great deal of momentum in the two years post-Rio+20. The two competing approaches have spurred an ongoing debate which begs a number of questions: can the two approaches be reconciled; what are the limitations of each of them? Can a balance be struck between the two? and if so, where does that balance lie? At Rio+20 this debate was a major source of tension resulting in the failure to agree to a full endorsement of the green economy. Many countries see the green economy as the path to follow in future balancing development with ecology and the environment. Others have remained non-committal because of concerns about placing an economic value on nature. Countries such as Bolivia, Ecuador, Venezuela and Colombia have been openly reluctant to give a go-ahead to the green economy concept without first qualifying it. These countries and several others have strong laws that have recognized nature as having rights (independent of human-based rights) and have granted Mother Nature legal standing. In 2007 Ecuador adopted a new constitution and became the first country to recognize the rights of nature, but many other countries have given nature certain legal standing through rulings or through national policies.

The debate between these two approaches lies at the very heart of the international work on migratory species. It is an extremely important debate for CMS which has the task of protecting some of the most endangered species on Earth and seeks to do so through international cooperation. How can it do it the most effectively? The work is very challenging and one particular difficulty CMS faces is creating the right incentives and motivations to protect migratory species.

Every day debates around the two approaches can be heard in CMS circles. Some proponents see migratory species from the point of protecting them at all costs for their beauty, their phenomena, for their intrinsic rights. Other proponents recognize that protecting migratory species requires that the animals are given a value and a price that will be sufficient incentive to justify their protection or sustainable use. Often protecting a species is also faced with limitations of both the approaches; some species are not iconic and do not stir sufficient emotions to protect them for intrinsic values. From the economic perspective some species offer little value even in terms of green investment for tourism, pollination or other key ecosystem services – factors that would lead to a species being valued under a green economy. CMS also contains principles that are sometimes related to and even mixed with the rights of nature. It is partly based on the principle of the common heritage of humankind, which is of special interest to those wanting to see the historical value and the rights of future generations recognized. But this is a tenuous right, not well established in international law.

The discussion around the rights of nature and the green economy is also one that is very close to home for environment and ecology ministers, one that they must face every day in carrying out their job. Questions they inevitably tackle include: What are the incentives and means available to protect nature? Nature has economic value; so how can this be integrated into decision making and how can species protection be promoted under these incentives? When nature is embedded in culture or the identity of people, how can it just be given an economic value? Equally perplexing is if nature can be given an economic value, how do you ensure that the distribution of the economic benefits is fair to everyone involved - and not just for those that are rich enough to pay for or privileged enough to own and therefore receive payment for the resources? The two models

sometimes place ministers on the horns of a dilemma and they are faced with these realities but do not necessarily control the fate of the resources nor can they always influence the decision-making in cabinet that tend to more economically minded to ensure all sides of the debate are adequately represented.

It has become widely realized that finding a solution to protecting nature and the environment cannot be put off for the future. The magnitude and scale of the ecological crisis demand a solution now, before resources are depleted beyond the boundaries of resilience. Our ecosystems are degrading at a more rapid rate than at any other time in human history. Since 1970 conversion and degradation of ecosystems have resulted in declines of 20 per cent of some natural habitats. The world lost over 100 million hectares of forest from 2000 to 2005, and has lost 20 per cent of its sea grass and mangrove habitats since 1970 and 1980 respectively. In some regions, 95 per cent of wetlands have been lost. Two-thirds of the world's largest rivers are now moderately to severely fragmented by dams and reservoirs.

The loss is huge for human beings. At least 40 per cent of the world's economy and 80 per cent of the needs of the poor are derived from biological resources. Species in particular are in sharp decline from climate change and the direct consequences of human activities such as overexploitation, habitat infringement and loss, introduction of Invasive Alien Species, and pollution. It is estimated that the current species extinction rate is between 1,000 and 10,000 times higher than it would naturally be. Up to two thirds of species in some taxa are threatened with extinction; species populations are declining, since 1970, vertebrate populations have fallen by 30 per cent. This includes shocking impacts on keystone and iconic migratory species such as:

- The International Union for Conservation of Nature (IUCN) suggests that one quarter of all known species of sharks and rays are threatened by extinction and 25 species were classified as critically endangered.
- Five of the seven species of sea turtles are endangered or critically endangered according to the IUCN Red List.
- The majority of species of albatross and petrel are endangered or critically endangered according to the IUCN Red List.
- 100 elephants are poached in Africa every day and only 500, 000 are left in the wild today compared to 1979 when there were approximately 1.3 million.
- Subpopulations of Irrawaddy Dolphins in South-East Asia are critically endangered according to IUCN.
- Populations of Monarch Butterflies are plummeting. Nearly two decades ago, in the winter of 1996-97, dense Monarch colonies covered 44.9 acres in Mexican forests. In the 2013-14 winter, the colonies covered only 1.7 acres, a plunge of nearly 44 percent from the previous year.
- Over 140 million migratory birds were illegally trapped in Egypt in 2013 and 2.8 million estimated to be trapped in 2012 according to NABU counts.
- Great migrations such as that of the wildebeest on the Serengeti may cease in 50 years according to recent studies including one commissioned by UNEP.

We live in an economic world and the things that have value are the ones that are conserved. The green economy argument is based on the foundation that until nature is included in price structuring then it will not have the value necessary for people to consider it worth protecting. UNEP defines the green economy “as one that results in improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities. In its simplest expression, a green economy can be thought of as one which is low carbon, resource efficient and socially inclusive”.

The UNEP Green Economy Report highlights several areas that are relevant to migratory species such as investments in green fisheries, green transport that takes into consideration barriers to migration, improving land use issues, marine litter which has strong impacts on many of CMS species and sustainable tourism. CMS also takes into consideration the habitat of migratory species and so maintaining ecosystems such as forests, wetlands and aquatic environments is also a key area for CMS and which has been one of the foci of the green economy approach. The goal of the green economy,, according to UNEP’s definition, in the context of biodiversity is to promote investments that reduce biodiversity loss, rebuild what already been lost and promote natural capital as “a critical economic asset and source of public benefits, especially for poor people whose livelihoods and security depend strongly on nature.”

The rights of nature argument is that nature should be given legal standing so that it has the right to exist and can be protected in the courts based on its own intrinsic value independent of what worth humans place on it. The argument asserts further that nature has value because of its beauty, complexity, diversity, history or its links to culture. There are several degrees of conveying the rights of nature. There are those that see the right in the strict sense whereby nature has rights based solely on its own existence with no links to humans; its rights are inherent and independent of the judgment or attitude of any person. On the other side of the spectrum are those that see the right to nature based on values of people; nature would have its own rights based on how it is perceived; in other words, that it may have rights because of what it represents: spiritualism, history, rarity or its beauty. The rights of nature have been recognized in several international instruments. The Bern Convention was the first to recognize the intrinsic rights of nature in 1979. In 1982, the General Assembly of the United Nations adopted the World Charter for Nature including the provision that “every form of life is unique, warranting respect regardless of its worth to man.” In 1992 the Convention on Biological Diversity recognized the “intrinsic value of biological diversity” and this was recently reaffirmed in the Rio+20 Outcome document “The Future We Want” in 2010.

In the context of migratory species this right could mean that their value goes well beyond their strict economic and instrumental value. For example, often beauty is the most cited reason for protecting nature. Campaigns are built around individual iconic species (e.g. Polar Bears, Monarch Butterflies, Blue Whales), because humans identify with the beauty of nature, and human art and literature are filled with expressions and portraits of nature. Another is nature’s history and sentimental value -: Indigenous people identify nature as having its own individuality embodied in the idea of Mother Nature which is closely linked to their cultures and their own identities. A specific CMS context is the phenomenon of migration, the amazing wonder of great migrations of wild animals such as the world’s largest mammal migration of wildebeest, zebras and gazelles on the Serengeti Plains, the genetic blueprints embedded in certain species such as sea turtles, salmon or sea eels that bring them back to their place of birth to breed, and the sheer ability of tiniest of birds to make Herculean voyages across thousands of kilometres sometimes over seas and between continents.

At times the debate between the two approaches has become accusatory and even heated. On one hand green economists argue that a rights-based approach will not be a sufficient incentive to protect nature and the only way is through an economic rationale. Currently nature is in most cases

a public good and not given a value in economic decision-making and therefore it is considered free and will be overexploited. The best alternative is to value nature based on ecosystem services and create markets for these services so their value is protected.

Advocates of the rights based approach to nature argue that valuing nature means treating it as a commodity and will lead to large-scale acquisitions of land in developing countries with companies - and even governments - buying up land to speculate, a practice sometimes called land-grabbing. Their argument is that even if natural capital gets into accounting practices and economic decision-making it is not sufficient to address the magnitude of the ecological crisis. There are also two other concerns voiced by advocates of the rights of nature against the green economy. The first is that a green economy will only create markets for essential ecosystem services and will not be comprehensive so that less attractive elements will not be covered and will continue to be degraded. Second, if markets are created, they may not be balanced and it could result in the rich owning and controlling the services and restricting access to others while there should be access to all equally. In other words equity is a serious concern for opponents of the green economy.

The rights of nature and the green economy while both having the shared goal of attempting to halt the ecological crisis are often portrayed as being irreconcilable or as competing concepts that are fundamentally different. In some ways the debate has become ideological with neither side seeing the merit in the other's approach and neither side wanting to concede any ground to the other despite the fact that there is room for both and that on many levels there is the potential for compatibility. Ultimately this is a question of values and whose set of values will predominate, unless we can reconcile the two to have an acceptable or widely held common value for nature.

The ministerial dialogue is meant to be a conduit between these two approaches. It will discuss the differences but it will also discuss the commonalities between the two and look for options that can see both approaches unite to address their common objective of defusing the ecological crisis. The dialogue is intended to be a first step to finding ways forward that can then be transformed into concrete policies. In looking for a common way forward, we might wish to consider several alternative options for bridging the gap between the approaches. These include the following:

- Rachel Kyte, Vice President of the World Bank says “[Through natural capital accounting] we are not talking about ‘pricing’ nature but ‘valuing’ it. By valuing it, you are enabling better economic decisions. The economic value could then be considered along with the social and natural value information”.
- Could safeguards be a way forward? Under other fields of international law safeguards are a way of restraining [international trade](#) or economic development to protect specific areas. They are used commonly in the World Trade Organization system to protect domestic goods from foreign aggression such as dumping and they are also found in the United Nations Framework Convention on Climate Change where safeguards are used to protect indigenous peoples and other local communities in its REDD (Reducing emissions from deforestation and forest degradation) programme.
- Could there be a rights-based approach that places higher protection on nature but through a human-based approach. For example, rights to fundamental ecosystem services required for human well-being?

- Could a strong sustainable development goal that integrates nature into all other SDGs be a way of ensuring that we better balance the importance of nature with economic development?
- Could there be pragmatic approach to granting the rights to nature? For example Professor Christopher D. Stone, the father of the rights to nature legal concept, advocates the application of the legal guardianship model as a mechanism to protect natural phenomena and the environment.

Format of the High-Level Dialogue

The format will be in an open round table setting comprised of the ministers and high-level panellists. The session would be opened by remarks by the two presidents (see below) and a guest keynote speaker who will set the scene. Each Minister would have the opportunity to give short opening remarks. The round table would be divided into segments based on the set of questions prepared in this background paper. At the end of the dialogue concluding remarks would be open to those wishing to make final comments. The round table would be facilitated by a professional broadcaster or journalist.

Questions for discussion during High-Level Panel of interactive discussions

1. During the High-Level Panel, ministers and other participants are expected to engage in interactive discussions in roundtable format.
2. A summary of the High Level Panel would provide an opportunity for ministers to send a collective message to the COP. The message could be considered for adoption as a resolution, a statement or a declaration.
3. The bullets below set out a number of questions that could serve as the basis for starting the interactive discussions:
 - Can the rights of nature be implemented in a practical and in wide-scale way that would allow for sustainable and comprehensive protection of nature?
 - Are there other democratic controls or alternatives to managing the world's ecological commons?
 - How can equity and property rights of migratory species and nature be better balanced if a green economy approach were to be widely adopted?
 - What role would Sustainable Development Goals or targets on the protection of nature and/or species or wildlife play in averting the ecological crisis? How could it be compatible with the rights of nature or the green economy approaches?
 - How can the rights of nature and the green economy be reconciled and what are concrete ways of achieving this?

DIALOGUE MINISTÉRIEL COP11

Vers une conciliation entre les droits de la nature et l'économie verte dans l'optique du développement durable et de l'élimination de la pauvreté: trouver des solutions pour protéger les espèces sauvages à l'échelle internationale

Les droits de la nature et l'économie verte sont deux approches qui sont apparues en réaction à la crise écologique et toutes deux se sont affirmées durant les deux années qui ont suivi la Conférence Rio+20. Ces deux approches contrastantes ont déclenché un débat, axé sur plusieurs questions: les deux approches peuvent-elles être conciliées ? Quelles sont les limites de chacune? Peut-on trouver un équilibre entre les deux? Dans l'affirmative, où réside cet équilibre? Lors de Rio+20, ce débat a créé une forte tension qui a empêché de parvenir à une reconnaissance complète de l'économie verte. De nombreux pays considèrent l'économie verte comme la marche à suivre permettant de concilier le développement avec l'écologie et l'environnement. D'autres ne se sont pas engagés, inquiets du fait d'attribuer à la nature une valeur économique. Des pays comme la Bolivie, l'Équateur, le Venezuela et la Colombie se sont ouvertement déclarés contraires à donner le feu vert au concept d'économie verte avant de la définir. Ces pays et plusieurs autres ont des lois rigoureuses qui ont reconnu que la nature a des droits (indépendants des droits de l'homme) et ont accordé à Mère Nature le statut de sujet de droit. En 2007, l'Équateur a adopté une nouvelle constitution et est devenu le premier pays à reconnaître les droits de la nature, mais beaucoup d'autres pays ont octroyé à la nature un certain statut juridique par le biais de la jurisprudence ou de politiques nationales.

Le débat entre ces deux approches est au cœur même des activités internationales sur les espèces migratrices. Il s'agit d'un débat d'une extrême importance pour la CMS qui a pour mission de protéger certaines des espèces les plus menacées sur la planète à le faire en recourant à la coopération internationale. Quels sont les moyens les plus efficaces pour y parvenir? La tâche est très ardue, notamment s'agissant pour la CMS de créer des incitations et des motivations justes afin de protéger les espèces migratrices.

Tous les jours, les deux approches font l'objet de débats dans les cercles de la CMS. Certains considèrent les espèces migratrices en termes de protection, estimant qu'il faut protéger à tout prix leur beauté, leurs particularités et leurs droits intrinsèques. D'autres estiment que la protection des espèces migratrices exige que l'on attribue aux animaux une valeur et un prix qui suffiront à justifier leur protection ou leur utilisation durable. Souvent la protection d'une espèce se heurte aux limites des deux approches; certaines espèces ne sont pas emblématiques et ne suscitent pas une émotion suffisante pour justifier la protection de leurs valeurs intrinsèques. Sous l'angle économique, certaines espèces ont peu de valeur, même en termes d'investissement vert dans le tourisme, la pollinisation ou d'autres services écosystémiques essentiels – facteurs qui conduiraient à attribuer une valeur à une espèce dans le cadre d'une économie verte. La CMS contient des principes qui sont parfois liés, voire mêlés aux droits de la nature. Elle est en partie fondée sur le principe du patrimoine commun de l'humanité qui présente un intérêt spécial pour ceux qui souhaitent voir reconnus la valeur historique et les droits des générations futures, mais il s'agit d'un droit fragile, pas encore bien établi en droit international.

Le débat sur les droits de la nature et l'économie verte touche aussi de très près les ministres de l'environnement et de l'écologie, débat dont ils doivent tenir compte chaque jour en exerçant leurs fonctions. Les questions inévitablement soulevées sont les suivantes: y-a-t-il des incitations et des moyens disponibles pour protéger la nature ? La nature a une valeur économique; comment le processus décisionnel peut-il en tenir compte? Comment peut-on promouvoir la protection des

espèces dans le cadre de ces incitations? Lorsque la nature est ancrée dans la culture ou dans l'identité d'une population, comment peut-on lui attribuer seulement une valeur économique? S'il est possible d'attribuer à la nature une valeur économique, comment s'assurer que les avantages économiques seront équitablement répartis entre tous les acteurs, et ne reviendront pas seulement à ceux qui sont assez riches pour payer ou assez privilégiés pour posséder et donc pour recevoir le prix de ces ressources, question qui nous laisse perplexe. Les deux modèles posent parfois aux ministres un dilemme; ils sont confrontés à ces réalités mais ne contrôlent pas nécessairement le sort des ressources ni ne peuvent influencer toujours sur la prise de décisions des ministres qui tendent à penser davantage à l'aspect économique, pour assurer que tous les aspects du débat sont adéquatement représentés.

Il est maintenant largement reconnu que trouver une solution pour protéger la nature et l'environnement est une tâche qui ne saurait être renvoyée à plus tard. L'ampleur et le niveau de la crise écologique exige une solution dès maintenant, avant que les ressources ne s'épuisent au-delà des limites de la résistance. Nos écosystèmes se dégradent à une rapidité jamais atteinte dans l'histoire de l'humanité. Depuis 1970, la conversion et la dégradation des écosystèmes ont entraîné des réductions de 20 pour cent de certains habitats ruraux. Le monde a perdu plus de 100 millions d'hectares de forêts de 2000 à 2005, de ses herbiers marins et de ses mangroves depuis 1970 et 1980 respectivement. Dans certaines régions, 95 pour cent des terres humides ont disparu. Deux-tiers des fleuves les plus longs du monde sont maintenant modérément ou gravement fragmentés par des barrages et des réservoirs.

La perte est lourde pour les êtres humains. Au moins 40 pour cent de l'économie mondiale et 80 pour cent des besoins des pauvres découlent des ressources biologiques. Certaines espèces en particulier accusent un net déclin en raison du changement climatique et comme conséquence directe d'activités humaines telles que la surexploitation, l'empiètement sur les habitats, la perte d'habitats, l'introduction d'espèces exotiques envahissantes et la pollution. On estime que le taux actuel d'extinction des espèces est de 1000 à 10000 fois supérieur à ce qu'il le serait naturellement. Jusqu'à deux tiers des espèces chez certains taxons sont menacées d'extinction; des populations d'espèces sont en déclin, ainsi, depuis 1970, des populations de vertébrés ont diminué de 30 pour cent. Cela a des impacts inquiétants sur des espèces migratrices clés et emblématiques, ainsi:

- Selon l'Union internationale pour la conservation de la nature (UICN), un quart de toutes les espèces connues de requins et de raies sont menacées d'extinction et 25 espèces ont été classées comme en danger critique d'extinction.
- Cinq des sept espèces de tortues marines sont en danger ou en danger critique d'extinction (Liste rouge de l'UICN).
- La majorité des espèces d'albatros et de pétrels sont en danger ou en danger critique d'extinction (Liste rouge de l'UICN).
- Chaque jour, 100 éléphants sont victimes du braconnage en Afrique et il n'en reste aujourd'hui que 500 000 dans la nature contre environ 1,3 million en 1979.
- Les sous-populations de dauphins de l'Irrawaddy en Asie du Sud-Est sont en danger critique d'extinction selon l'UICN.
- Les populations de papillons monarques sont en déclin. Il y a près de deux décennies, durant l'hiver 1996-1997, des colonies nombreuses de monarques couvraient 44,9 acres de forêts mexicaines. Durant l'hiver 2013-2014, les colonies ne couvraient plus

que 1,7 acre, soit une chute de près de 44 pour cent environ par rapport à l'année précédente.

- Plus de 140 millions d'oiseaux migrateurs ont été capturés illégalement en Égypte en 2013 et 2,8 millions auraient été piégés en 2012 selon des dénombrements du NABU.
- Les grandes migrations telles que celle des gnous dans le Serengeti pourraient cesser dans 50 ans selon de récentes études, dont une commandée par le PNUE.

Nous vivons dans un monde économique et les choses qui ont une valeur sont celles qui sont conservées. L'argument de l'économie verte s'appuie sur l'idée que tant que la nature ne sera pas incluse dans la structure des prix, elle sera considérée comme n'ayant pas assez de valeur pour être protégée. Le PNUE définit l'économie verte comme «une économie qui engendre une amélioration du bien-être humain et de la justice sociale, tout en réduisant sensiblement les risques environnementaux et les pénuries écologiques. Plus simplement, une économie verte peut être définie comme une économie possédant les caractéristiques suivantes: de faibles émissions de CO₂, une gestion durable des ressources et qui est socialement inclusive».

Le rapport du PNUE sur l'économie verte souligne plusieurs aspects intéressant les espèces migratrices tels que les investissements dans la pêche écologique, le transport écologique qui prend en considération les obstacles à la migration, les questions liées à l'amélioration de l'utilisation des terres, les déchets marins qui ont de forts impacts sur nombre d'espèces couvertes par la CMS et le tourisme durable. La CMS tient également compte de l'habitat des espèces migratrices, de sorte que la protection des écosystèmes tels que forêts, terres humides et milieux aquatiques est aussi un domaine clé pour la CMS et occupe une place centrale dans l'approche en faveur de l'économie verte. Le but de l'économie verte, selon la définition du PNUE, dans le contexte de la biodiversité, est de promouvoir les investissements visant à réduire la perte de biodiversité, à reconstituer ce qui a déjà été perdu et à soutenir le capital naturel comme «une source de bénéfices pour l'ensemble de la population humaine, surtout pour les pauvres dont la survie et la sécurité dépendent en grande partie de la nature».

Les tenants des droits de la nature estiment que celle-ci devrait être dotée d'un statut juridique, ce qui lui donnerait le droit d'exister et d'être défendue devant les tribunaux sur la base de sa propre valeur intrinsèque, quelle que soit la valeur que lui attribue les humains. Ils affirment en outre que la nature a une valeur en raison de sa beauté, de sa complexité, de sa diversité, de l'histoire ou de ses liens avec la culture. Il y a plusieurs façons de faire valoir les droits de la nature. Il y a ceux qui considèrent le droit au sens strict selon lequel la nature a des droits fondés uniquement sur sa propre existence, sans lien avec les humains; ses droits sont inhérents et indépendants du jugement ou de l'attitude de toute personne. D'autre part, il y a ceux qui considèrent que le droit de la nature est fondé sur les valeurs des populations; la nature aurait ses propres droits suivant la manière dont elle est perçue; autrement dit, elle pourrait avoir des droits en raison de ce qu'elle représente: spiritualité, histoire, rareté ou sa beauté. Les droits de la nature ont été reconnus dans plusieurs instruments internationaux. La Convention de Berne a été la première à reconnaître les droits intrinsèques de la nature en 1979. En 1982, l'Assemblée générale des Nations Unies a adopté la Charte mondiale de la nature dont une disposition stipule que «toute forme de vie est unique, et mérite d'être respectée, quelle que soit son utilité pour l'homme». En 1992, la Convention sur la diversité biologique a reconnu «la valeur intrinsèque de la diversité biologique» et cela a été récemment réaffirmé dans le document conclusif de la Conférence Rio+20 «l'avenir que nous voulons» en 2010.

S'agissant des espèces migratrices, ce droit pourrait signifier que leur valeur va au-delà de leur stricte valeur économique et instrumentale. Par exemple, la beauté est souvent citée comme la principale raison de protéger la nature. Des campagnes sont organisées en faveur d'espèces emblématiques (par exemple, l'ours polaire, le papillon monarque, la baleine bleue), parce que les humains s'identifient avec la beauté de la nature, et l'art et la littérature abondent d'expressions et de portraits de la nature. Une autre raison est l'histoire et la valeur sentimentale de la nature: les peuples autochtones considèrent que la nature a sa propre individualité incarnée dans l'idée de Mère Nature qui est intimement liée à leurs cultures et à leurs propres identités. Un contexte spécifique de la CMS est le phénomène de la migration, la formidable beauté des grandes migrations d'animaux sauvages comme la migration des grands mammifères, gnous, zèbres et gazelles dans les plaines du Serengeti, les spécificités génétiques de certaines espèces telles que les tortues marines, les saumons ou les anguilles qui reviennent sur les lieux où elles sont nées pour se reproduire, et la capacité des oiseaux les plus minuscules à parcourir des milliers de kilomètres parfois au-dessus des océans et d'un continent à l'autre.

À certains moments, le débat entre les défenseurs des deux approches a pris un ton accusatoire et s'est même enflammé. D'une part, les partisans de l'économie verte prétendent qu'une approche fondée sur les droits n'est pas une incitation suffisante pour protéger la nature et qu'une logique économique s'impose. Actuellement, la nature est en général un bien public et n'est pas considérée utile dans la prise de décisions économiques; elle est donc libre et sera surexploitée. La meilleure solution est d'évaluer la nature en se fondant sur les services écosystémiques et de créer des marchés pour ces services afin de protéger leur valeur.

D'autre part, les défenseurs des droits de la nature estiment que le fait d'attribuer une valeur à la nature revient à la traiter comme un produit et que cela conduira à des acquisitions à grande échelle de terres dans les pays en développement, les sociétés, et même les gouvernements achetant des terres à des fins spéculatives, pratique appelée parfois « accaparement des terres ». Ils affirment que même si le capital naturel est intégré dans les pratiques comptables et dans la prise de décisions économiques, cela ne suffira pas pour résoudre la crise écologique. Les défenseurs des droits de la nature contre l'économie verte ont aussi deux autres raisons de s'inquiéter. Premièrement, l'économie verte créera seulement des marchés pour des services écosystémiques essentiels et ne sera pas complète de sorte que les éléments moins intéressants ne seront pas couverts et continueront de se dégrader. Deuxièmement, si des marchés sont créés, ils pourraient ne pas être équilibrés et le résultat pourrait être que les riches posséderont et contrôleront les services tandis que les autres n'auront qu'un accès limité, tandis qu'il devrait être le même pour tous. En d'autres termes, l'équité est une préoccupation sérieuse pour les opposants à l'économie verte.

Bien qu'ayant toutes les deux le même objectif, à savoir mettre fin à la crise écologique, ces deux positions sont souvent décrites comme étant irréconciliables ou comme concepts s'excluant l'un l'autre. En un certain sens, le débat est devenu idéologique, aucune des parties ne reconnaissant les mérites de l'approche de l'autre, ni ne voulant céder du terrain à l'autre, malgré le fait que les deux aient une marge de manœuvre et que sur plusieurs points il n'est pas interdit d'espérer arriver à une compatibilité. En définitive, il s'agit d'une question de valeur et de quelle série de valeurs prédominera, à moins que nous puissions concilier les deux positions pour arriver à attribuer à la nature une valeur acceptable ou largement partagée par les deux parties.

Le dialogue ministériel devrait permettre de concilier les deux approches. Il portera sur les différences mais aussi sur les points communs entre les deux et cherchera des options qui peuvent voir réunies les deux approches pour parvenir à l'objectif commun, c'est-à-dire désamorcer la crise écologique. Le dialogue devrait être une première étape pour chercher des moyens susceptibles de

se traduire en des politiques concrètes. En cherchant un moyen commun, nous pourrions souhaiter examiner diverses options pour combler le fossé entre les deux approches. Citons quelques options:

- Rachel Kyte, Vice-Présidente de la Banque mondiale «[Avec la comptabilisation du capital naturel] nous n’entendons pas «attribuer un prix» à la nature mais l’«évaluer». Ce faisant, vous faciliterez la prise de décisions économiques. La valeur économique pourrait alors être prise en compte en même temps que l’information sur la valeur sociale et naturelle».
- Les mesures de protection peuvent-elles être une solution pour l’avenir ? Dans d’autres domaines du droit international, les mesures de protection sont un moyen de limiter le commerce international ou le développement économique afin de protéger des domaines spécifiques. Elles sont communément utilisées dans le système de l’Organisation mondiale du commerce pour protéger des produits nationaux des agressions étrangères telles que la concurrence déloyale et on les trouve aussi dans la Convention-cadre des Nations Unies sur les changements climatiques qui comportent des mesures de protection visant à protéger les peuples autochtones et d’autres collectivités locales dans le cadre de son programme REDD (réduction des émissions liées au déboisement et à la dégradation des forêts).
- Existerait-il une approche fondée sur les droits qui accorde une protection plus forte à la nature mais en partant d’une démarche basée sur les droits de la personne? Par exemple, les droits à des services écosystémiques fondamentaux indispensables au bien-être humain?
- Un objectif de développement durable solide qui intègre la nature dans tous les autres ODD permettrait-il de trouver un meilleur équilibre entre l’importance de la nature et le développement économique?
- Existerait-il une approche pragmatique pour accorder des droits à la nature ? Par exemple, le Professeur Christopher D. Stone, inventeur du concept juridique des droits de la nature, plaide en faveur de l’application du modèle de protection juridique en tant que mécanisme pour protéger les phénomènes naturels et l’environnement.

Cadre du dialogue de haut niveau

Le dialogue aura lieu sous la forme d’une table ronde ouverte composée des ministres et d’experts de haut niveau. La session sera ouverte par des remarques des deux présidents (voir ci-dessous) et un conférencier invité qui préparera le terrain du débat. Chaque ministre pourra prononcer quelques mots d’ouverture. La table ronde sera divisée en segments sur la base des questions figurant dans le présent document de base. A l’issue du débat, ceux et celles qui le souhaitent pourront faire quelques observations finales. La table ronde serait facilitée par un radiodiffuseur professionnel ou un journaliste.

Questions à examiner durant les discussions interactives de la réunion de haut niveau

4. Durant la réunion de haut niveau, les ministres et autres participants devraient amorcer un dialogue interactif sous la forme d’une table ronde.

5. Un résumé de la réunion de haut niveau permettra aux ministres d'envoyer un message collectif à la COP. Le message pourrait être soumis pour adoption en tant que résolution ou déclaration.

6. Les points ci-dessous énumèrent un certain nombre de questions qui pourraient servir de base aux discussions interactives:

- Les droits de la nature peuvent-ils être appliqués d'une manière pratique et sur une vaste échelle qui permettrait de protéger la nature durablement et dans toutes ces composantes?
- Y-a-t-il des mesures de contrôle démocratiques ou d'autres solutions pour gérer les biens écologiques collectifs du monde?
- Comment mieux concilier l'équité et les droits de propriété des espèces migratrices et de la nature si l'approche Économie verte était appliquée sur une vaste échelle?
- Quel rôle joueraient les objectifs de développement durable concernant la protection de la nature et/ou des espèces et de la vie sauvage dans la prévention de la crise écologique ? Comment rendre compatibles l'approche défendant les droits de la nature et celle défendant l'économie verte?
- Comment concilier les droits de la nature et l'économie verte et quels sont les moyens concrets d'y parvenir?

DIÁLOGO MINISTERIAL COP11

Unir los derechos de la naturaleza y la economía verde en el contexto del desarrollo sostenible y la erradicación de la pobreza: a la búsqueda de soluciones para proteger la fauna y flora internacionales

Los derechos de la naturaleza y la economía verde son dos enfoques que se han originado en respuesta a la crisis ecológica, y ambos han adquirido gran impulso en los dos años que han seguido a Río + 20. Estos dos enfoques contrapuestos han estimulado un debate continuo suscitando una serie de preguntas: ¿es posible conciliar estos dos enfoques?; ¿cuáles son las limitaciones de cada uno de ellos?; ¿es posible lograr una coexistencia equilibrada de ambos? y si es así, ¿de qué depende ese equilibrio? En Río + 20 este debate constituyó una importante fuente de tensión que impidió llegar a un acuerdo sobre la plena aprobación de la economía verde. Muchos países ven la economía verde como el camino a seguir en el futuro, tratando de equilibrar el desarrollo con la ecología y el medio ambiente. Otros han evitado asumir un compromiso debido a preocupaciones sobre la idea de atribuir un valor económico a la naturaleza. Países como Bolivia, Ecuador, Venezuela y Colombia se han mostrado abiertamente reacios a dar su conformidad al concepto de economía verde sin antes calificarlo. Estos países y varios otros han promulgado leyes sólidas en que se reconoce a la naturaleza como sujeto de derechos (independientes de los derechos de base humana) y han otorgado estatuto jurídico a la Madre Naturaleza. En 2007 Ecuador adoptó una nueva constitución, convirtiéndose en el primer país en reconocer los derechos de la naturaleza, pero muchos otros países han dado a la naturaleza cierta legitimación a través de reglamentaciones o la formulación de políticas nacionales.

El debate entre estos dos enfoques se sitúa en el corazón mismo de la labor internacional sobre las especies migratorias. Se trata de un debate sumamente importante para la CMS (Convención sobre las Especies Migratorias), que está investida de la tarea de proteger algunas de las especies más amenazadas del planeta y trata de hacerlo a través de la cooperación internacional. ¿Cuál puede ser la manera más eficaz de hacerlo? El trabajo es muy arduo, y una dificultad particular con la que se enfrenta la CMS es la de crear los incentivos y motivaciones adecuados para proteger a las especies migratorias.

Los debates en torno a los dos enfoques están a la orden del día en los círculos de la CMS. Algunos partidarios consideran las especies migratorias desde el punto de vista de la voluntad de protegerlas a toda costa por su belleza, sus fenómenos o sus derechos intrínsecos. Otros partidarios reconocen que para proteger a las especies migratorias es necesario atribuir a los animales un valor y un precio que constituyan un incentivo suficiente para justificar su protección o aprovechamiento sostenible. A menudo, la protección de una especie se enfrenta también con limitaciones en ambos enfoques; algunas especies no son emblemáticas y no despiertan emociones suficientes que muevan a protegerlas por sus valores intrínsecos. Desde el punto de vista económico, algunas especies ofrecen poco valor, incluso en términos de inversión verde para el turismo, de polinización u otros servicios ecosistémicos fundamentales – factores que inducirían a valorar una especie en el contexto de una economía verde. La CMS contiene también principios que están a veces relacionados, e incluso mezclados, con los derechos de la naturaleza. Se basa en parte en el principio del patrimonio común de la humanidad, que entraña especial interés para aquellos que quieran ver reconocidos el valor histórico y los derechos de las generaciones futuras. Pero se trata de un derecho frágil, que no está bien establecido en el derecho internacional.

El debate en torno a los derechos de la naturaleza y la economía verde constituye también un tema muy familiar para los ministros de medio ambiente y ecología que deben afrontar todos los días en

el desempeño de sus funciones. Entre las preguntas que inevitablemente deben abordar cabe incluir las siguientes: ¿Cuáles son los incentivos y los medios disponibles para proteger la naturaleza? La naturaleza tiene un valor económico; por tanto, ¿cómo se puede integrar ese valor en la adopción de decisiones y cómo se puede promover la protección de las especies valiéndose de estos incentivos? Cuando la naturaleza está arraigada en la cultura o la identidad de las personas, ¿cómo se le puede dar simplemente un valor económico? Igualmente desconcertante es la consideración de si a la naturaleza se le puede dar un valor económico, ¿cómo asegurarse de que la distribución de los beneficios económicos sea justa para todos quienes estén involucrados – y no sólo para aquellos que son lo suficientemente ricos como para pagar o suficientemente privilegiados para poseer y, por tanto, recibir el pago por los recursos? Ambos modelos ponen a veces a los ministros ante un dilema: tienen que enfrentarse con estas realidades pero no están necesariamente en condiciones de controlar el destino de los recursos ni pueden siempre influir en las decisiones de gabinete –que tienden a guiarse más bien por criterios económicos– para asegurar que todos los aspectos del debate estén adecuadamente representados.

Se reconoce ya ampliamente que la búsqueda de una solución para la protección de la naturaleza y el medio ambiente no se puede postergar para el futuro. La magnitud y la escala de la crisis ecológica exigen una solución ahora, antes de que los recursos se agoten más allá de los límites de la capacidad de recuperación. Nuestros ecosistemas se están degradando a un ritmo más rápido que en cualquier otro momento de la historia humana. Desde 1970 la conversión y la degradación de los ecosistemas se han traducido en la disminución del 20% de algunos hábitats naturales. El mundo ha perdido más de 100 millones de hectáreas de bosques entre 2000 y 2005, y el 20% de sus hábitats de pastos submarinos y manglares desde 1970 y 1980 respectivamente. En algunas regiones se ha perdido el 95% de los humedales. Dos tercios de los ríos más grandes del mundo se encuentran actualmente de moderadamente a gravemente fragmentados por diques y embalses.

Las pérdidas son enormes para los seres humanos. Al menos el 40% de la economía mundial y el 80% de las necesidades de la población pobre derivan de los recursos biológicos. Las especies en particular, están experimentando drásticas disminuciones a causa del cambio climático y las consecuencias directas de las actividades humanas, como la sobreexplotación, las infracciones y pérdidas en el hábitat, la introducción de especies exóticas invasivas y la contaminación. Se estima que la tasa de extinción de las especies es entre 1.000 y 10.000 veces mayor de lo que sería naturalmente. Hasta dos tercios de las especies en algunos taxones están amenazadas de extinción; las poblaciones de especies están disminuyendo desde 1970; las poblaciones de vertebrados han disminuido en un 30%. Se indican a continuación los efectos impactantes en especies migratorias fundamentales y emblemáticas, concretamente:

- La Unión Internacional para la Conservación de la Naturaleza (UICN) sostiene que una cuarta parte de todas las especies conocidas de tiburones y rayas están amenazadas de extinción y 25 especies están clasificadas como en peligro crítico.
- Cinco de las siete especies de tortugas marinas están clasificadas como en peligro o en peligro crítico, según la Lista Roja de la UICN.
- La mayor parte de las especies de albatros y petreles están también clasificadas como en peligro o en peligro crítico, según la Lista Roja de la UICN.
- Cada día se cazan 100 elefantes furtivamente en África y actualmente quedan tan solo 500.000 ejemplares en el medio silvestre en comparación con los 1,3 millones contabilizados en 1979.

- Las subpoblaciones de delfines del Irawaddy, en el Asia sudoriental, están asimismo clasificadas como en peligro crítico según la UICN.
- Las poblaciones de mariposas monarca están disminuyendo drásticamente. Hace casi dos décadas, en el invierno de 1996-1997, densas colonias de mariposas monarca cubrieron 44,9 hectáreas de bosques mexicanos. En el invierno de 2013-14, las colonias cubrían tan solo 1,7 hectáreas, lo que representó una reducción de casi el 44% respecto al año anterior.
- Más de 140 millones de aves migratorias quedaron atrapadas ilegalmente en Egipto en 2013 y se estiman en 2,8 millones las atrapadas en 2012 según los recuentos de NABU (Unión para la conservación de la naturaleza y la biodiversidad).
- Según estudios recientes, entre ellos uno encargado por el PNUMA, las grandes migraciones como las del ñu en el Serengueti pueden cesar en 50 años.

Vivimos en un mundo económico en el que las cosas que tienen valor son las que se conservan. La argumentación de la economía verde se basa en el fundamento de que mientras la naturaleza figure incluida en la estructuración de precios, no tendrá el valor necesario para que las personas la consideren digna de ser protegida. El PNUMA define la economía verde como “una economía que tiene como resultado mejorar el bienestar humano y la equidad social, reduciendo significativamente los riesgos ambientales y la escasez ecológica. En otras palabras, podemos pensar en una economía verde como un entorno económico que alcanza bajas emisiones de carbono, la eficiencia de los recursos y, al mismo tiempo que sea socialmente inclusiva.”

En su Informe sobre la economía verde el PNUMA destaca varios aspectos importantes en relación con las especies migratorias, tales como las inversiones en la pesca y el transporte ecológicos que tengan en cuenta los obstáculos a la migración, la mejora de los problemas relacionados con la utilización de las tierras, los desechos marinos que producen un fuerte impacto en muchas de las especies de la CMS y en el turismo sostenible. La CMS tiene en cuenta, además, el hábitat de las especies migratorias, por lo que el mantenimiento de ecosistemas como los bosques, los humedales y los ambientes acuáticos constituye también un tema fundamental para la CMS y que ha representado uno de los aspectos centrales del enfoque de la economía verde. El objetivo de la economía verde, según la definición del PNUMA, en el contexto de la biodiversidad, es promover inversiones que contribuyan a reducir la pérdida de biodiversidad, restablecer lo que ya se ha perdido y promover el capital natural como "activo económico fundamental y fuente de beneficios públicos, especialmente para las personas desfavorecidas cuyo sustento y seguridad dependen de la naturaleza".

La argumentación de los derechos de la naturaleza es que debe darse a la naturaleza un estatuto jurídico, de forma que tenga el derecho a existir y pueda ser protegida en los tribunales sobre la base de su propio valor intrínseco, independiente del que le atribuyan los seres humanos. En la argumentación se afirma, además, que la naturaleza tiene valor por su belleza, complejidad, diversidad e historia o por sus vínculos con la cultura. Hay varios grados de transmisión de los derechos de la naturaleza. Hay quienes ven el derecho en sentido estricto, de forma que la naturaleza tiene derechos que se basan únicamente en su propia existencia, sin vínculos con los seres humanos; sus derechos son inherentes e independientes del juicio o la actitud de cualquier persona. Al otro extremo del espectro están quienes ven el derecho de la naturaleza basado en los valores de las personas; la naturaleza tendría sus propios derechos en función de cómo es percibida; en otras palabras, que puede tener derechos por lo que representa: espiritualismo, historia, rareza o belleza. Los derechos de la naturaleza se han reconocido en varios instrumentos internacionales. El

Convenio de Berna fue el primero en reconocer los derechos intrínsecos de la naturaleza en 1979. En 1982, la Asamblea General de las Naciones Unidas aprobó la Carta Mundial de la Naturaleza que incluye la disposición de que "toda forma de vida es única y merece ser respetada, independientemente de su valor para el ser humano". En 1992, el Convenio sobre la Diversidad Biológica reconoció el "valor intrínseco de la diversidad biológica", y ha sido reafirmado recientemente en el documento final de Río + 20 "El futuro que queremos" en 2010.

En el contexto de las especies migratorias, este derecho podría significar que su valor rebasa el valor económico e instrumental estricto. Por ejemplo, a menudo la belleza es la razón más citada para la protección de la naturaleza. Las campañas se construyen en torno a especies emblemáticas individuales (por ejemplo, osos polares, mariposas monarca, ballenas azules), porque los seres humanos se identifican con la belleza de la naturaleza, y las artes humanas y la literatura están llenas de expresiones y retratos de la naturaleza. Otra cosa son la historia y el valor sentimental de la naturaleza: Los pueblos indígenas identifican a la naturaleza como sujeto que tiene su propia individualidad encarnada en la idea de la Madre Naturaleza, que está estrechamente vinculada con su cultura y sus propias identidades. Un contexto específico de la CMS es el fenómeno de la migración, la sorprendente maravilla de grandes migraciones de animales salvajes, tales como las más grandes migraciones de mamíferos del mundo de ñus, cebras y gacelas sobre las llanuras del Serengeti, los mapas genéticos incorporados en determinadas especies como las tortugas marinas, el salmón o las anguilas marinas que les hacen volver a su lugar de nacimiento para reproducirse, y la enorme capacidad de las más diminutas de las aves de realizar viajes hercúleos a través de miles de kilómetros a veces sobre los mares y entre continentes.

A veces, el debate entre los dos enfoques se ha vuelto acusatorio e incluso encendido. Por un lado, los economistas verdes argumentan que un enfoque basado en los derechos no ofrecerá un incentivo suficiente para proteger a la naturaleza y la única manera es a través de un fundamento económico. Actualmente la naturaleza es en la mayoría de los casos un bien público al que no se le da un valor en la adopción de decisiones económicas y, por tanto, se considera libre y será sobreexplotado. La alternativa mejor es valorar la naturaleza en función de los servicios ecosistémicos que proporciona y crear mercados para estos servicios, de forma que su valor quede protegido.

Los defensores del enfoque de la naturaleza basado en los derechos sostienen que la valoración de la naturaleza significa tratarla como una mercancía, lo que dará lugar a adquisiciones en gran escala de tierras en los países en desarrollo, con empresas – e incluso los gobiernos– que compren tierras para especular, una práctica denominada a veces acaparamiento de tierras. Su posición se funda en que, si bien el capital natural se contabiliza en las prácticas contables y la adopción de decisiones económicas, no es suficiente para hacer frente a la magnitud de la crisis ecológica. Se señalan, además, otras dos preocupaciones expresadas por los defensores de los derechos de la naturaleza contra la economía verde. La primera es que una economía verde creará solo mercados para los servicios ecosistémicos esenciales y no será integral y, por tanto, no prestará atención a los elementos menos atractivos, que continuarán degradándose. La segunda que, si se crean mercados, puede que no sean equilibrados y se dé lugar a que los ricos posean y controlen los servicios y limiten el acceso a los demás, mientras que debería darse acceso a todos por igual. En otras palabras, la equidad es una grave preocupación de los opositores de la economía verde.

Si bien los derechos de la naturaleza y la economía verde, tienen ambos el objetivo común de tratar de detener la crisis ecológica, se presentan a menudo como irreconciliables o como conceptos contrapuestos que son fundamentalmente diferentes. En cierto modo el debate se ha vuelto ideológico, en que ninguna de las partes ve los aspectos positivos del otro enfoque y ninguna de las partes desea ceder terreno a la otra, no obstante haya espacio para ambos y que en muchos niveles sea posible la compatibilidad. Se trata, en última instancia, de una cuestión de valores en que un

conjunto de valores y de cuál de los conjuntos de valores predominará sobre el otro, salvo que podamos conciliar los dos enfoques para tener un valor común aceptable o ampliamente reconocido de la naturaleza.

El diálogo ministerial pretende ser un canal de comunicación entre estos dos enfoques. Se examinarán las diferencias pero también los puntos en común entre ambos y se buscarán opciones en que sea posible ver a ambos enfoques unirse para abordar su objetivo común de desactivar la crisis ecológica. El diálogo se propone como primer paso para encontrar el camino a seguir, que pueda luego transformarse en políticas concretas. En la búsqueda de un camino común, podríamos considerar varias opciones alternativas que permitan colmar la brecha entre los enfoques. A saber:

- Rachel Kyte, Vicepresidenta del Banco Mundial dice que "[A través de la contabilidad del capital natural] no estamos hablando de establecer un '*precio*' a la naturaleza sino de '*valorarla*'. Valorándola, se da la posibilidad de adoptar mejores decisiones económicas. El valor económico podría considerarse luego junto con la información de valor social y natural".
- ¿Podrían ser las salvaguardias un posible camino a seguir? En otras esferas del derecho internacional las salvaguardias constituyen una forma de limitar [el comercio internacional](#) o el desarrollo económico para proteger áreas específicas. Se utilizan comúnmente en el sistema de la Organización Mundial del Comercio para proteger los productos nacionales de la agresión extranjera, tales como el dumping, y que se encuentran también en la Convención Marco de las Naciones Unidas sobre el Cambio Climático, en la que se utilizan salvaguardias para proteger a las poblaciones indígenas y otras comunidades locales en su programa REDD (reducción de emisiones debidas a la deforestación y la degradación de los bosques).
- ¿Podría concebirse un enfoque basado en los derechos que asegure una mayor protección a la naturaleza pero a través de un enfoque basado en el ser humano, por ejemplo, los derechos a los servicios ecosistémicos fundamentales necesarios para el bienestar humano?
- ¿Podría un sólido objetivo de desarrollo sostenible (ODS) que integre la naturaleza en todos los demás ODS constituir una forma de asegurar la posibilidad de equilibrar mejor la importancia de la naturaleza con el desarrollo económico?
- ¿Podría concebirse un enfoque pragmático de conceder derechos a la naturaleza? Por ejemplo, el profesor Christopher D. Stone, padre del concepto jurídico de los derechos de la naturaleza, aboga por la aplicación del modelo de salvaguardia jurídica como mecanismo para proteger los fenómenos naturales y el medio ambiente.

Estructura del Diálogo de alto nivel

La estructura será la de un escenario de mesa redonda abierta, integrada por ministros y participantes de alto nivel. La reunión se abriría con las palabras inaugurales de los dos presidentes y el discurso de un orador invitado que delinearía el marco de las cuestiones a tratar. Cada ministro tendrá la oportunidad de pronunciar unas breves palabras de apertura. La mesa redonda se dividiría en segmentos con arreglo a las cuestiones planteadas en este documento básico. Al final del diálogo, se abriría un momento de observaciones conclusivas para quienes deseen hacer comentarios finales.

Cuestiones que habrán de examinarse en los debates interactivos del Panel de alto nivel:

1. Durante el Panel de alto nivel, se espera que los ministros y demás participantes intervengan en debates interactivos en formato de mesa redonda.
2. La elaboración de un resumen del Panel de alto nivel constituiría una oportunidad para que los ministros envíen un mensaje colectivo a la COP. El mensaje podría ser examinado para su adopción como una resolución, una relación o una declaración.
3. En los puntos que figuran a continuación se formulan una serie de preguntas que podrían servir como base para iniciar los debates interactivos:
 - ¿Pueden los derechos de la naturaleza aplicarse en forma práctica y en gran escala de manera que permita la protección integral y sostenible de la naturaleza?
 - ¿Existen otros controles democráticos o alternativos de gestión de los bienes ecológicos comunes del mundo?
 - ¿En qué forma podrán equilibrarse mejor los derechos de equidad y de propiedad de las especies migratorias y de la naturaleza si se adoptara ampliamente un enfoque de economía verde?
 - ¿Qué papel desempeñarían las metas u objetivos de desarrollo sostenible en la protección de la naturaleza y/o las especies o la fauna y flora silvestres en la prevención de las crisis ecológicas? ¿En qué modo podrían ser compatibles con los enfoques de los derechos de la naturaleza o la economía verde?
 - ¿Cómo pueden conciliarse los derechos de la naturaleza y la economía verde y cuáles son las formas concretas de lograrlo?

**Chair's Statement from the High Level Ministerial Panel:
'Integrating the Rights of Nature and the green economy in the context of sustainable development and poverty eradication: finding solutions to protecting international wildlife'**

11th Conference of the Parties to the Convention on the Conservation of Migratory of Wild Animals, Quito (Ecuador), 3 November 2014

Economic growth and poverty eradication come at an enormous social and environmental cost. Many trends indicate that the world is approaching tipping points: today we can see more inequality than ever before between and within countries. The wealth of the richest 1 per cent of people in the world is 65 times greater than the poorest half. The levels of contamination of ground water and of the air are increasing exponentially causing health problems of a growing number of people. To date, between 40% and 50% of the world's species have gone extinct as a result of excessive exploitation of natural resources; the loss of habitats, climate change, bycatch, barriers to migration among others. We can see migratory species as a global ecosystem indicator. If we are losing them, then something fundamental is clearly amiss. States are and have to be protectors of migratory species of wild animals that live within national jurisdictional boundaries and beyond.

One should consider the principles of Rio '92, and the sovereign right of States over their natural resources and the existence of different approaches, visions, models and tools available to each country, according to their national circumstances and priorities for sustainable development and poverty eradication.

We see that effective systems of governance are required in countries and it is necessary for them to be transposed into law and into financial and non-financial institutional approaches that seek to guarantee the conservation of natural resources including fauna and flora for their intrinsic value, a fair and equitable distribution of the advantages accruing for the benefit of people, particularly for communities and indigenous peoples and for the welfare of the planet in general.

When we calculate national wealth we must go beyond the concept of Gross Domestic Product and take into account also the value of our natural heritage. The debate should move our way of thinking in the direction of considering sustainable human development and sustainable economic development as a single approach, whereby the rights of nature are seen as an important element contributing to both.

Social attitudes often indicate that laws and policies on conservation and sustainable use of natural resources, including migratory species, are not being enforced. We emphasize, therefore, the importance of educational programmes and awareness-raising initiatives aimed at promoting changes in attitude, highlighting in particular the potential for such changes in the young. Such educational and awareness-raising programmes could represent a way to develop our understanding of what it means to live in harmony with nature and to better understand how its rights should be recognized.

There are some good examples of countries that have incorporated the rights of nature in their legislative and constitutional frameworks as a new paradigm for society. In 2008 Ecuador became the first country in the world to include the rights of nature in its Constitution, through recognizing that its existence, its maintenance and regeneration of its essential cycles, its structures, functions

and evolutionary processes should be respected in their entirety. This should finally allow a true balance to be struck, placing nature and humans on the same level.

The rights of nature are an important tool for the protection of the right species have to migrate so that their ecosystems are adequately preserved and they also provide a juridical basis allowing effective legal representation before the courts, expanding the availability of more solutions beyond the procedural reviews as is the case at the moment.

Being aware of the reality of migratory species, we urge countries to recognize the rights of nature in the context of national circumstances and to draw up action plans, strategies and programmes for the protection of migratory wildlife globally.

The rights of nature and sustainable economy in the context of sustainable development and poverty eradication are concepts that can support each other and used in a balanced manner to protect migratory wildlife.

Let us generate greater dialogue, understanding and actions to improve the compatibility between these two approaches to the protection of migratory species.

It's Time for Action!

**Déclaration du Président lors de la table ronde ministérielle de haut niveau:
'Intégrer les droits de la nature et l'économie verte dans le contexte du développement durable et de l'élimination de la pauvreté : trouver des solutions pour protéger la faune sauvage internationale'**

11^{ème} session de la Conférence des Parties à la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage, Quito (Équateur), 3 novembre 2014

La croissance économique et l'élimination de la pauvreté représentent un coût social et environnemental considérable. De nombreux indicateurs de tendance montrent que notre planète trouve à un tournant: nous observons aujourd'hui plus d'inégalités que jamais auparavant entre les pays et au sein des pays. La richesse accumulée par 1% de la population la plus riche du monde est 65 fois plus élevée que la richesse accumulée par la moitié de la population mondiale la plus pauvre. Les niveaux de contamination des nappes phréatiques et de l'atmosphère augmentent de façon exponentielle, causant des problèmes de santé pour un nombre croissant de personnes. A ce jour, entre 40% et 50% des espèces de la planète ont disparu, du fait de l'exploitation excessive des ressources naturelles, de la perte d'habitats, du changement climatique, des prises accessoires, des obstacles à la migration, entre autres facteurs. Nous pouvons considérer les espèces migratrices comme un indicateur mondial des écosystèmes. Si nous perdons ces espèces, il est évident que quelque chose de fondamental va mal. Les États sont et doivent être des protecteurs des espèces migratrices d'animaux sauvages qui vivent à l'intérieur de leurs juridictions et au-delà.

Nous devons tenir compte des principes de Rio de 1992, du droit souverain des États sur leurs ressources naturelles et de l'existence de différentes approches, visions, modèles et outils disponibles dans chaque pays, selon leurs circonstances et leurs priorités nationales pour parvenir à un développement durable et à l'élimination de la pauvreté.

Nous savons que des systèmes de gouvernance efficaces doivent être mis en place dans les pays et qu'ils doivent être transposés dans des lois et des approches institutionnelles financières et non-financières visant à garantir la conservation des ressources naturelles, dont la faune et la flore, pour leur valeur intrinsèque, ainsi que la répartition juste et équitable des avantages qui en découlent pour les populations, en particulier les communautés locales et les populations autochtones, et pour le bien-être de la planète en général.

Lorsque nous calculons la richesse nationale, nous devons aller au-delà du concept de Produit national brut, pour tenir compte de la valeur de notre patrimoine naturel. Le débat devrait modifier notre manière de penser, de sorte que le développement humain durable et le développement économique durable soient considérés comme étant une seule approche où les droits de la nature sont considérés comme un élément important contribuant aux deux développements.

Les comportements sociaux observés montrent souvent que les lois et les politiques relatives à la conservation et à l'utilisation durable des ressources naturelles, y compris des espèces migratrices, ne sont pas respectées. Nous soulignons donc l'importance des programmes éducatifs et des initiatives de sensibilisation visant à encourager des changements dans les comportements, en soulignant en particulier le potentiel de changement chez les jeunes. Ces programmes éducatifs et de sensibilisation pourraient être un moyen de mieux comprendre ce que signifie vivre en harmonie avec la nature et de mieux comprendre comment les droits de la nature devraient être reconnus.

Il existe plusieurs exemples de pays qui ont intégré les droits de la nature dans leurs cadres législatifs et constitutionnels, comme nouveau paradigme pour la société. En 2008, l'Équateur a été le premier pays au monde à intégrer les droits de la nature dans sa Constitution, en reconnaissant que son existence, son maintien et la régénération de ses cycles, structures, fonctions et processus évolutifs essentiels devraient être respectés dans leur intégralité. Ceci devrait permettre en fin de compte d'atteindre un équilibre réel, en plaçant la nature et les êtres humains au même niveau.

Les droits de la nature sont un outil important pour la protection du droit des espèces à migrer, de sorte que leurs écosystèmes soient préservés de manière adéquate. Ils fournissent aussi une base juridique pour une représentation juridique effective devant les tribunaux, élargissant le champ des solutions disponibles au-delà des examens de procédure, comme c'est le cas actuellement.

Conscients de la réalité vécue par les espèces migratrices, nous exhortons les pays à reconnaître les droits de la nature dans le contexte des circonstances nationales, et à élaborer des plans d'action, des stratégies et des programmes pour la protection de la faune sauvage migratrice à l'échelle mondiale.

Les droits de la nature et l'économie durable dans le contexte du développement durable et de l'élimination de la pauvreté sont des concepts pouvant s'appuyer mutuellement et être utilisés de manière équilibrée pour protéger la faune sauvage migratrice.

Suscitons davantage de dialogue, de compréhension et d'action pour améliorer la compatibilité entre ces deux approches pour la protection des espèces migratrices.

Passons à l'action!

**Declaración del Presidente del Panel Ministerial de Alto Nivel:
‘Integrando los derechos de la naturaleza y la economía verde en el contexto del desarrollo
sostenible y la erradicación de la pobreza: Búsqueda de acciones para la protección
internacional de la vida silvestre’**

**11ª Conferencia de las Partes de la Convención sobre la Conservación de las Especies
Migratorias de Animales Silvestres, Quito (Ecuador), 3 de noviembre de 2014**

El crecimiento económico y la erradicación de la pobreza se realizan a un enorme costo social y ambiental. Muchas tendencias muestran que el mundo se está acercando a los puntos de inflexión: hoy día registramos más desigualdad que nunca entre los países y dentro de ellos. La riqueza del 1% de las personas más ricas del mundo es 65 veces mayor que la mitad más pobre. Los niveles de contaminación de las aguas subterráneas y del aire están aumentando de manera exponencial, causando problemas de salud a un número creciente de personas. A la fecha, el 40 - 50% de las especies del mundo se han extinguido como consecuencia de la explotación desproporcionada de los recursos naturales, la pérdida de hábitats, el cambio climático, la captura incidental y las barreras de migración, entre otros. Podemos mirar a las especies migratorias como un indicador ecosistémico mundial: si las perdemos, algo fundamental se está malogrando. Los Estados son y deben ser los protectores de las especies migratorias silvestres que viven dentro y fuera de los límites de su jurisdicción nacional.

Considerando los principios de Río 92, en particular el principio de las responsabilidades comunes pero diferenciadas y el derecho soberano de los Estados sobre sus recursos naturales y la existencia de diferentes enfoques, visiones, modelos y herramientas disponibles para cada país, de acuerdo con sus circunstancias y prioridades nacionales, para lograr el desarrollo sostenible y la erradicación de la pobreza.

Se necesitan sistemas de gobernanza eficaces en los países y es necesario incorporar en las leyes y en las instituciones enfoques monetarios y no monetarios que garanticen la conservación de los recursos naturales, así como de la fauna y flora silvestre por su valor inherente, la distribución justa y equitativa de los beneficios generados, en beneficio de las personas, particularmente de las comunidades y pueblos indígenas, y del bienestar del planeta en general.

En el cálculo de la riqueza nacional debemos ir más allá del concepto de "producto interno bruto" para tener en cuenta también el valor del patrimonio natural. El debate debe encaminarse en pensar en el desarrollo humano sostenible y el desarrollo económico sostenible como un solo enfoque, considerando los derechos de la naturaleza como un elemento importante que contribuye a alcanzar ambos.

Las actitudes sociales indican a menudo que no se están aplicando las leyes y las políticas en materia de conservación de la naturaleza y utilización sostenible de los recursos naturales, incluidas las especies migratorias. Subrayamos, por tanto, la importancia de establecer programas educativos e iniciativas de sensibilización destinados a fomentar cambios de actitud, destacando en particular el potencial para este tipo de cambios en los jóvenes. Tales programas educativos y de sensibilización podrían representar una forma de desarrollar nuestra comprensión de lo que significa vivir en armonía con la naturaleza y de comprender mejor en qué forma deben reconocerse sus derechos.

Hay buenos ejemplos de países que incorporan los derechos de la naturaleza en sus marcos normativos y constitucionales como un nuevo paradigma para las sociedades.. Ecuador, en el 2008 fue el primer país del mundo en incluir en su Constitución Política los derechos de la naturaleza, mediante el reconocimiento a que se respete integralmente su existencia, el mantenimiento y regeneración de sus ciclos vitales, estructura, funciones y procesos evolutivos, permitiendo finalmente un verdadero equilibrio, naturaleza y ser humano al mismo nivel.

Los derechos de la naturaleza, constituyen una herramienta importante para la protección del derecho que las especies tienen a migrar, a que sus ecosistemas estén adecuadamente conservados y brindan además una condición jurídica que permite su efectiva defensa ante los tribunales, ampliando la disponibilidad de soluciones más allá de las revisiones de procedimientos como es la práctica actual.

Conocedores de la realidad de las especies migratorias, instamos a que los países reconozcan los derechos de la naturaleza en el contexto de sus circunstancias nacionales y que formulen líneas de acción, estrategias y programas para la protección de la fauna silvestre migratoria a nivel global.

Los derechos de la naturaleza y la economía sostenible en el contexto del desarrollo sostenible y la erradicación de la pobreza son conceptos que pueden respaldarse mutuamente y utilizarse de manera equilibrada para proteger la fauna silvestre migratoria.

Generemos mayor diálogo, entendimiento y acciones a fin de mejorar la compatibilidad entre estos dos enfoques de la protección de las especies migratorias.

Es tiempo de actuar!

ACHMAT HASSIEM – Opening Ceremony (4 November 2014)

Thank you to the CMS Secretariat and the government of Ecuador for hosting this meeting, and for inviting me to speak. I am so happy to be here to share my story about how I become a shark conservation advocate, or as I like to call myself “Shark Boy”.

As a child I grew up living beside the ocean, learning to love and respect it with every tumbling wave. Growing up on the beautiful coastline of False Bay in Cape Town in South Africa, this love for the ocean drew me to pursue a career that involved the ocean and thus I became a lifeguard.

On August 13th 2006, a newfound respect for the ocean arose when I came face-to-face with a 4.7 meter (16 foot) great white shark during a routine lifesaving training exercise.

We were practicing what is called a “multiple patient rescue” where three people are in the water at different depths. On that day, my brother and I were two of three “patients” in the water. My instructor was on the beach. They launched the rescue boat into the water and picked up the closest person first. Out of the corner of my eye, I saw a dot in the distance. I didn’t know what it was at first. I saw a giant dorsal fin, then I looked underwater – the water was clear – and I saw that it was a great white. I knew that it was a great white because of its color. And it was headed towards my brother.

As any brother would do, I was immediately thinking about how I could save my brother. I tried to draw attention away from my brother by splashing the water. I started to see the dorsal fin going into the water. I didn’t know what was happening. I knew that sharks breach in False Bay, so I was worried that the shark might breach my brother. I was at a depth of two meters – just taller than I am. Suddenly the shark came towards my right-hand side. I was in awe of the shark’s sheer size. It took my breath away.

Its massive tail hit me in the face and I tried to swim away on my back from the shark but it was coming straight for me. What followed was an epic battle between the shark and I. I tried to climb onto the shark’s back but I couldn’t get my right leg up and then I realized my right leg was in its mouth. I was pulled underwater by the shark and dragged for seventy meters. Even though I could feel myself tiring and short of breath, human instinct kicked in and I

started fighting for my life. What struck me while I punched the shark in the face was the feel of its body – it was 100% pure muscle, and its head was like really coarse sandpaper. It had a scar on its left cheek that I tried to scratch to try to free myself from its grip.

I heard the snap, crackle and pop sound of my leg breaking in the shark's mouth and I floated up to the water's surface where I tried to catch my breath. I had my left arm up and out of the water, but I was so tired and so I started to sink. Luckily, the lifeguards saw my arm and the rescue boat came over to me. My brother pulled me out of the water just as the shark swam back at the boat. Its mouth was inches away from my head but my brother saved me and pulled me away from its jaws.

On the shore, my brother was lying on top of me, closing my eyes and reassuring me that I just had a scratch on my foot. I woke up in the intensive care unit with my brother by my side. He said "I am sorry about what's happened", and I replied "all that matters is that I'm here talking to you and you're here talking to me". Then he told me to lift the blanket and look down. I did, and saw that my right leg was missing.

When I was younger, all I wanted to do was to represent my country in sport. At the time I was a goalkeeper. So, as I lay in hospital, I thought, what can I do now? The South African Paralympian, Natalie du Toit, came to visit me when I was in hospital. She had lost her leg in a motorcycle accident. She asked "Why don't you take after me?" She introduced me to the pool. And as my mum says, I took to swimming like a shark to water. I owe everything to that shark for giving me the wonderful opportunities I have today.

With my newfound changes in life, both physically and mentally, I decided to pursue another lifelong dream of representing my country internationally. Eventually, with a lot of training, I represented my country at the Beijing Paralympic Games and again the London 2012 Paralympic Games where I won bronze in the men's 100m butterfly event. Currently, I am training for the Rio 2016 Paralympic Games.

Since the day that great white changed my life – I call her Scarlet and I last saw her in August – I have become an advocate for shark conservation. I have done work for the Save Our Seas Foundation in South Africa where we encourage the conservation and awareness of sharks and marine life in the False Bay area where I live. In 2010, I was asked by The Pew

Charitable Trusts to become an advocate for shark conservation as a member of the “Shark Attack Survivors for Shark Conservation” group. We are a group of shark attack survivors from around the world that have joined Pew in an effort to restore and conserve the world’s dwindling shark populations. We realize that despite our attacks and sustained injuries, these apex predators are in peril, a situation that puts the ocean and all its marine life at risk, therefore, we are asking the world’s leaders to take steps for shark conservation. We urge countries to establish protections for sharks. I am very pleased to be at here CMS CoP11 with the theme “Time for Action”, where so many of the proposals are focused on helping to protect sharks and rays. I hope the delegates here decide to act for sharks and rays this week.

BOYAN SLAT – 4 NOV 2014 - CMS

Once there was a stone age, a bronze age, but now we live in the plastic age.

Exactly two years ago, I stood on a similar stage, in my home town of Delft, the Netherlands. There, I presented my idea on how to clean the oceans of plastic. I talked about how, while diving in Greece, I came across more plastic bags than fish [screen shows footage of plastic under water]. I talked about my high school science project [footage of experiments], which I used to study the problem itself, and why it's so difficult to clean up.

Every year we produce about 300 million tons of plastic, and a fraction of which enters rivers, waterways and eventually the oceans.

And if the plastic doesn't get beached soon after leaving the river, it will eventually find its way to one of the 5 subtropical gyres. These vast areas of Open Ocean act as a sink for the plastic, trapping it for an indefinite time. Due to sun and waves, the plastic breaks down into ever smaller pieces, but remains plastic.

Toxic chemicals, like PCBs and DDT, attach to the plastic particles in very high concentrations relative to the seawater. These small particles resemble food to birds and sea life, thereby entering the food chain – a food chain that includes us humans.

Three months ago, the UNEP calculated the cost of plastic pollution in the oceans is at least 13 billion dollars annually. Plastic pollution damages tourism, damages vessels and damages fishing activities.

And then, there is of course the impact to marine life.

It amazed me that in the middle of the oceans, over a thousand miles offshore, in a place where perhaps no human has ever been, you can find 6x more plastic than plankton. It amazed me that over a hundred thousand mammals, and a million seabirds each year die because of that same plastic. It shocked me that entire species are being threatened by it. But what perhaps astounded me even more was, that most people involved in the topic were certain a cleanup would be impossible, even though nobody has ever seriously investigated it.

A massive challenge, a cleanup would be though. The name 'Great Pacific Garbage Patch' suggests there is an island of trash floating in the middle of the oceans. This image has spurred many cleanup concepts, all of them being based on vessels with nets, which would be fishing for plastic. Unfortunately, even though the concentration of plastic in these 5 subtropical gyres is extremely high compared to the rest of the oceans, the plastics are still spread out over millions of square kilometers. Hence, it would take many billions of dollars and thousands of years to clean up a gyre using such methods. Bycatch and emissions from ships would likely cancel out the good work, and furthermore the ocean isn't a particularly friendly place to do things.

However, I realized back in high school, there might be an alternative. I wondered; why move through the oceans, if the oceans can move through you? Instead of going after the plastics, you could simply wait for the plastic to come to you. Without requiring any added energy. An array of floating barriers would first catch and concentrate the debris, enabling a platform to efficiently extract the debris afterwards. The ocean current would pass underneath the barriers, taking all neutrally buoyant sea life with it, preventing by-catch.

And after successfully finishing the high school science project, I started studying Aerospace Engineering, but I still couldn't stop thinking about it. So I decided to pause both university and social life, assembled a team of 100 scientists, engineers and other volunteers, and initiated an extensive feasibility study.

So we organized several expeditions to a gyre, and proved plastics can predominantly be found in the top half a meter.

We proved barriers can catch and concentrate plastic.

We developed a new type of floating barrier that can operate in extreme conditions.

We proved that existing technologies can be used to attach it to the seabed.

We calculated the environmental impact to be likely negligible.

And we proved that plastic can be recycled into both oil and new materials, just to name a selection of questions answered.

It couldn't be done.

But based on all the research, we haven't found a single reason to believe it cannot be done.

We can only conclude that,

It could be done,

it's feasible.

Using a single 100 km array, deployed for 10 years, almost half of plastic within the North Pacific Gyre can be cleaned up.

And after having successfully completed the feasibility study, we then started making preparations for phase 2 – the pilot phase. Through a series of up-scaled tests, we'll now work towards a large-scale and fully operational pilot in 3 to 4 years' time. Thanks to the financial support of over 38000 crowd funders, we are now ready to put the first large device into the ocean.

If everything goes according to plan, the cleanup could start by 2020.

However, this is just half the story.

Some people have used the metaphor of mopping while the tap is still running when talking about cleaning the oceans. And they are right. Prevention IS priority. We invented the mop.

Now is the time to close the tap.

Now that there likely is a method through which we can clean up what's already out there, it shouldn't be an excuse to continue polluting. It should be a motivation to urgently prevent new plastic from entering the oceans.

Now is the time to close the tap.

Next to cleaning the oceans, our role will be to also develop spin-off technologies to intercept plastic before it reaches the oceans. But the prevention of plastic pollution is something we cannot do alone.

It is the responsibility of every single individual, every single company, and every single nation.

The ideas are there. Now what we need are the people to take these ideas into action.

And this is where you come in.

Now is the time to close the tap.

Thank you.

Philippe Cousteau

Speech to the Informal Session of the CMS COP11 Opening Ceremony

Thank you Ashlan

Your excellencies, distinguished delegates, ladies and gentlemen

It is indeed a great privilege to have been asked to address you at this, the 11th meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals.

It's great being here in Ecuador, a country of incredible natural beauty and warm hospitality – and some of you will be going on the Galapagos Islands with their associations with Charles Darwin to see for yourselves their unique fauna.

Coming from a family like mine, it would have been well-nigh impossible for me not to be interested in the oceans and the animals that live in them. So your agenda for this meeting certainly grabbed my attention and was one of the reasons I wanted to come here to speak to you.

What's on the programme?

- Boat-based wildlife watching – something that my grandfather no doubt would have been interested to hear about
- Cetacean culture
- Live captures of cetaceans
- Listing 21 sharks, ray and sawfish species
- An action plan for the Loggerhead Turtle in the South Pacific
- A Programme of Work on Climate Change and Migratory Species
- Renewable energy deployment and migratory species
- Invasive Alien Species
- Management of Marine Debris – hence Boyan's presence here today
- Wildlife Crime

Fascinating stuff, but in a way, it worries me. On the principle that “if it isn't broken, don't fix it”, you would not need an international conference had to address these issues. But they are pressing problems and we have to address them as an international community.

But recognition that a problem exists can mean that half the battle is won.

As Ashlan said, one of my missions is to empower people. As the two previous speakers prove, not everyone needs any encouragement or help to do something extraordinary – such as overcoming adversity to excel at sport and preach a conservation message even when an encounter with wildlife had such unfortunate consequences. Or applying inventiveness and knowledge to find solutions to the apparently insoluble.

Galileo and Copernicus found themselves at odds with the powers that be with their outlandish theories about the Earth revolving around the Sun, but in the end they were proved right.

Just as it was a truth universally acknowledged that the Earth was flat, it was self-evident that man would never be able to fly and space travel would remain a figment of science fiction writers' imagination. Georges Méliès' film "*Le Voyage dans la Lune*" was released in 1902. The following year, the Wright brothers' precarious contraption made the first powered flight at Kitty Hawk, North Carolina. In 1909 Blériot flew the Channel; in 1927 Lindburgh crossed the Atlantic non-stop, Gagarin made the first manned space flight in 1961 and eight years later Neil Armstrong made his small step-cum-giant leap.

So congratulations to Boyan; you have got the right attitude – why shouldn't you try to do something, just because everyone says it's impossible. And if Ocean Cleanup is your Kitty Hawk, who knows what your Sea of Tranquility might be.

This is the quotation that appears on my website: "I share my grandfather and father's vision of a world where every child can breathe fresh air, drink clean water and walk on green grass under a blue sky". I might just need to expand that a little. Ours could be the last generation to witness the great mammal migrations across the African plains – and the great mammal migrations of Central Asia are also under threat. I want our dreams and not our nightmares to come true.

- Extinction is a horrifying prospect for too many species that have suffered or are suffering catastrophic declines - WWF recently issued a report showing that wildlife numbers had halved over the last 40 years;
- 99 per cent of vultures in South Asia were killed by veterinary pharmaceuticals. The gap left by the vultures was filled by feral dogs and this led to 20,000/30,000 human deaths through rabies;
- Some populations of sharks are being overexploited in targeted fisheries or victims of bycatch;
- Tens of thousands of sea birds are caught in long line fisheries; and seals, turtles and dolphins killed and injured by discarded fishing gear and plastic waste;
- Hundreds of thousands of bats and many birds killed by wind turbines and power lines;
- The king of the jungle is on the brink of disappearing and polar bears are losing their habitat as the sea ice retreats;
- The Spoon-billed Sandpiper will go extinct in 2020 if remedial action to protect coastal wetlands in East Asia is not taken immediately.

It does not have to be like this.

These species are worth fighting to save — for their own sake and for ours. But they need people to lead the way.

I suspect I know that some of you will be burning the midnight oil arguing over budgets and the costed work programme – I have read the agenda – and I know that you are all under pressure from your finances ministries.

But I must ask you this: can we really afford **not** to support Conventions such as CMS? And I don't just mean topping up the budgets to offset inflation. We need to build these Conventions into really effective tools to combat wildlife crime and promote conservation. We need you to lead the way. And adopting some of the draft resolutions before you and agreeing to the 32 species listing proposals would be an excellent start.

The environment and wildlife conservation cannot be pushed out to the margins of political decision-making – these are not peripheral issues or optional add-ons – they are fundamentals that belong in the mainstream – alongside health, wealth, education and culture because they contribute to all of these other areas. A healthy environment and abundant wildlife generate revenues through wildlife tourism; they are a mainstay of many local and even national economies, as well as cultural traditions, food, clothing and medicines. A live Manta Ray generates thousands of dollars in tourism revenue over its life cycle – dead it is worth maybe a few hundred.

Empowerment is one of my watchwords. Many of you are here representing the Governments - Parties and non-Parties alike – or intergovernmental treaties with mandates to act on behalf of the world community. So the power is already in your hands.

Or you are from NGOs who share the same vision and have the scientific knowledge and communications skills, so I neither have to empower nor motivate you. I would just ask that you spread the message, so that more people have the confidence and inspiration to follow Boyan and Achmat's examples and make their contribution to improving the planet and our understanding of it.

But I have one more request and I want to throw down a challenge for you.

The request is that you give CMS the two things that it needs above all else: an extended and powerful mandate to turn round species decline and the means to deliver.

See what Boyan and Achmat have done. If that is what two individuals can do, the potential for what 120 Governments and an untold number of NGOs and their supporters can achieve is unimaginable.

So my challenge to you is: come on; lead the way and make the change happen, because.....

It's Time for Action

DISCURSO INAUGURAL CMS MINISTRA LORENA TAPIA NÚÑEZ

VOCATIVOS:

SEÑORAS Y SEÑORES, BUENAS NOCHES:

ESTE ES UN MOMENTO HISTÓRICO... UN MOMENTO HISTÓRICO PARA EL MUNDO Y PARA EL ECUADOR... UN MOMENTO HISTÓRICO PARA MILES DE ESPECIES Y PARA NUESTRAS FUTURAS GENERACIONES...

A NIVEL MUNDIAL, LA SITUACIÓN DE LA NATURALEZA Y SUS ESPECIES ME OBLIGA -ESTA NOCHE- A SER DIRECTA: SEÑORAS Y SEÑORES, DEFINITIVAMENTE, ES TIEMPO DE ACTUAR!

POR ESO EN EL ECUADOR ESTAMOS TRABAJANDO ARDUAMENTE EN FORTALECER TODAS LAS LÍNEAS DE ACCIÓN EN CUANTO AL CUIDADO DE LAS ESPECIES, A LA SENSIBILIZACIÓN Y CONCIENTIZACIÓN CIUDADANA, PILAR FUNDAMENTAL PARA LOGRAR GRANDES CAMBIOS, CAMBIOS ESTRUCTURALES, CAMBIOS PROFUNDOS QUE PERMITAN PENSAR EN UN PRESENTE MÁS SANO Y UN FUTURO MEJOR PARA NUESTROS HIJOS.

ES TIEMPO DE ACTUAR, DE ATREVERNOS A CAMBIAR EL MUNDO... ESTA VEZ, POR LOS PECES, REPTILES, AVES Y MAMÍFEROS QUE, A TRAVÉS DE CIENTOS E, INCLUSO, MILES DE KILÓMETROS DE RECORRIDO SOBREVIVEN BUSCANDO SITIOS DE ANIDACIÓN, ALIMENTACIÓN Y REPRODUCCIÓN. DE NOSOTROS DEPENDE QUE ESOS ENTORNOS SEAN PROTEGIDOS A TRAVÉS DE ACCIONES CONCRETAS QUE REBASEN LAS FRONTERAS.

CADA SEGUNDO, DESDE EL AIRE, EL MAR, Y LA TIERRA, ESTAS ESPECIES ESPERAN CORRESPONSABILIDAD DE NOSOTROS COMO CO HABITANTES EN ESTE PLANETA QUE, SI NO LO SABEMOS CUIDAR, PODRÁ DETERIORARSE. ES TIEMPO DE ACTUAR, YA NO HAY MÁS TIEMPO QUE PERDER. INVITO A TODOS A CONCRETAR ACCIONES MÁS ALLÁ DE LA TEORÍA, ESO ES LO QUE EL MUNDO CLAMA.

POR ESO, COMO REPRESENTANTE DEL GOBIERNO DEL ECUADOR, TRABAJAREMOS PARA QUE LA COP11 QUE SE DESARROLLA EN NUESTRO PAÍS SEA UN ESCENARIO DE HECHOS, DE DECISIONES FIRMES, DE COMPROMISOS Y DE ACCIONES....

¿ CUÁL SERÁ LA CLAVE PARA QUE ESTA COP11 PASE A LA HISTORIA? LA RESPUESTA NOS DAN LAS MISMAS ESPECIES MIGRATORIAS, QUE HOY NOS ENSEÑAN CÓMO ATREVERNOS A ACTUAR...LA RESPUESTA ESTÁ, POR EJEMPLO, EN UNA BALLENA JOROBADA, QUE GRACIAS A SU INSTINTO SABE QUE CADA AÑO DEBE MIGRAR Y ASEGURAR A SU ESPECIE....

Y ANTE ESE DESAFÍO, ACTÚA,... ENTONCES LA DIFERENCIA ENTRE VIVIR O MORIR CONSISTE EN MIGRAR PARA ALIMENTARSE Y REPRODUCIRSE. LA BALLENA SABE QUE NO HAY MÁS TIEMPO... ENTIENDE QUE NO ES BUENO ESPERAR... ¡MAÑANA PODRÍA SER TARDE!. ESE ES EL MENSAJE QUE NOS ENSEÑAN DÍA A DÍA.

LA BALLENA EMPRENDE UN SORPRENDENTE VIAJE DE MÁS DE 16.000 KILÓMETROS DE LA ANTÁRTIDA AL ECUADOR. LA BALLENA NO SE AMILANA, MIGRA POR SU BIENESTAR.

CUANDO –CON ESFUERZO ALCANZA LO QUE PARECE IMPOSIBLE- CELEBRA... CELEBRA DANZANDO FRENTE A LAS COSTAS DE NUESTRO ECUADOR, ENTRE JULIO Y SEPTIEMBRE. ESTE ES UN VERDADERO RITUAL QUE SE HA REPETIDO POR SIGLOS.

ESTE RITUAL DE UNA DE LAS ESPECIES MIGRATORIAS MÁS EMBLEMÁTICAS, NOS DA UNA LECCIÓN... UNA LECCIÓN CLARA PARA LOS SERES HUMANOS, LA META ES SALVAR LA FUENTE DE NUESTRA VIDA, LA NATURALEZA. ES TIEMPO DE ACTUAR.

AUNQUE LA META A VECES PARECE IMPOSIBLE, NO DUDEMOS MÁS Y ASEGUREMOS, AL IGUAL QUE LA BALLENA JOROBADA, NUESTRO EQUILIBRIO ENTRE EL SER HUMANO Y LAS ESPECIES.

ES TIEMPO DE ACTUAR Y HA SIDO JUSTAMENTE ESA FILOSOFÍA BAJO LA CUAL EL GOBIERNO DEL PRESIDENTE RAFAEL CORREA HA EMPRENDIDO LA

REVOLUCIÓN AMBIENTAL EN ECUADOR, EQUILIBRANDO LA PROTECCIÓN Y LA CONSERVACIÓN CON EL APROVECHAMIENTO RESPONSABLE DE LOS RECURSOS.

POR ESO NO DUDAMOS COMO ECUATORIANOS Y ECUATORIANAS EN OTORGAR A LA NATURALEZA SUS PROPIOS DERECHOS EN NUESTRA CONSTITUCIÓN POLÍTICA, CONVIRTIÉNDONOS EN UNA EJEMPLO PARA EL MUNDO.

ESA INÉDITA ACCIÓN HA SIDO RECONOCIDA POR LA MAYORÍA DE NACIONES Y MARCÓ UNA NUEVA TENDENCIA INTERNACIONAL, EN EL RECONOCIMIENTO DE LOS DERECHOS DE LA NATURALEZA, AL MÁS ALTO NIVEL JURÍDICO.

NOS HEMOS ESFORZADO POR SER UN REFERENTE MUNDIAL EN CONSERVACIÓN, EMPEZANDO POR DAR EJEMPLO EN CASA. FUE ASÍ COMO PROPUSIMOS AL PLANETA IDEAS INNOVADORAS, INÉDITAS Y ADELANTADAS EN EL TIEMPO, COMO LA INICIATIVA YASUNÍ ITT, QUE BUSCABA FIJARLO COMO UN HITO EN LA CORRESPONSABILIDAD DE LAS NACIONES EN EL APROVECHAMIENTO DE LOS RECURSOS.

Y –A PESAR DE QUE LA COMUNIDAD INTERNACIONAL NO LA COMPRENDIÓ– YASUNÍ ITT MARCÓ EL CAMINO DEL FUTURO EN LO RELACIONADO A CONSERVACIÓN EN EL MUNDO. LO DAMOS POR FIRMADO...

SOMOS PARTÍCIPE DE UN CAMBIO ESTRUCTURAL EN LA MATRIZ PRODUCTIVA Y ENERGÉTICA DEL PAÍS, LO QUE HA DEMOSTRADO AL MUNDO QUE EL DESARROLLO CON RESPONSABILIDAD SÍ ES POSIBLE.

LE APOSTAMOS COMO EJE DE GOBIERNO AL USO DE ENERGÍAS RENOVABLES Y LIMPIAS, SIN ESCATIMAR RECURSOS. GRACIAS A ESTE REVOLUCIONARIO PROYECTO DISMINUIREMOS LA DEPENDENCIA EN LOS COMBUSTIBLES FÓSILES UTILIZANDO ENERGÍA RENOVABLE, EN EL CORTO PLAZO. APORTAMOS ASÍ A LA REDUCCIÓN DE NUESTRA HUELLA DE CARBONO, CON PROGRAMAS COMO SOCIO BOSQUE O SOCIO PÁRAMO.

EL COMPROMISO CON LA NATURALEZA SE DEMUESTRA CON HECHOS... COMO LA CREACIÓN Y EJECUCIÓN DE PLANES Y ESTRATEGIAS NACIONALES DE CONSERVACIÓN DE VIDA SILVESTRE, CON EL AFÁN DE GARANTIZAR LA PROTECCIÓN Y CONSERVACIÓN DE ESPECIES MIGRATORIAS, ENTRE ELLAS: MAMÍFEROS ACUÁTICOS, TIBURONES, PINGUINO DE GALÁPAGOS, ALBATROS, ENTRE OTROS.

EN ESTE TRABAJO INTEGRAL Y ESTRATÉGICO ES IMPORTANTE MENCIONAR LOS PROGRAMAS NACIONALES DE RESTAURACIÓN FORESTAL Y DE INCENTIVOS PARA LA CONSERVACIÓN DENOMINADO SOCIO BOSQUE. LA EJECUCIÓN DE PLANES DE ACCIÓN PARA LA DESCONTAMINACIÓN DE CUENCAS HÍDRICAS Y RÍOS A NIVEL NACIONAL, CIERRE DE BOTADEROS A CIELO ABIERTO Y GESTIÓN INTEGRAL DE RESIDUOS SÓLIDOS, ENTRE OTROS PROYECTOS EMBLEMÁTICOS QUE CADA DÍA SUMAN MÁS ESFUERZOS PARA CUMPLIR NUESTRA META, CONSERVAR UN ECUADOR VERDE.

ASIMISMO, LA CREACIÓN DEL INSTITUTO NACIONAL DE BIODIVERSIDAD MARCA UN ANTES Y UN DESPUÉS EN LO QUE RESPECTA A INVESTIGACIÓN DE ECOSISTEMAS ÚNICOS Y RECURSOS NATURALES...

ES UN HITO A NIVEL NACIONAL DESARROLLAR BIOCONOCIMIENTO A PARTIR DE NUESTRA PROPIA EXPERIENCIA, A TRAVÉS DE NUESTRO TALENTO HUMANO, QUE ES ESENCIAL PARA EL DESARROLLO DE TODA LA NACION Y DE AMÉRICA LATINA.

GRACIAS A ESTOS Y OTROS MÉRITOS RECONOCIDOS INTERNACIONALMENTE, EN NOVIEMBRE DE 2013, NUESTRO PAÍS FUE ELEGIDO PARA SER SEDE DE ESTE ENCUENTRO MUNDIAL, LO QUE SIGNIFICÓ UN RECONOCIMIENTO CONTUNDENTE AL TRABAJO QUE REALIZA EL GOBIERNO NACIONAL, PARA PRESERVAR EL ENTORNO, A TRAVÉS DEL MINISTERIO DEL AMBIENTE.

DEFINITIVAMENTE, ES MOTIVO DE ORGULLO ESCUCHAR EN EL PANEL INTERMINISTERIAL DE ALTO NIVEL DE ESTA COP11, QUE ECUADOR HA

CONSTRUIDO UN SÓLIDO LIDERAZGO INTERNACIONAL, EN LA AGENDA AMBIENTAL.

EL ESFUERZO NO HA SIDO EN VANO Y ECUADOR ESTÁ LISTO, NO SOLO PARA SER LA SEDE DE ESTA CONVENCIÓN MUNDIAL, SINO PARA APORTAR CON SU EXPERIENCIA Y PROPUESTAS PARA LA PROTECCIÓN DE CIENTOS DE ESPECIES MIGRATORIAS.

COMO PAÍS ANFITRIÓN, ME PERMITO ASEGURAR QUE JUNTO CON NUESTROS ESPECIALISTAS, Y EL PERSONAL PUESTO A DISPOSICIÓN POR EL GOBIERNO ECUATORIANO, TRABAJAREMOS POR FACILITAR LA LABOR DE TODOS LOS PARTICIPANTES Y ASÍ GARANTIZAR EL ÉXITO DE ESTA CITA INTERNACIONAL.

MUCHAS GRACIAS POR SU AMABLE ATENCIÓN Y LES DESEO A TODOS UNA REUNIÓN PROVECHOSA Y GRATIFICANTE.

RECUERDEN LO QUE CADA UNA DE LAS ESPECIES, COMO LAS BALLENAS JOROBADAS, PUEDEN ENSEÑARNOS. ESA DECISIÓN DE SUPERAR GRANDES DISTANCIAS Y DESAFÍOS ES LA QUE NECESITAMOS ESTOS DÍAS EN ECUADOR.

ES TIEMPO DE ACTUAR... NO LO PENSEMOS... TRABAJEMOS EN BENEFICIOS DE LAS ESPECIES MIGRATORIAS DEL MUNDO.

DE ESTA MANERA, DECLARO INAUGURADA LA UNDÉCIMA PRIMERA REUNIÓN DE LA CONFERENCIA DE LAS PARTES DE ESPECIES MIGRATORIAS DE ANIMALES SILVESTRE. ESTOY SEGURA QUE PRONTO TENDREMOS EXCELENTES NOTICIAS PARA EL MUNDO.

MUY BUENAS NOCHES.

FIN

Greeting from Tine Sundtoft, Minister of Climate and Environment, Norway

Dear All,

Norway hosted the last Conference of the Parties to the Convention on Migratory Species in Bergen in 2011. I hope that many of you still have good memories of the beautiful city of Bergen and its surrounding fjord landscape.

Conservation of biodiversity is important, not only for habitats and species, but also for human wellbeing. Conservation and sustainable use should therefore be a win-win situation for both humans and the health of our environment.

In many respects we already know what the major threats are. We also have good guidelines on how to avoid or mitigate these. Therefore it is pleasing to see initiatives at this meeting to streamline the activities both within the CMS and other environmental agreements.

Implementation of decisions and resolutions should now be in focus.

Assisting Parties with capacity building is also still necessary. Many Parties need assistance in building administrations and increasing the knowledge of their own biodiversity. This is fundamental for good governance and sustainable use. I am confident that this meeting will strengthen the Parties' efforts on these issues.

Norway will present a listing proposal for the Polar Bear to be included in Appendix II. This proposal reflects the challenges that we see in the Arctic. With the ongoing climate change the Polar Bear seems destined to decline in numbers and distribution.

The world needs to be more proactive in reducing the effects of climate change. There are also other threats in the Arctic such as contamination and risk of oil-spills. Norway will continue to support initiatives in the Arctic to collaborate in the safeguarding and management of the Polar Bear and its environment.

I wish you a successful meeting and look forward to see the results of the 11th CMS Conference of the Parties.

REPUBLIQUE GABONAISE

UNION-TRAVAIL-JUSTICE



**Onzième Conférence des Parties à la
Convention sur la conservation des espèces migratrices
appartenant à la faune sauvage (CMS)**

Allocution de

Monsieur Noel Nelson MESSONE

**Ministre de la Forêt, de l'Environnement et de la Protection
des Ressources Naturelles (Gabon)**

Quito (Equateur), le 04 novembre 2014

Excellence Monsieur Rafael Vicente CORREA, Président de la République de l'Equateur;

Excellence Madame Lorena TAPIA, Ministre de l'Environnement de la République de l'Equateur;

Excellences Mesdames et Messieurs les Ministres;

Excellences Mesdames et Messieurs les Ambassadeurs;

Distingués invités;

Mesdames et Messieurs,

Je suis honoré de prendre la parole, au nom du **Président de la République, Chef de l'Etat, Son Excellence Ali BONGO ONDIMBA**, à l'occasion de la Onzième Conférence des Parties à la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage (CMS).

Je voudrais transmettre ses chaleureuses salutations à son **Excellence Rafael CORREA, Président de la République de l'Equateur**.

J'ai été tout aussi honoré de représenter le **Président Ali BONGO ONDIMBA** à la table ronde de haut niveau qui s'est tenue hier sous le thème «Vers une conciliation entre les droits de la nature et l'économie verte dans l'optique du développement durable et de l'élimination de la pauvreté: trouver des solutions pour protéger les espèces sauvages à l'échelle internationale».

Je tiens à remercier le Gouvernement de l'Equateur et le Secrétariat de la Convention d'avoir convié le Gabon à cette table ronde.

C'est pour mon pays la reconnaissance de notre engagement en faveur de la gestion de nos ressources fauniques et floristiques.

Excellences, Mesdames et Messieurs

Les questions qui sont à l'ordre du jour de cette conférence sont au cœur de la vision actuelle du développement de notre pays qui repose sur trois piliers que sont le Gabon Industriel, le Gabon des Services et le Gabon Vert.

Le **Président Ali BONGO ONDIMBA** a fixé l'objectif de faire du Gabon un pays émergent à l'horizon 2025, en mettant l'accent sur le développement durable et la lutte contre la pauvreté dans le cadre d'un Pacte social.

Les objectifs de la CMS, en général, sont au cœur de notre vision du Gabon Vert.

Excellences, Mesdames et Messieurs

Le Gabon fait partie du Bassin du Congo et dispose d'une biodiversité importante et diversifiée composée d'espèces emblématiques, telles que l'éléphant de forêt.

Il comprend aussi des habitats uniques avec une couverture forestière évaluée à plus de 80% du territoire national et 800 kilomètres de côtes maritimes. Ces habitats constituent des sites de prédilection et des destinations de choix pour des espèces migratrices telles que les éléphants et les tortues luths.

Une telle richesse implique de grandes responsabilités que le **Président Ali BONGO ONDIMBA** a placées au cœur des priorités du Gabon Vert.

La biodiversité est aujourd'hui menacée. Notre pays fait face à des activités de braconnage sans précédent. Celles-ci sont organisées par des groupes organisés et armés faisant partie de réseaux internationaux. L'éléphant est la principale victime de ce braconnage ; mais on peut aussi citer le perroquet du Gabon.

Excellences, Mesdames et Messieurs,

Au Gabon, l'éléphant qui est un animal emblématique, est la cible de choix de ces braconniers pour le commerce de l'ivoire. C'est pourquoi, les plus hautes autorités gabonaises appellent à une mobilisation internationale contre ce braconnage et le commerce illicite des espèces protégées qui constituent désormais une menace écologique, économique et sécuritaire.

Le Gabon a proposé la nomination d'un représentant ou d'un envoyé spécial du Secrétaire Général de l'ONU sur ces questions.

Notre sens des responsabilités pour la préservation de la biodiversité a amené le Gabon à promouvoir et soutenir diverses initiatives, notamment:

- la déclaration de Marrakech présentant un plan d'actions en dix points pour lutter contre le trafic illicite des espèces de faune et de flore sauvages;
- la déclaration du Gaborone, de décembre 2013, présentant les mesures d'urgence pour endiguer et inverser la tendance de l'abattage illégal de l'éléphant et du commerce illégal de l'ivoire;
- la déclaration de Paris, de décembre 2013, pour la lutte contre le braconnage et le trafic des espèces fauniques; et
- la déclaration de Londres, de février 2014, portant précisément sur:
 - le renforcement du respect de la loi et du système de justice pénale;
 - la réduction de la demande en produits fauniques illégaux; et
 - l'appui au développement de moyens de subsistance durables au sein des communautés affectées par le commerce illégal des espèces sauvages.

Excellences, Mesdames et Messieurs,

Au niveau national, le Gabon a notamment:

- mis en place un réseau de parcs nationaux, qui couvrent 11% du territoire national, et créé une agence chargée de leur gestion;
- procédé à la création des brigades spéciales, appelées brigades de la jungle, composées d'éléments de la défense nationale en charge de la sécurisation des parcs nationaux;
- lancé la révision de la loi forestière intégrant notamment le durcissement des peines liées aux activités illégales de braconnage et de commerce illégal des produits de la faune;
- initié une loi portant protection de l'éléphant;
- lancé la réflexion sur l'intégration des crimes fauniques dans le code pénal en cours de révision; et
- et récemment mis en place un organe, le Gabon Bleu, qui sera chargé de la mise en place des parcs marins.

Aussi, en cohérence avec ses engagements, le Gabon soutient-il le projet de résolution soumis par le Ghana et Monaco, visant à combattre les crimes contre les espèces sauvages à l'intérieur et à l'extérieur des frontières. A cet effet, nous soutenons aussi les projets de résolution soumis par le Ghana et la Suisse respectivement en faveur:

- du renforcement des relations entre les membres de la CMS; et
- du renforcement des synergies et des partenariats.

Excellences, Mesdames et Messieurs,

Je saisis cette occasion pour rappeler que les négociations actuelles sur le climat sont une occasion de souligner la problématique de la protection des espèces, ainsi que les forêts qui en sont les habitats naturels. Le Gabon sera favorable à un accord post Kyoto qui intègre ces préoccupations.

Je vous remercie.

Speaking Points for Elizabeth Mrema**Director DELC****CMS COP-11 Quito, Ecuador**

First of all I would like to thank the government of Ecuador for its hospitality and for host this eleventh meeting of the conference of the Parties.

I wish to take this opportunity to congratulate the ES on his first COP and to his staff who are important reference points for the deliberation of this Conference.

It is now 31 years since its adoption in 1983, with a membership of 120 as of 1 May 2014, the Convention has grown not only in numbers but also programmes that can strengthen conservation of migratory species.

Coming just two weeks after the CBD COP-12, many mutually supportive issues will be discussed here that were already adopted at the CBD. The Secretariat has, for instance, evidently contributed to the efforts and various on-going initiatives to identify and encourage interlinkages and enhance synergies not only within the CMS Family, but also with other related MEAs. Such synergies and interlinkages intended to reduce overlap and avoid conflicts, enhance effectiveness and efficiency, is equally a priority issue for UNEP.

It is well known that the CMS's main objective is protecting migratory species. However, time has come for the Parties to realize that as you continue to protect these species, we must ensure all avenues for illegal trade are curbed and closed, we should not loose sight. There is renewed opportunity and momentum by the global community to combat illegal trade on wildlife, on issues of conservation, sustainable use and sharing of benefits derived from the use of biodiversity. These issues featured prominently in the UN Rio+20 Summit's Outcome Document "The Future We Want".

Biological diversity faces many threats, ranging from habitat destruction, climate change, illegal killing of wildlife, poaching, to unrestrained commercial harvesting for trade, among others. By ensuring that the migratory species are carefully protected, CMS is majorly contributing to protecting the world's biological diversity. In this regard, this this meeting is also an important Conference for other substantive reasons. For example, the conference will consider an increased number of proposals for species reflecting the growing international concern on the protection migratory species. This confirms that many governments increasingly view CMS as a vital tool for safeguarding not only the species, but also the ecosystem(s).

In implementing new measures, we must also be prepared to take concrete steps relevant to CMS so as to demonstrate positive progress towards reducing the rate of loss of biodiversity. A target date of 2020 has been set and agreed by Parties to CBD and endorsed by all Biodiversity MEAs, including CMS. I am confident that CMS is clearly contributing to this target, and would perhaps benefit from recognizing its role and reflecting this contribution more explicitly in its work, documentation and resolutions to be taken this week. To this end, presented before you is the Strategic Plan for Migratory Species 2015 to run through to 2023. By considering it positively and adopting it, you will be ensuring that the Convention focuses on a number of priority goals with identifiable performance indicators, taking into account the global goals and targets, in order to enhance Parties' ability to

implement and enforce not only the Convention but also related regional agreements/MoUs and Action Plans adopted to further strengthen and/or implement CMS. It will also strengthen the scientific basis for decisions-making as well reduce, if not, eliminate illegal killing of wildlife, and contribute to the Aichi target Biodiversity in 2020. As well as ensure that the Convention and other multilateral instruments and processes are coherent and mutually supportive.

The issue of securing sound funding for the Convention is extremely critical. I fully understand the consequences of inadequate budget. This means that developing country' Parties, who are the Range States of most of the CMS species, cannot be assisted in a meaningful way to implement the Convention and preserve their wildlife and ecosystems.

In conclusion, I wish to call for continued and concerted international efforts to promote synergies among Multilateral Environment Agreements (MEAs), in particular the biodiversity MEAs. Permit me at this juncture also to equally urge and call upon countries which have not done so to accede to the Convention at their earliest opportunity so that together we protect these species as well as fight against illegal trade in wildlife species, in a bid to conserve Biodiversity – A quote from the Cree Indian Prophecy says:

“Only after the last tree has been cut down, only after the last river has been poisoned, only after the last fish has been caught,

ONLY THEN WILL YOU FIND THAT MONEY CANNOT BE EATEN”

I wish the Conference fruitful and productive deliberations and looking forward to continuing working with you all for the effective implementation of CMS.

A Video Message from

Achim Steiner

UN Under-Secretary-General

UNEP Executive Director



Excellencies, Ladies and Gentlemen

Welcome to Quito, Ecuador and the Conference of the Parties of the Convention of the Migratory Species, which this year celebrate its 35th anniversary. It is truly a mature convention and one that I think we should credit member states and those who were the architects of this convention for having had the wisdom and the foresight 35 years ago to design an instrument that would allow us first of all to recognize both the phenomena of declining species and also the threats that particularly effect the migratory species. Many of us are still at the beginning of understanding quite how ecosystems function, how habitats that are often located in different national territories are indeed inextricably linked in terms of how species migrate and their fate as the result of not being able to understand the migratory patterns and also the actions whether it would be in terms of conservation or sustainable use of these species in one national territory and the consequences beyond the national boundaries. The convention celebrates not only many success stories but also very act of engagement of the governments, civil societies and many other partner organizations in first of all raising awareness about migratory species, secondly try to address the threats and also hopefully putting in place the kind of collaborative arrangements which really go to the heart of the DNA of the United Nations, which is to bring member states of the global community together, to act in issues, challenges, opportunities or threats bid for the environments or many other related areas. In that sense, the Convention of Migratory Species fits extremely well within the mandate and the overall objectives of the United Nations and also compliments, for instance, conventions such as the Convention of Biological Diversity and its Aichi targets or the Convention on International Trade in Endangered Species. At your meeting in Quito this year you will have many decisions to take among them also very many that address particular threats such as wildlife crime and poaching, marine debris or the listing or the potential listing of 32 additional species in the CMS context. I hope that you will have both the confidence and the trust in the instrument of CMS but also in the ability of member states for which now they are 120 that have ratified the convention, to make this instrument even more effective in the future. It is both of a platform and means and a catalyst for action and it allows us to bring of the best of expertise, national legislation, international commitments to the fore of supporting instrument that has allowed us to already protect successfully quite a number of species. But I do not need to tell you that both threats and decline and also the nature of the threats that exist for many species that you are focused on, are still growing exponentially. We have not

succeeded in turning the corner and therefore the work and the decision that you will be taking in Quito this week, I think are extremely important, not only from the point of view of the success and accountability of the member states through the convention but also to our overall effort of trying to conserve, protect and sustainably use biodiversity across the planet. In part your work will also be to look at the effectiveness of the instrument itself and certainly the agenda in terms of greater coherence, efficiency and synergies within the CMS family is an issue that we in the United Nations Environment Programme and not least you as the member states through the United Nations Environment Assembly have repeatedly called for to make progress on. I hope that you will find both the proposals and the proposed way forward to be compelling and convincing and therefore provide another example that our instruments can evolve and after 35 years indeed CMS and its secretariats and the CMS family can take the next step toward a more efficient and effective functioning of the supporting infrastructure. But it is also a country level where we need to continue to focus our attention on how the focal points from different conventions can achieve greater synergy in terms of national policy and the kinds of decision that are taken under different conventions and in that sense, our discussions on synergies and greater coherence of biodiversity related conventions at the country level where actual implementation takes place is part of this discussion. I would like to end by both thanking the Executive Secretary and the team that secretariat and many of you who have made in this period between the last COP and this one the work of the convention move forward. We have many reasons to be proud and I think out of the decision that you will take this week, there will be many more opportunities to demonstrate both the vitality, the importance and the opportunity that CMS and the CMS family as whole will represent. On behalf of the United Nations Environment Programme and also the Executive Director of UNEP, I would like to commit our continued support and also strong faith in both the importance and also the relevance of this convention for our overall efforts in making our planet more sustainable. Thank you very much to the people and the government of Ecuador. Thank you for inviting us into your beautiful country, for making us welcome and for expressing your commitment to this convention through hosting this meeting in Quito.

Muchas Gracias.

**CITES Secretary-General's statement
at CoP11 of the Convention on Migratory Species**

**Eleventh meeting of the Conference of the Parties to the
Convention on Migratory Species**

Quito, Ecuador, 4 November 2014

Opening Plenary

Statement of the CITES Secretary-General, John E. Scanlon

Minister for the Environment, Lorena Tapia Núñez

Chair elect of the Committee of the Whole, Øystein Størkersen

Executive Secretary, Bradnee Chambers

Distinguished guests, friends and colleagues

It is a great honor to join you in the beautiful World Heritage-listed City of Quito and I extend my deep thanks to the Government and the people of Ecuador for their warm hospitality.

Please allow me also to congratulate the Chair elect of the Committee of the Whole on his election – you are in very good hands, as well as your Executive Secretary both on his appointment and on the energy and creativity he has brought to the Convention.



CITES and the CMS share common origins, have complementary mandates, and enjoy longstanding and deepening programmatic collaboration.

It was IUCN that first called for these two conventions in the early 1960's. This call was heeded and enshrined in recommendations adopted at the UN Stockholm Conference on the Human Environment in 1972, which led to CITES and the CMS being adopted within the decade – CITES in 1973 and the CMS in 1979.

Both CITES and CMS apply to specific species through an intergovernmental process. Today there are over 500 species that are common to both conventions – as can be readily searched on the recently launched Species+ portal – and I acknowledge UNEP-WCMC with whom we partnered in this great endeavour.

Common to both conventions is that biological factors coupled with cross border movement are required to trigger a species being listed under an Appendix. In the case of the CMS, the migratory species cross borders under their own steam by using their feet, wings or flippers – and the CMS works with States to ensure that this migration across national borders can continue unimpeded. A CMS listing is perhaps the world's *Laissez-Passer* for migratory species.

Under CITES, species cross national borders by plane, boat and truck through human intervention. The objective of strictly regulating such trade is to ensure it does not threaten the survival of the species in the wild – placing obligations on source, transit and destination States.

When live animals are traded – imported or exported – under CITES authorities must minimize the risk of injury, damage to health or cruel treatment, which is one of the earliest provisions on animal welfare found under international law.

The cross border aspect of both CITES and CMS cannot be achieved without deep international cooperation. Our collective success depends upon such international cooperation coupled with effective domestic action. Both are necessary and CITES and CMS work to support their Parties at all levels both individually and at times collectively.

Distinguished guests, we hear a lot about synergies between biodiversity-related conventions and my personal bias is towards achieving pragmatic programmatic synergies that have a real impact on the ground – and there is no better example of such synergies in practice than between CITES and CMS.

This week you will consider detailed Action Plans for the argali sheep and saker falcon as well as the Central Asian Mammals Initiative, each of which has been jointly developed with CITES. Through this close cooperation, CITES issues have been directly built into these plans and this initiative. They build on the excellent outcomes from the Action Plan on the saiga antelope, which has resulted in significant improvements in the status of the species.

We are also seeing exciting opportunities emerge for joint work on sharks and rays – an area where CITES Parties took bold decisions at their 16th CoP, in 2013, in bringing five new species of shark and all manta rays under CITES control. The CoP also adopted a revised resolution on how to interpret and implement CITES provisions on taking marine species from the high seas (referred to under the Convention as ‘introduction from the sea’).

And our respective Standing Committees have now both approved a five-year joint work plan agreed between the two Secretariats.

There are many other areas of synergy, including on Species+, InforMEA, national reporting, and the revision and implementation of National Biodiversity Strategy and Action Plans (NBSAPs). I could go on but time does not permit me to do so. I would, however, like to acknowledge Elizabeth Mrema for her role in advancing these synergies as well as to thank the Government of Germany for its generosity in funding the first joint CITES/CMS post.

We are confronting multiple challenges in ensuring the conservation and sustainable use of wildlife, including a serious spike in the illegal killing and related trade in many iconic and lesser-known animal species – such as the elephant, rhino, cheetah and pangolin and many timber species such as rosewood.

The leading role of CITES in combating illegal wildlife trade is well acknowledged – but the CMS also has a complementary role to play, especially in addressing the related illegal taking of animals at the national level that do not enter international trade.

Distinguished guests, CITES and the CMS, and other conventions in the family of biodiversity-related conventions go to the very heart of international environmental governance and their successful implementation is critical to ensure the survival of wildlife and of our own quality of life.

The CMS – and the various agreements concluded under it – have the opportunity to inspire us all about the natural beauty of wild migratory species and their immense value from multiple points of view.

It is incumbent upon all of us to do everything we can to assist States make best use of these well-targeted legal instruments and I commend everyone here for raising the profile and enhancing the effectiveness of this important convention. Our Chief of Scientific Support Services, David Morgan, will be here all week to support you in your endeavors.

Thank you for inviting me to join you today and I wish you every success with your meeting.

It is time for action!

**Allocution prononcée par le Secrétaire général de la CITES à l'occasion de la
11e session de la Conférence des Parties à la Convention
sur les espèces migratrices**

**Onzième session de la Conférence des Parties
à la Convention sur les espèces migratrices**

Quito, Équateur, 4 novembre 2014

Séance plénière d'ouverture

Allocution prononcée par le Secrétaire général de la CITES, John E. Scanlon

Mme Lorena Tapia Núñez, Ministre de l'environnement,

M. Øystein Størkersen, président élu du Comité plénier,

M. Bradnee Chambers, Secrétaire exécutif,

Chers hôtes, amis et collègues,

C'est un grand honneur pour moi de me joindre à vous en cette belle ville de Quito, inscrite au Patrimoine mondial de l'UNESCO, et j'aimerais également exprimer ma profonde gratitude au Gouvernement et au peuple équatoriens pour leur chaleureuse hospitalité.

Permettez-moi également de féliciter le président élu du Comité plénier pour son élection – vous êtes en de très bonnes mains –, et votre Secrétaire exécutif, pour sa nomination ainsi que pour l'énergie et la créativité qu'il a apportées à la Convention.



La CITES et la CMS ont des origines communes et des missions complémentaires et il existe de longue date une collaboration entre leurs programmes, qui va en se renforçant.

C'est l'UICN qui a en premier appelé à l'élaboration de ces deux conventions au début des années 1960. Cet appel a été entendu et consacré dans des recommandations adoptées à la Conférence des Nations Unies sur l'environnement qui s'est tenue à Stockholm en 1972, et qui a débouché sur l'adoption, dans la décennie, de la CITES, en 1973, et de la CMS, en 1979.

La CITES et la CMS s'appliquent toutes deux à des espèces spécifiques par le biais d'un processus intergouvernemental. Aujourd'hui, il existe plus de 500 espèces communes aux deux conventions – comme on peut facilement le constater en effectuant une recherche sur le portail Species+ récemment inauguré – et je salue le PNUE-WCMC avec qui nous sommes associés pour parvenir à cette grande réalisation.

Les deux conventions ont en commun le fait que des facteurs biologiques associés à des mouvements transfrontaliers sont nécessaires pour déclencher l'inscription d'une espèce à une annexe. Dans le cas de la CMS, les espèces migratrices traversent les frontières par leurs propres moyens, en marchant, volant ou nageant – et la CMS collabore avec les États pour s'assurer que cette migration à travers les frontières nationales puisse se poursuivre sans entraves. Une inscription aux annexes de la CMS est peut-être le laissez-passer mondial pour les espèces migratrices.

Dans le cas de la CITES, les espèces traversent les frontières nationales en avion, bateau ou camion sous l'effet d'une intervention humaine. La réglementation stricte d'un tel commerce a pour but de s'assurer que celui-ci ne menace pas la survie des espèces sauvages – la Convention faisant peser des obligations à la charge des États d'origine, de transit et de destination.

Lorsque des animaux vivants font l'objet de transactions commerciales – lorsqu'ils sont importés ou exportés – dans le cadre de la CITES, les autorités doivent réduire au maximum le risque de blessure, d'atteinte à leur santé ou de traitements cruels, et c'est l'une des toutes premières dispositions relatives au bien-être des animaux en droit international.

La CITES et la CMS ayant un aspect transfrontalier, elles ne sauraient être mises en œuvre sans une importante coopération internationale. Notre succès collectif dépend de cette coopération internationale, associée à l'adoption de mesures efficaces sur le plan national. Les deux sont nécessaires et la CITES et la CMS s'efforcent de soutenir leurs Parties à tous les niveaux, individuellement et, parfois, collectivement.

Chers hôtes, on entend beaucoup parler des synergies entre les conventions ayant trait à la biodiversité et je suis personnellement enclin à vouloir produire des synergies pragmatiques entre les programmes, qui ont un véritable impact sur le terrain – et il n'existe pas de meilleur exemple de telles synergies en pratique qu'entre la CITES et la CMS.

Cette semaine, vous allez examiner des plans d'action détaillés pour la conservation du mouflon d'Asie et du faucon sacre, ainsi que l'Initiative pour la conservation des mammifères en Asie Centrale, qui ont tous été établis conjointement avec la CITES. Grâce à cette étroite collaboration, des questions relevant de la CITES ont été directement prises en compte dans ces plans et cette initiative. Ils tirent les leçons des excellents résultats du plan d'action pour la conservation de l'antilope saïga, grâce auquel l'état de cette espèce s'est beaucoup amélioré.

Nous voyons également émerger des occasions intéressantes de travailler ensemble sur les requins et les raies – un domaine dans lequel les Parties à la CITES ont pris de vigoureuses décisions lors de leur 16e Conférence, en 2013, en plaçant cinq nouvelles espèces de requins et toutes les raies manta sous le contrôle de la CITES. La Conférence des Parties a aussi adopté une résolution révisée sur la manière d'interpréter et de mettre en œuvre les dispositions de la CITES relatives à la capture d'espèces marines en haute mer (désignée par l'expression « introduction en provenance de la mer » dans la Convention).

Enfin, nos Comités permanents respectifs ont à présent tous deux approuvé un plan de travail quinquennal commun qui avait fait l'objet d'un accord entre nos deux Secrétariats.

Il existe bien d'autres domaines de synergie, notamment sur les portails Species+ et InforMEA, ainsi que dans les domaines de l'établissement des rapports nationaux et de la révision et de la mise en œuvre des Stratégies et plans d'action nationaux pour la biodiversité (SPANB). La liste est longue, mais, faute de temps, je dois m'arrêter là. J'aimerais toutefois exprimer ma gratitude à Mme Elizabeth Mrema pour le rôle qu'elle a joué dans l'approfondissement de ces synergies, et remercier également le Gouvernement allemand pour la générosité dont il a fait preuve en finançant le premier poste budgétaire conjoint CITES/CMS.

Nous sommes confrontés à de nombreux défis pour assurer la conservation et l'utilisation durable des espèces sauvages, notamment à une aggravation sans précédent de l'abattage illégal et du commerce qui s'ensuit de nombreuses espèces animales, emblématiques ou moins connues, - comme l'éléphant, le rhinocéros, le guépard et le pangolin -, ainsi que de nombreuses essences forestières, telles que le palissandre.

Le rôle prépondérant de la CITES dans la lutte contre le commerce illégal des espèces sauvages est bien reconnu – mais la CMS a également un rôle complémentaire à jouer, notamment en s'attaquant à la capture illégale d'animaux au niveau national qui ne sont pas commercialisés sur le plan international.

Chers hôtes, la CITES et la CMS, ainsi que les autres conventions appartenant à la famille des traités relatifs à la biodiversité, sont au cœur même de la gouvernance internationale en matière environnementale et le succès de leur mise en œuvre est essentiel pour assurer la survie des espèces sauvages et de notre qualité de vie.

La CMS – et les divers accords qui ont été conclus en application de celle-ci – sont l'occasion pour nous tous de prendre conscience de la beauté naturelle des espèces sauvages migratrices et de leur immense valeur à bien des égards.

C'est à nous tous qu'il revient de faire tout ce qui est en notre pouvoir pour aider les États à utiliser au mieux ces instruments juridiques bien ciblés, et je félicite toutes les personnes ici présentes pour avoir contribué à faire mieux connaître et à renforcer l'efficacité de cette importante convention. Le chef de notre Service d'appui scientifique, M. David Morgan, sera présent ici toute la semaine pour vous soutenir dans vos efforts.

Je vous remercie de m'avoir invité à me joindre à vous aujourd'hui et vous souhaite une réunion fructueuse.

Passons à l'action!

**Declaración del Secretario General de la CITES
en la CoP11 de la Convención de la Convención sobre las especies migratorias**

**La undécima reunión de la Conferencia de las Partes en la
Convención sobre las especies migratorias**

Quito, Ecuador, 4 de noviembre de 2014

Plenaria de apertura

Declaración del Secretario General de la CITES, John E. Scanlon

Ministra del Medio Ambiente, Lorena Tapia Núñez

Presidente electo del Comité Plenario, Øystein Størkersen

Secretario Ejecutivo, Bradnee Chambers

Distinguidos invitados, amigos y colegas

Es un gran honor estar con ustedes en esta hermosa ciudad de Quito, ciudad declarada patrimonio histórico de la Humanidad por la UNESCO, y quisiera expresar mi profunda gratitud al Gobierno y al pueblo de Ecuador por su cálida acogida.

Permítanme también felicitar al Presidente electo del Comité Plenario por su elección – se encuentra en buenas manos, así como al Secretario Ejecutivo por su elección y por la energía y creatividad que ha aportado a la Convención.



La CITES y la CMS comparten orígenes comunes, tienen mandatos complementarios y gozan de una colaboración programática duradera y profunda.

La UICN fue la primera en solicitar, a principios de la década de 1960, que se crearan estas dos convenciones. Esta petición se escuchó y consagró en las recomendaciones adoptadas en la Conferencia de las Naciones Unidas sobre el Medio Humano, celebrada en Estocolmo en 1972, lo que llevó a la creación de la CITES y la CMS en la misma década; la CITES en 1973 y la CMS en 1979.

Tanto la CITES como la CMS se aplican a especies específicas a través de un proceso intergubernamental. Hoy en día, hay 500 especies que son comunes a ambas convenciones, como puede verse fácilmente en el portal recientemente lanzado Species+. Asimismo quisiera agradecer a PNUMA-WCMC, con los que nos hemos asociado en este gran empeño.

Ambas convenciones consideran que los factores biológicos acompañados de los movimientos transfronterizos son necesarios para incluir una especie en un Apéndice. En el caso de la CMS, las especies migratorias cruzan las fronteras por sus propios medios utilizando sus patas, alas o aletas, y la CMS trabaja con los Estados para garantizar que estas migraciones transfronterizas puedan continuar sin trabas. Podría considerarse que los apéndices de la CMS son una especie de salvoconducto global para especies migratorias.

En el marco de la CITES, las especies cruzan las fronteras nacionales en avión, barco o camiones con intervención humana. El objetivo de regular estrictamente el comercio es garantizar que estos movimientos no amenacen la supervivencia de las especies silvestres a través de obligaciones impuestas a los Estados de origen, tránsito y destino.

Cuando se comercializan animales vivos, importados o exportados, en el marco de la CITES, las autoridades deben reducir al mínimo el riesgo de heridas, deterioro en su salud o maltrato, una de las últimas disposiciones sobre el bienestar de los animales que se encuentra en el derecho internacional.

El ámbito transfronterizo de la CITES y la CMS no puede lograrse sin una sólida cooperación internacional. Nuestro éxito colectivo depende de esta cooperación así como de medidas nacionales efectivas. Ambas son necesarias y la CITES y la CMS trabajan para apoyar en todos niveles a las Partes, tanto individualmente como a veces también de manera colectiva.

Distinguidos invitados, con frecuencia escuchamos acerca de las sinergias entre las convenciones relacionadas con la biodiversidad y mi sesgo personal es para alcanzar sinergias programáticas pragmáticas que tengan un impacto real en el terreno – y no hay mejor ejemplo de estas sinergias en práctica que las de la CITES y la CMS.

Durante esta semana, se pondrán a su consideración planes de acción detallados para el muflón y el halcón de saker, así como la Iniciativa para mamíferos de Asia Central, elaborados conjuntamente con la CITES. A través de esta estrecha cooperación, las cuestiones de la CITES se han incorporado directamente a estos planes y a esta iniciativa que, a su vez se basan en los excelentes resultados del Plan de Acción para el antílope de Saiga, con el que se han conseguido mejoras significantes en la condición de las especies.

También estamos viendo surgir oportunidades fascinantes para el trabajo conjunto sobre tiburones y mantarrayas – un área en la que las Partes de la CITES tomaron decisiones audaces en la 16ª CoP, en 2013, para incluir el control de cinco nuevas especies de tiburones y mantarrayas en virtud de la CITES. En la CoP también se aprobó una resolución revisada sobre cómo interpretar y aplicar las disposiciones de la CITES cuando se capturan especies marinas en alta mar (a las que se refiere en la Convención como "introducción procedente del mar").

Nuestros respectivos Comités Permanentes ya han aprobado un plan de trabajo conjunto de cinco años acordado entre las dos Secretarías.

Existen muchas otras áreas de sinergias, entre otras sobre Species+, InforMEA, la presentación de informes nacionales y la revisión y aplicación de las Estrategias y Planes de Acción Nacionales de Biodiversidad (EPANB). Podría seguir enumerándolas pero el tiempo no me lo permite. Sin embargo, quisiera agradecer a Elizabeth Mrema por su papel promoviendo estas sinergias así como al Gobierno de Alemania por su generosidad al financiar el primer puesto conjunto CITES/CMS.

Actualmente estamos enfrentados a múltiples desafíos para garantizar la conservación y uso sostenible de las especies silvestres, incluyendo un alza considerable en la matanza ilegal y el comercio conexo de muchas especies representativas y menos conocidas – como elefantes, rinocerontes, guepardos y pangolines así como especies maderables como el palo de rosa.

Se reconoce ampliamente el liderazgo de la CITES para combatir el comercio ilegal de especies silvestres – pero la CMS también tiene un papel complementario, especialmente en la lucha contra la extracción ilegal de animales a nivel nacional que no están destinados al comercio internacional.

Distinguidos invitados, la CITES y la CMS, al igual que otras convenciones que forman parte de la familia de convenciones relacionadas con la biodiversidad, constituyen el núcleo de la gobernanza internacional del medio ambiente y su aplicación eficaz es crucial para garantizar la supervivencia de especies silvestres y nuestra propia calidad de vida.

La CMS – y los diversos acuerdos concluidos en virtud del mismo – tienen la oportunidad de inspirarnos a todos con la belleza natural de las especies migratorias silvestres y su inmenso valor a partir de varios puntos de vista.

Nos corresponde a todos hacer todo lo posible para ayudar a los Estados que hagan un mejor uso de los instrumentos jurídicos bien definidos y recomiendo a todos los aquí presentes que den mayor relieve y mejoren la eficacia de esta importante convención. Nuestro jefe de Servicios Científicos, David Morgan, estará aquí toda la semana para apoyarlos en sus esfuerzos.

Les doy las gracias por su invitación y les deseo mucho éxito con la reunión.

¡Es hora de actuar!

CMS COP11 Welcoming Remarks CMS Executive Secretary Plenary, 4 November 2014

Your Excellency Lorena Tapia, Minister of the Environment of Ecuador, Honourable Ministers, Members of Civil Society, Executive of MEAs, delegates, ladies and gentlemen

Welcome to the 11th Meeting of the Parties of the Convention hosted by Ecuador, this beautiful and vibrant country.

For the next five days, the spotlight of the world will shine on Quito as it hosts the 11th meeting of the Conference of Parties of the Convention on Migratory Species. Migratory animals or international wildlife are amongst the most vulnerable in the world because of the long journeys they often travel between countries, between continents and across oceans. The only way to protect these global jetsetters is through international cooperation and CMS is the legal instrument through which countries come together to ensure that these species continue to survive and flourish.

The decisions that we take here in Quito this week will be critical for protecting migratory animals and the progress that we make to strengthen CMS will have direct impact on our collective ability to protect these unique and important animals. These animals which are not just important in their own right for their beauty and uniqueness, but also because they are linked to livelihoods, billion dollar industries, and provide critical functions for ecosystem management.

Before us this week is a heavy agenda, but it's an agenda that is worth having. In front of the Parties are key conservation decisions that will propose strengthening of commitments towards protecting migratory animals against threats such as transboundary wildlife crime, improving our use of renewable energy to have a win-win for both migratory animals and to combat climate change, and stepping up efforts for reducing marine debris.

We have before the Parties more listing proposals than in recent memory of the Convention, some of which deal with the most iconic species on Earth--- the Polar Bear, the Lion and the Hammerhead shark all of which are under threat from both overexploitation and deteriorating habitat from the impacts from climate change and other drivers. In all there are 21 shark, ray and sawfish species included in the 32 proposals. For species such as the sawfish, protection under CMS could be the last line of defense preventing them from becoming extinct.

Because there are so many shark listings, some have even dubbed COP11 “the Shark COP” and while the number of the proposals shows the Parties’ confidence in the CMS as an important instrument to protect these species, the COP agenda also has a number of very important resolutions that can make CMS an even stronger mechanism for protecting migratory species overall.

This includes resolutions to share services among the CMS Family instruments. In the wider political context, Rio+20 requested MEAs to consider further synergies to promote policy coherence at all relevant levels, improve efficiency, reduce unnecessary overlaps and duplication, and enhance coordination and cooperation among the multilateral environmental agreements. But before CMS can move forward on synergies with other MEAs, it must get its own house in order. As they say charity begins at home.

The Strategic Plan will also be a key resolution for improving synergies. By aligning the CMS Strategic Plan to the Aichi Targets, it will allow CMS to tap into the global process and machinery (including the doubling of the financing promised at CBD COP 12) to implement the plan and achieve the targets. It will allow us to collaborate more closely with CBD and other MEAs that have adopted a similar plan linked to the Aichi Targets such as CITES and soon RAMSAR. At the national level it will also help to ensure the continuity between the CMS work and the NBSAPS. There are all sorts of synergies that will be possible through this new alignment.

This week the Parties will look at key reforms to subsidiary bodies of CMS that were devised 35 years ago---before the Rio conventions, before IPPC, or IPBES and in a different time to the one now. Reforms to the Scientific Council will be an agenda item that will be closely watched as Parties discuss how to make it more efficient and effective and to do it in the world of resource constraints that we live in.

Honourable Ministers, Ladies and Gentlemen, we have a packed agenda before us but it is also an agenda that could transform and strengthen CMS in more ways than ever before and so it is an agenda worth having and worth the effort to get clear and solid outcome.

I believe that this Conference will be a watershed to strengthen CMS. Now we must move from words to deeds.

It is time for action!

Thank you Madam Chair,

Fiji, as one of the newest parties to this CMS COP 11 Meeting from the Oceania region, would like to thank the CMS Secretariat for the excellent organization of this COP11 Meeting. We would once again take this opportunity to thank the Ecuadorian government for the warm hospitalities extended to delegates, and the CSO's and NGO's that have supported the listing proposals over the last few days. We also acknowledge the support from the Scientific Council and the COP Appointed Scientific Councillors.

We believe that Fiji has taken on board the CMS COP 11 Theme message – that it is “time for action”, as demonstrated by the proposal that Fiji has put up for listing the manta and mobula ray species on the CMS Appendices in this COP Meeting.

Fiji would also like to acknowledge the immense continuous support given by our CMS Regional officer (based with the SPREP Office in Apia, Samoa) who has worked tirelessly to give more voice, and consolidate the marine migratory species management and protection work from the Pacific Islands, and cement the South Pacific regions effort to protect our migratory species, and sincerely hope that the continuity of this regional Position is maintained for the next 3 years. This CMS Pacific regional officer's position is being terminated from the 31st December, 2014; but we are encouraged and immensely grateful for the Budget Working Group for approving the recommendation to continue this position (along with the Washington position, for another 6 months after 31 December, 2014). This is to ensure that alternative arrangements could be sought as in regards to the continuity of this two particular CMS regional officer positions within that extended 6 month time line.

Fiji also envisage more concrete cooperation and collaboration would be incorporated between CMS, UNEP and SPREP in the next triennium.

Before ending this statement, we would like to once again thank the CMS Secretariat, the Government of the Republic of Ecuador, PEW, Manta Trust and every Non-Government organization that has been involved in this COP Meeting- notably for providing technical and funding support, and thus making this 11th COP meeting a resounding success.

Thank you Madam Chair,

The Philippines would like to confirm and would be privilege to host the 12th COP of CMS in 2017. We are not only a mega-diverse country and an important pathway and habitat of migratory species. We are also a mega shopping country, having 3 of the top 10 largest shopping malls in the world. From the highlands of Ecuador to the shores of the Philippines, at the other end of the world, this is what we call the ridge to reef approach. We hope to approximate the efficiency, hospitality and friendship of the people of Ecuador. If allowed by the COP, we would like to invite everybody to the Oceania region, and the Philippines, in particular, for the 12th COP in 2017. We would also like to request that a 2½ minutes video on the Philippines be shown. As our tourism slogan goes, “It is more fun in the Philippines”.

Thank you Madam Chair.

Swiss Statement on Synergies with the wider CMS Family

Switzerland has been a strong supporter of the future shape process. We support efforts to increase the effectiveness of the Convention and its secretariat and this obviously includes improving the way synergies among the various instruments are realized. This is necessary for the long term success of the CMS Family. While there is no doubt about the principle, the question is now, *how* to take the next steps. We have always to keep in mind the "form follows function" principle and the importance to maintain successful elements. We also see that the decentralized nature of the CMS has some merits in terms of visibility, knowledge on specific substance and relevance for national policy work.

Switzerland is of the view that this CMS COP should provide some framework guidance, but each instrument of the CMS family should have their say in this process. They are well apt to identify areas where secretariat services should be provided and merged. Each instrument should review its secretariats functions and should identify ways to further integrate specific functions within the CMS secretariat. There are various options or scenarios how to do it and having a joint executive secretary for CMS and AEWA is just one possibility of them.

We need to include all instruments of the CMS Family and should not focus on AEWA only. We therefore propose to invite the other instruments in the CMS Family to consider, at their respective meetings and in close consultation with the Executive Secretary of the CMS, to also identify ways to utilise services from the CMS Secretariat. Having a joint executive secretary can and should not be imposed on the other instruments, it should rather be a bottom-up decision. We therefore propose to invite the MOP-AEWA to consider this matter instead of taking a decision right away. A decision of the CMS-COP and the AEWA-MOP should only be taken after a serious analysis of different scenarios, with a cost-benefit-comparison and a risk-analysis for each scenario.

We propose furthermore to instruct the Secretariat and the Standing Committee to come up with proposals for solving administrative questions, such as the cost-sharing arrangements. We appreciate that already now some services have been merged. For transparency sake it would be good to know to which extent each of the instruments has been serviced.

Switzerland is happy to see the ongoing efforts by the Executive Secretary, the Secretariat of the Convention and the CMS Family as a whole and encourages everybody involved to continue this path - carefully, step by step. From the Swiss perspective, this should not be only about cost-saving, but it should be in, priority, an exercise to improve implementation.

Switzerland has some written proposals to amend to this draft resolution which reflect these considerations. We will send them by email.

Thanks Mister Chairman.

Thank you Mr. Chairman,

Since these are our last words in this conference, we would like to thank to the all Parties, the Secretariat and the People and the Government of Ecuador for this great COP.

Brazil holds more than 40,000 plant species and at least 100,000 animal species, including 63 migratory species listed in CMS Appendices.

The National conservation efforts of our biodiversity include the implementation of 47 animal actions plans and managing 1,830 protected areas, corresponding to 16% of the total national territory.

The conservation and monitoring of migratory species are a permanent concern for the Brazilian government. Our National Bird Banding System has been started in 1977, and since then our scientists work on collecting and assessing migratory birds data.

The marine turtles are protected and monitored by a 33-year old National Program, with register of their migration to Africa and Central America. Sharks, marine mammals and terrestrial mammals are also being monitored by our experts.

Mr. Chairman,

Even not being a Party yet of the CMS, Brazil has ratified and actively participates since 2008 in the Agreement on the Conservation of Albatross and Petrels (ACAP) and in the MoU on the Conservation of Southern South American Migratory Grassland Bird Species and Their Habitats.

Both Agreements are being implemented at the national level by two specific Actions Plans. Our National Action Plan for the Conservation of Endangered Grassland Birds is fully aligned with the MoU and is being implemented since 2011. Among the implementation actions of the ACAP, the most relevant procedures included the publication of a Brazilian Government directive that pushes forward the compliance of the fishing fleet with the use of mitigation measures to reduce incidental catches and mortality of albatrosses and petrels. These, associated with increased surveillance effort, culminated, in 2013, in the fining and embargo of foreign longline fishery vessels acting in disconformity with Brazilian fisheries regulations.

To conclude, Mr Chairman,

As we have mentioned in a previous opportunity during this meeting, Brazil is at this moment in a very advanced stage in its progress towards ratifying CMS.

As a full Party in the Convention, I can guarantee to you, Mr. Chairman, that Brazil's engagement in CMS-related initiatives will be even higher.

It is time for action!!!

UAE Speech

UAE pays considerable support at the highest political level for the environment in general and for biodiversity conservation in particular. Early conservation efforts by late Sheikh Zayed, who devoted personal genuine environmental interests in general, with special attention to wildlife issues, gain a remarkable international recognition.

In protecting the natural assets of the UAE, the conservation efforts began with conservation of flagship species such as Arabian Oryx, Sand Gazelle, Dugongs, Sea Turtles, Houbara and Arabian Leopard.

Moreover, UAE efforts in this field were not limited to national level but even exceeded to the regional and international levels through establishing funds to promote efforts to preserve biodiversity in other States, such as: the Mohamed Bin Zayed species conservation fund. The Fund was established to provide targeted grants to individual species conservation initiatives, Recognize leaders in the field of species conservation; and elevate the importance of species in the broader conservation debate.

UAE is glad to continue its supports to CMS Office in Abu Dhabi and the two CMS agreements as part of UAE conservation activities, and provide a platform for the nation to co-operate both regionally and globally with other countries that share these migratory animals as they pass through our marine and terrestrial environments.

At the end, we would like to take this opportunity to thank UNEP and the CMS Secretariat for their efforts and the continued collaboration.

Thank you

U.S. Intervention for Agenda Items 12.2 and 16.2

- Since the United States is taking the floor for the first time, we would like to thank the Secretariat and the Government of Ecuador for the warm welcome we have received in this beautiful country.
- We also would like to congratulate all those elected and Executive Secretary Chambers on his appointment.
- As other speakers have noted, the threats to migratory species are great today, which makes our cooperation in their conservation ever more important.
- The United States appreciates the work of governments and of the Secretariat under the Convention on Migratory Species and believes CMS can play an important role in addressing those threats.
- If I can beg your indulgence, before turning to our comments on item 16.2, I would like to return briefly to agenda item 12.2, the report on CMS Accomplishments in the North America Region, which we did not really address.
- As many of you know, while the United States is not party to CMS, we are signatory to three “daughter instruments”:
 - the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA)
 - the Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU); and most recently
 - the Memorandum of Understanding on the Conservation of Cetaceans and their Habitats in the Pacific Island Region (Pacific Cetaceans MOU)
- In our view these instruments provide good avenues to achieve conservation benefits for the specific species, and we are pleased that we have been able to provide financial support to the Shark MOU and IOSEA.
- The United States makes these contributions strictly for the implementation of these CMS subsidiary species-specific instruments, and the contributions are based on our commitment to the objectives of these agreements.
- We would note that these contributions have been made on our own accord for the purpose of supporting the implementation of these two instruments.
- While the United States welcomes the work of the Secretariat’s Washington Officer, our financial support would have occurred regardless of the Washington Officer position and is not tied to that position in any way.
- We understand that many governments are facing extremely challenging budgets, but we would urge all Signatories to consider providing voluntary financial contribution to the daughter instruments to which they are signatory.
- Regarding agenda item 16.2 on the future shape and strategies of CMS and the CMS Family, the United States would like to commend the Secretariat on the thoughtful analysis on shared common services between the CMS Family of Instruments.
- We recognize that this is especially important when budgets are very constrained and limited.
- We also agree that in many cases there are advantages to shared common services.
- The United States also notes the autonomy of each of the CMS Family instruments and that in some cases there are States that are Signatory to “daughter instruments” which are not Party to CMS as a whole.

- We would respectfully suggest that the issue of creating common service areas is an issue where CMS Parties and non-Parties who are Signatory to “daughter instruments” should be on equal footing. (Because of the implications for the implementation of “daughter instruments,” this is not an issue just for Parties).
- As such, we request to be a full participant in discussions on this issue moving forward and look forward to engaging with others on this matter.

Thank you very much.

Statement in support of CMS resolution “Conservation Implications of Cetacean Culture”

Dr. Luke Rendell, Sea Mammal Research Unit and Centre for Social Learning and Cognitive Evolution,
School of Biology, University of St Andrews, UK.

Prof. Hal Whitehead, Department of Biology, Dalhousie University, Canada.

28/10/14

We write in support of the initiative to bring advances in knowledge concerning the influence of cultural transmission and complex social structure on the behavioural biology of not only cetaceans but of other species within the purview of the CMS. One of us (HW) is a University Research Professor, and has been researching cultural transmission in cetaceans since 1998, the other (LR) is a lecturer funded by the Marine Alliance for Science and Technology in Scotland, who has been studying these issues since starting a PhD with HW also in 1998. In 2001 we published together the first review of the evidence in cetaceans for cultural transmission¹ – by which we mean the acquisition of knowledge through learning from other individuals (rather than carrying it in genes). This article has since been cited by other scientists 297 times, more than 99% of behaviour papers published the same year. It has helped broaden the study of cultural transmission in animals beyond the investigation of the primate origins of human culture, and started to change the way whale and dolphin behaviour is understood. At the time, over a decade ago, we concluded that the evidence for cultural processes in cetaceans was strong – this evidence has since only become stronger. We also realised early on that understanding the huge influence cultural transmission had on cetacean behaviour would have conservation implications², because behaviour mediates almost all interactions these animals have with humans.

Since then, we have seen evidence accumulate on how new foraging behaviours³, some of which involve fishery interactions⁴, are spread by cultural transmission. We have begun to understand how the fact that some individuals in a population are more knowledgeable than others, or have specific social roles, means that not all deaths are equal within a small cetacean population, since the loss of these individuals and their knowledge can have disproportionately large impacts on those left behind⁵. We can understand certain behaviours that appear suddenly not as some new response to an unseen threat but as ephemeral fads, resulting from rapid cultural transmission rather than the expression of a previously unknown instinct². We are starting to understand how cultural transmission can sometimes increase the behavioural flexibility, and by implication the resilience, of populations faced with new human activities⁶, but also how cultural conservatism can produce adverse effects, such as reluctance to re-occupy habitat⁷. New research has broadened the spatial scales at which we see cetacean culture operating. Cetacean cultures typically operate across national boundaries, and that of the blue whales is global⁸.

Cultural transmission in cetacean reaches to the heart of CMS’s purpose, as more evidence emerges that migration routes between the locations of feeding and breeding grounds are part of the core knowledge whales pass onto their offspring⁹. The knowledge is not held in the species genome, but passed on by learning to each new generation – meaning it can be easily lost, and very difficult to recover¹⁰. Range recovery cannot be guaranteed once particular habitat knowledge is lost, which means keeping that knowledge alive, even in only a handful of individuals, may be crucial.

Our knowledge has not just expanded with respect to cetaceans however, since our colleagues in other fields have in the last decade and a half learned about how the knowledge embodied in elephant matriarchs is central to the prosperity of their bond groups^{11,12}, how cultural norms influence primate behaviour¹³, and how birds like New Caledonian crows construct tools that show evidence of a cultural history¹⁴. Scientists continue to debate what our new knowledge about animal culture means for our understanding of human culture, the most extraordinary example of the phenomenon on the planet. But there has been a unidirectional movement in the last fifteen years toward acceptance of the crucial role of culture in the lives of many non-human animals, no matter how different in form that culture is to our own. We strongly believe there is now sufficient scientific consensus that the time has come for major international conservation bodies to take this new science on board in developing effective conservation strategies, and so we whole-heartedly endorse the proposed resolution.

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Inuit Tapiriit Kanatami Intervention

I would like to thank the CMS for allowing me to provide an intervention on behalf of the Inuit of Canada.

My name is James Goudie. I am a wildlife manager involved in polar bear management and research for my region we call Nunatsiavut located in the Canadian north Atlantic coastal region of Labrador.

I am speaking on behalf of my own region and also for 3 other Inuit regions across Arctic Canada, which collectively make up our homeland we call Inuit Nunangat.

We have sustainably co-existed with polar bears for as long as we can remember. We respect this powerful animal. It is a part of our culture. We harvest, utilize, manage, and conserve this important species for our people. It is a renewable resource for our food and livelihoods.

Our way of life includes polar bears. We are interconnected in ways most people here cannot appreciate.

In addition to our cultural values in responsibly using and conserving polar bears, our modern land claims agreements legally bind our people to comply with what is one of the strictest regulated regimes for polar bear management in the world. As a manager I can attest to that directly. Anyone who claims that our harvesting is unregulated cannot be further from the truth.

It is not an exaggeration to say that the polar bear is one of the great conservation success stories. Since the signing of the international polar bear agreement 40 years ago, we have seen polar bear numbers recover from very low numbers to the highest levels in recorded history.

Inuit have contributed, through on-the-ground management, toward this success. CMS members need to realize that Inuit are at the frontlines of polar bear conservation. We are also the first observers of change occurring in our environment.

As the everyday stewards who co-exist with polar bears, it is crucial that the CMS and its members take our views and concerns very seriously and engage us in a timely and appropriate manner.

In regard to the polar bear proposal, we have not been engaged by any minimum standard owed to us. On the record, we do not support this proposal. It is redundant based on the many agreements, as recognized in the proposal itself, that serve to protect and conserve this species through international, national, and sub-national cooperation. We are a part of these processes.

Furthermore, we are not convinced how the CMS proposal will add value to our current conservation efforts and management. Rhetoric-driven concerns about the demise of polar bears are not constructive to our serious and difficult work in managing and conserving this species. The on-going use of negative publicity toward our practices is both disrespectful and non-constructive.

Our management systems are built to be responsive to changes that take place over time whether they are human-induced or naturally occurring. We have been experiencing the impacts of climate change in the Arctic for the past 30 years, but this has not reduced polar bear populations in our regions. This is a fact.

We continue to state that the real solutions to climate change are in the mitigation of emissions that have created this problem – not in the listing of polar bears that undermines our management efforts and vilify our way of life that is integral to the Arctic.



**STATEMENT BY THE SECRETARIAT FOR THE PACIFIC REGIONAL ENVIRONMENT
PROGRAMME (SPREP) TO CMS COP 11**

Distinguished delegates to COP 11 and friends of the Pacific

SPREP regrets that we are unable to attend this important COP, which comes at a critical time for the planet's climate and its oceans, but we are confident that our Pacific Island representatives, Fiji and Palau, with the support of the other Oceania members in attendance, will ensure that our Pacific Voice is heard loud and clear during your deliberations. The Pacific Islands may not be major economic powers, but they are Large Ocean States, with jurisdictional responsibilities over enormous maritime realms.

SPREP is the lead agency in the Pacific Islands for inter-governmental cooperation on biodiversity, climate change, waste management and environmental monitoring and governance in the Pacific Region. Environmental management & protection is SPREP's priority focus. The area over which we have this responsibility is larger than the moon, and covers more than 10% of the global ocean. We focus on strengthening partnerships and cooperation among Pacific Island countries & territories. Sustainable management of marine habitats and resources is at the core of our mission.

Migratory marine species, including whales, dolphins, turtles and sharks, feature extensively in Pacific Island cultures and history, and they provide an increasingly valuable niche for Pacific Islands in the rapidly growing ecotourism market. The populations of these iconic species in the region are at historically low levels. Many are critically endangered or endangered. While many Pacific Island Governments have taken effective action to protect threatened species within their own jurisdictions, many of these species are migratory, and are particularly vulnerable because their journeys between breeding grounds and feeding grounds often take them through international waters as well as the EEZs of various Pacific Island countries. Efforts made to promote protection and conservation within some EEZs can be nullified unless similar measures are taken on the high seas and within other EEZs.

SPREP and CMS are natural partners in collaborating for the protection of these iconic animals, as evidenced through the CMS MoU on Cetaceans in the Pacific Islands region, to which 15 of SPREP's 21 Members are signatories; the CMS MoU on dugongs, and the CMS MoU on sharks, each with six SPREP member signatories. Additionally, we are pleased to be collaborating closely with the CMS Dugong Secretariat in delivering the CMS/GEF programme on the conservation of dugong and its seagrass habitat in the Solomon Islands and Vanuatu. We are particularly pleased to host the CMS Oceania Officer, Penina Solomona, at SPREP.

A number of issues on the agenda for this meeting are of particular interest to SPREP and of direct relevance to our Members, including climate change, invasive alien species, sustainable boat-based wildlife-watching tourism, marine debris, the conservation of loggerhead turtles, the listing of certain sharks and rays on CMS Appendices, and the live capture of cetaceans. SPREP very much appreciated the opportunity to review some of these topics with Oceania Parties at the pre-COP and joint preparatory meetings convened in August 2014 in Fiji, and gratefully acknowledges the efforts of the Secretariat in arranging the meeting.

We wish all participants a successful meeting, and invite the CMS family to join with SPREP members in the promotion and implementation of 2016 as the Year of the Whale in the Pacific Islands.

