



# Agreement on the Conservation of Gorillas and their Habitats of the Convention on Migratory Species

Distribution: General

UNEP/GA/MOP3/Doc.16

16 April 2019

Original: English

THIRD MEETING OF THE PARTIES  
Entebbe, Uganda, 18-20 June 2019  
Agenda Item 16

## DISCUSSION ON POSSIBLE SYNERGETIC ACTIONS ON CHIMPANZEES (*Pan troglodytes*) (Prepared by the CMS Secretariat)

### Background

1. At the 12<sup>th</sup> Meeting of the Conference of the Parties of the Convention on the Conservation of Migratory Species of Wild Animals (CMS COP 12, Manila, 2017), Parties to CMS agreed to list the Chimpanzee (*Pan troglodytes*) on Appendices I and II<sup>1</sup> of the Convention.
2. As detailed in the Proposal for the Inclusion of the Chimpanzee (*Pan troglodytes*) on Appendices I and II of CMS in document [UNEP/CMS/COP12/Doc.25.1.1](#), the listing was made as the Chimpanzee populations continue to decline. Enhanced efforts are clearly needed to conserve the species. Listing of the species on the CMS Appendices is expected to enhance the work already being undertaken, including by collaboration among countries sharing trans-boundary populations. The classification of the species as Endangered by the 2016 IUCN Red List assessment, and the classification of the West Africa Chimpanzee (*Pan troglodytes verus*) as Critically Endangered, demonstrate that without an increase in conservation efforts, the species faces extinction across most, if not all, of its range in the coming decades<sup>2</sup>.
3. The 2016 IUCN Red List assessment provides the following national status of Chimpanzees (Humble et al. 2016):  
  
Native: Angola (Cabinda only); Benin; Burkina Faso; Burundi; Cameroon; Central African Republic; Congo, Côte D'Ivoire, Democratic Republic of the Congo; Equatorial Guinea (mainland); Gabon; Ghana; Guinea; Guinea-Bissau; Liberia; Mali; Nigeria; Rwanda; Senegal; Sierra Leone, South Sudan; Togo; Uganda; United Republic of Tanzania.  
  
Possibly extinct: Benin; Burkina Faso; Togo.
4. This shows that all 10 Gorilla Range States are also Range States for Chimpanzees. Conservation actions on Gorillas and their habitats are, therefore, beneficial for Chimpanzees that share their habitats with Gorillas.

<sup>1</sup> Uganda has placed a reservation

<sup>2</sup> Humlé et al. 2016

5. The present note, thus, aims to describe possible actions that could be undertaken by the Gorilla Range States for the conservation of Chimpanzees in synergy with the activities implemented under the Gorilla Agreement.

### **Obligations under CMS**

6. Obligations of the CMS Parties for species listed on Appendices I and II are described in Article III and IV of the Convention respectively. Article III.4 states that Parties that are Range States of a migratory species listed on Appendix I shall endeavour: a) to conserve and, where feasible and appropriate, restore those habitats of the species which are of importance in removing the species from danger of extinction; b) to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species; and c) to the extent feasible and appropriate, prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of, or controlling or eliminating, already introduced exotic species. Article III.5 stipulates that Parties shall prohibit the taking of animals belonging to such species.
7. Species that have an unfavourable conservation status and require an international agreement for their conservation and management or whose conservation status would significantly benefit from international cooperation are listed on Appendix II. Article IV.3 states that "Range States of migratory species listed in Appendix II shall endeavour to conclude AGREEMENTS where these should benefit the species and should give priority to those species in an unfavourable conservation status". In addition, "Parties are encouraged to take action with a view to concluding agreements for any population or any geographically separate part of the population of any species or lower taxon of wild animals, members of which periodically cross one or more national jurisdiction boundaries" as provided by Article IV.4.
8. The CMS Parties that are Range States of Gorillas and Chimpanzees are, therefore, obliged to comply with the Convention for the conservation of Gorillas as well as for Chimpanzees.

### **Possible actions**

#### **a) Develop a Chimpanzee Agreement**

9. One possible action is to develop an international agreement on Chimpanzees. The listing proposal to CMS COP12<sup>3</sup> noted that the example set by the Gorilla Agreement involving 10 Range States could lead to a Chimpanzee Agreement, involving 21 Range States, 10 of which are also Gorilla Range States. Such an agreement could be an agreement under Article IV of the Convention.
10. However, it should be noted that the preparation of such an international agreement may require a considerable amount of time as well as financial and human resources. A new international agreement would also require a funding mechanism to support its implementation. Nevertheless, the agreement would provide a legal backbone for Range States to cooperate and conserve Chimpanzees.

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<sup>3</sup> UNEP/CMS/COP12/Doc.25.1.1

**b) Expand the scope of the Gorilla Agreement**

11. Inclusion of Chimpanzees in the Gorilla Agreement is another possible action that Range States could take. The listing proposal presented at CMS COP12 noted the possibility of extending the scope of the Gorilla Agreement to include Chimpanzees, and re-naming it as the 'African Apes Agreement'. This approach could bring a legally binding treaty to bear on the implementation of existing national and regional action plans on Chimpanzees and would be in line with Article IV.3 of the Convention. This would further provide a legal framework for synergistic conservation of Gorillas and Chimpanzees.
12. Consideration needs to be given, however, to the possible legal and financial implications such as amendments to the existing Gorilla Agreement text and the resources required for the administration of the negotiation process as well as for subsequent implementation activities.

**c) Formulate Concerted Actions**

13. The Chimpanzee Range States may consider developing Concerted Actions for the Conservation of Chimpanzees. As per [Resolution 12.28](#) of COP12 (Manila, 2017), Concerted Actions are "priority conservation measures, projects, or institutional arrangements undertaken to improve the conservation status of selected Appendix I and Appendix II species or selected groups of Appendix I and Appendix II species that:
  - a) involve measures that are the collective responsibility of Parties acting in concert; or
  - b) are designed to support the conclusion of an instrument under Article IV of the Convention and enable conservation measures to be progressed in the meantime or represent an alternative to such an instrument".
14. The Guidelines to the Implementation of the Concerted Actions Process and the Format for Proposing Concerted Actions adopted by the same Resolution would assist the Chimpanzee Range States in formulating Concerted Actions.
15. Conservation measures can be implemented more swiftly under the Concerted Actions compared with the formulation of an international agreement. However, these activities would not be underpinned by a legal instrument and this may weaken the mechanism. Sustainable funding would also be required to finance conservation activities on the ground.

#### **d) Adopt Regional Action Plans**

16. Another option is for CMS Parties to adopt Action Plans to enhance conservation efforts on Chimpanzees. The listing proposal suggested that CMS Parties could urge Range States to adopt and implement the IUCN Regional Action Plans on Chimpanzees including the following:
  - Regional Action Plan for Western Chimpanzees (2003);
  - Western Chimpanzee: Status Survey and Action Plan (2003);
  - Regional Action Plan for Chimpanzees and Gorillas in Western Equatorial Africa (2005);
  - Eastern Chimpanzee: Status Survey and Action Plan 2010-2020 and revision 2015;
  - Regional Action Plan for the Conservation of the Nigeria-Cameroon Chimpanzee (2011);
  - Chimpanzee Conservation Action Plan for Tanzania (2012) Workshop Report;
  - Western Chimpanzee PHVA for Sierra Leone (2012);
  - Grauer's Gorillas and Eastern Chimpanzees (2012);
  - Revised Regional Action Plan for the Conservation of the Cross River Gorilla (2014);
  - Regional Action Plan for Western Lowland Gorillas and Central Chimpanzees 2015–2025; and
  - Chimpanzee Conservation Action Plan for Gombe-Mahale Ecosystem Tanzania (2015).
17. Parties to the Gorilla Agreement may consider the adoption of relevant Action Plans to enhance synergies between the conservation efforts for Gorillas and for Chimpanzees.
18. It should be noted that Action Plans could be adopted together with the development of an international agreement, extension of the Gorilla Agreement or the formulation of Concerted Actions.

#### **Recommended action**

19. Parties are invited to:
  - a) Discuss possible actions to conserve Chimpanzees together with Gorillas;
  - b) Decide whether to extend the Gorilla Agreement to include Chimpanzees; and
  - c) Adopt the draft Resolution contained in Annex I of this document.

**ANNEX I****DRAFT RESOLUTION 3.X**

*Recalling* the Amendments to the Appendices of the Convention on Migratory Species at the 12<sup>th</sup> Conference of the Parties which listed Chimpanzees in Appendices I and II;

*Noting* that all Gorilla Range States are also Chimpanzee Range States;

*Noting* that conservation efforts on Gorillas and their habitats are beneficial for sympatric Chimpanzee populations;

*The Meeting of the Parties to the  
Agreement on the Conservation of Gorillas and their Habitats*

1. *Decides* that the scope and the mandate of the Gorilla Agreement will not be expanded for the conservation of Chimpanzees;
2. *Invites* other Chimpanzee Range States that are not Gorilla Range States to examine different options to conserve Chimpanzees in synergy with the conservation of Gorillas;
3. *Invites* Chimpanzee Range States that are not Gorilla Range States to work with Gorilla Range States to prepare a proposal for Concerted Actions on Chimpanzees for submission to the Conference of the Parties of the Convention on Migratory Species at its 13<sup>th</sup> meeting.