



CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/PIC/MoS3/Doc.7.1
24 August 2012

Original: English

THIRD MEETING OF THE SIGNATORIES TO THE
MEMORANDUM OF UNDERSTANDING ON
THE CONSERVATION OF CETACEANS AND THEIR
HABITATS IN THE PACIFIC ISLANDS REGION
8 September 2012
Agenda Item 7.1

INTEGRATING THREATENED AND MIGRATORY CETACEANS INTO NBSAPS

(Prepared by the Secretariat)

Background

1. There have been significant efforts made at the international level to encourage the streamlining of cetacean conservation and management actions into national plans and policies so as to strengthen their implementation, monitoring and reporting. Some of these include:

a) CMS COP Resolutions:

- i. 10.18, which recognized *‘the importance of collaboration and synergies with related conventions, bodies and organisations at all levels’*;
- ii. 8.11 which invited *‘Parties to facilitate cooperation among international organizations and to promote the integration of migratory species into all relevant sectors by coordinating their national positions among different conventions and other international fora’*;
- iii. 8.18 which requested *‘CMS National Focal Points to liaise with the CBD counterparts with a view to ensuring the coordination of implementation of both conventions’*.
- iv. 7.9 which invited the CMS and CBD Secretariats to collaborate on the development of *‘draft guidance for the integration of migratory species provisions into National Biodiversity Strategy and Action Plans’*; this was done in 2011, resulting in Resolution 10.18.

b) Relevant CBD Decisions:

- i. X/2 which calls upon Parties to *“consider appropriate contributions to the collaborative implementation of the Strategic Plan for Biodiversity 2011 – 2020 and its Aichi Targets”*
- ii. X/2 which further calls upon Parties to *‘review, and as appropriate, update and revise, their NBSAPs in line with the Strategic Plan’* with the purpose of using *‘the revised and updated national biodiversity strategy and action plans as effective*

instruments for the integration of biodiversity targets into national [...] policies and plans.'

- iii. IX/8 which urges Parties to:
 - (f) identify priority actions at national and regional level, including strategic actions to achieve the three objectives of the Convention.*
 - (m) engage indigenous and local communities, and all relevant sectors and stakeholders.*
 - (n) respect, preserve, and maintain traditional knowledge, innovations and practices.*
- iv. VI/20 which recognizes CMS as the lead partner in conserving and sustainably using migratory species over their range.
- v. Adoption of the 20 Aichi Targets, of which Target 17 states that countries should have developed, adopted and commenced implementation of revised NBSAPs by 2015.

2. The aim of this paper is therefore to update Signatories with work undertaken in the region to implement these international decisions through existing regional and national plans or processes. Additionally, it is to provide some basis of follow up from the recently concluded Pacific Island Regional NBSAP review meeting.

Regional processes supporting the integration of cetaceans into national plans

3. In 2005, CMS and SPREP signed a Memorandum of Cooperation (MoC) and in 2012 a new Joint Work Plan (JWP). This JWP is implemented in the region by the CMS Pacific Officer with SPREP's Threatened and Migratory Species Programme (TMSP) and in association with other members of the Biodiversity and Ecosystem Management Division.

4. A related feature of the MoC and JWP is the stipulation for both Secretariats to "*consult their constituents to integrate the special requirements of migratory species into their national strategies, plans or programmes.*"

5. Attention is therefore drawn to two events in which CMS has been involved to implement this activity of the JWP in the region this year through existing regional processes:

- i. Development of the SPREP Whale and Dolphin Action Plan 2013-2017 (WDAP) which is also being considered for adoption as the Pacific Cetaceans MoU AP as reflected in CMS/PIC/MoS3/Doc.4.1. CMS supported and engaged in the development of the WDAP in particular to encourage a synergistic approach with this existing framework that has strong Pacific ownership due to the nature of its development. The streamlined approach would also increase the ability to deliver on the MoU Action Plan through greater access to financial and human resources capacity. There are strong calls for integrating migratory species into national plans (e.g. NBSAPs) reflected in the WDAP (Themes 1 and 8).
- ii. Pacific Island workshop to review NBSAPs (Rotorua, August 2012): CMS was represented at the meeting and participated to influence the next generation of NBSAPs. On issues relating to migratory species integration, countries were guided in the review by a paper titled '*Integrating threatened and migratory species into National Biodiversity Strategies and Action Plans*' and a presentation was delivered. A

strong emphasis was placed on referring participants to actions already indicated by countries / territories as being a priority for cetacean conservation, as reflected in the WDAP (and proposed MoU Action Plan). The paper is attached as Appendix 1.

6. In summary, as countries review their NBSAPs over the next year, there is significant opportunity to harness support for cetacean conservation and the implementation of the MoU Action Plan (also WDAP). Mainstreaming migratory species issues into a process such as the NBSAP during this review period is opportune as it will:

- i. Strengthen opportunity for implementing recognised priorities for cetacean conservation (as reflected in the MoU AP / WDAP).
- ii. Recognize and respects traditional / cultural values / knowledge / rights holders.
- iii. Recognize that their conservation / management can further strengthen existing, or forge new, collaboration between government agencies, communities, general public, NGOs, IGOs and countries / territories.
- iv. Recognize their ‘appeal’ as a flagship species to support ecosystem based management approaches and fundraising efforts.
- v. Support national streamlining efforts to implement and report on the requirements under various MEAs, donors or institutions

Action requested:

The Signatories, and where appropriate other meeting participants, are requested to:

- Seek any clarification that might be necessary;
- Note the report of the Secretariat.
- Confirm the current status of migratory species in respective country NBSAPs or other relevant national plan / policy.
- Encourage their national representatives to the 2012 PI NBSAP review workshop to extract and integrate relevant priority actions from the MoU AP / SPREP WDAP, into national plans (e.g.: NBSAPs etc.) and seek further clarification / support from the CMS Pacific Officer.



Appendix 1 (Guiding document for PI NBSAP REVIEW WORKSHOP participants: August, 2012):

Integrating threatened and migratory species into National Biodiversity Strategy and Action Plans (NBSAPs).

1. WHY INTEGRATE THREATENED & MIGRATORY SPECIES INTO NBSAPs?

- Threatened and migratory species (eg: whales; dolphins; marine turtles; saltwater crocodile; whale shark; mako shark; dugong; monarch butterfly; bristle thighed curlew; osprey; peregrine falcon) are one component of biodiversity and a key indicator of environmental health.
- These species and their derivatives are also integral components of Pacific island culture, customs and heritage (eg: sperm whale teeth in Fiji; dolphin teeth in the Solomon Islands etc).
- Threatened and migratory species can be seen as flagship species or ambassadors of biodiversity conservation. This is with regards to the appeal that these animals have with wider sectors of the public, and which can be used to harness additional support for biodiversity conservation in general.
- NBSAPs, as the roadmap for implementing a country's biodiversity targets, is thus an avenue to:
 - engage other sectors (government, economic) that have an impact on biodiversity;
 - integrate other relevant partners in a holistic ecosystem based approach to biodiversity management.
- Conservation of these threatened and migratory species requires addressing the issue holistically. In order to be successful at reversing the declining species population trends, one needs to address threats they face at their nesting / breeding grounds including habitats they utilize as they cross continents / oceanic basins throughout their life cycles. This requires effective cooperation and collaboration across borders – a key element of developing international agreements under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals.
- SPREP coordinates the implementation of a regional marine species programme that currently focuses on three groups of marine species of conservation concern:
 - (i) dugongs;
 - (ii) marine turtles; and
 - (iii) whales and dolphins (cetaceans).

A 5-year regional action plan exists for each of these groups. These action plans encompass priorities identified by members and partners for the conservation of these species. In addition In November 2009, the Pacific Islands Forum Fisheries Agency (FFA), the Secretariat of the Pacific Community (SPC) and SPREP also jointly launched the Regional Plan of Action on Sharks. The existence of these regional action plans confirms their value, status in the region and the need to protect them through ensuring their integration into national processes eg: NBSAPs.

2. NBSAPs and the SPREP MARINE SPECIES ACTION PLANS (MSAPs)

- CBD **Decision IX/8** paragraph 8 where COP “...urges Parties ... to:¹
 - (f) *Identify priority actions at national or regional level, including strategic actions to achieve the three objectives of the Convention.*
 - (m) *Engage indigenous and local communities, and all relevant sectors and stakeholders.*
 - (n) *Respect, preserve, and maintain traditional knowledge, innovations and practices*
- Therefore, in relation to the three SPREP MSAPs:
 - Under the overall IMPLEMENTATION AND COORDINATION of the regional marine species action plans, a call to:
 - Promote the integration of Marine Species Programme and Action Plans priorities into national strategies, plans and projects as appropriate and relevant to national needs;
 - Promote the integration of Marine Species Programme and Action Plans priorities into regional and international strategies, plans and projects as appropriate and relevant to regional and international needs.
 - Under the Theme, TRADITIONAL KNOWLEDGE AND CUSTOMARY PRACTICES, of the regional marine turtle action plan, a call to:
 - Promote the adoption and integration of TRM, TK, CMT into national, provincial and community customary practices related to the conservation and management plans, including National Sustainable Development Strategies, NBSAP and other development plans of whales and dolphins where appropriate.
 - Under the Theme, NATIONAL, REGIONAL AND INTERNATIONAL COLLABORATION AND COOPERATION of the Whale and dolphin action plan, a call to:
 - Ensure integration of whale and dolphin conservation into national, regional and international initiatives including: NBSAPs etc.

3. NBSAPs & the CONVENTION on the CONSERVATION of MIGRATORY SPECIES of WILD ANIMALS (CMS)

- The CBD & CMS are complementary by nature. As such, the integration of threatened and migratory species into NBSAPs ensures coherence, synergy and cost effective implementation across the country’s 2020 biodiversity goals and associated Aichi Targets.
- The CBD Decision **VI/20** recognizes CMS as the lead partner in conserving and sustainably using migratory species over their range.
- While Aichi Target 12, is the most relevant to threatened and migratory species conservation, many others are pertinent (eg) Targets 2; 3; 5; 6; 8; 9; 11) and conversely, would benefit from species focused conservation actions.
- Coordination between Secretariat levels (ie: CBD & CMS) can only be strengthened through national coordination with the NBSAPs providing a very good avenue for this.
- The number of species listing countries in the Oceania region as Range States is reflected in Annex 2.

¹ This is an abbreviated version of the decision. The complete text can be accessed at www.cbd.int/nbsap/guidance.shtml

4. FOR CONSIDERATION BY PARTICIPANTS at the NBSAP REVIEW MEETING:

1. Ensure that relevant actions under the SPREP regional Marine Species Action Plans² are sufficiently reflected in the relevant SPECIES theme of your country NBSAP.
2. Ensure that MEAs / Agreements (eg: CMS / CITES / Ramsar / PI Cetaceans MoU etc) to which PICTs are members to, are reflected in your country's NBSAP write up.
3. Ensure that threatened and migratory species are featured as indicators for implementation of activities in the NBSAPs.
4. Ensure that threatened and migratory species habitats (breeding; feeding; migration) are included in the consideration of protected area establishment / management.
5. Develop communication campaigns for biodiversity conservation around a threatened and migratory species – using their appeal and migratory nature to encourage an ecosystem based approach.
6. Note key threats to migratory species which include, but not limited to:
 - a. Forestry: as habitats to migratory species, they are often disturbed, fragmented or lost through logging activities;
 - b. Agriculture: as habitats, they are often disturbed, fragmented or lost through land conversion; wetland draining; fencing; nutrient run-off etc.
 - c. Fisheries: migratory species are often recorded as non-target bycatch in fishing operations.
 - d. Shipping: potential causes of disruption to sonar abilities of migrating cetaceans (whales & dolphins) including potential oil-spills and their associated impacts on wildlife.
 - e. Energy: potential impact from noise generated through turbines. Noted incidences of migrating bird collisions and subsequent electrocution from power transmission lines.
 - f. Health: potential spread of disease from migrating animals – thus need to ensure sufficient separation from poultry farms etc to reduce risk of contamination and eventual spread.
 - g. Hunting: direct impact on species populations. Could be reviewed to create sustainable ecotourism ventures for communities.
 - h. Tourism: potential risk due to improper practices. Could be regulated to ensure sustainable use of animals with benefits for communities / country.
 - i. Waste: proper management of waste due to its direct impact on species and their habitats.
 - j. Climate change: impact on species habitats; food sources and species itself.

² Extracted actions as examples relevant for integration into NBSAPs are attached as Annex 1.

ANNEX 1: Examples of relevant actions extracted from SPREP Marine Species Action Plans³ for NBSAP integration consideration.

I. SPREP DUGONG ACTION PLAN (DAP)

GOAL: To maintain and improve the status of dugong populations and their habitats, inkeeping with the traditions of the people of the Pacific Island range states.

ACTION	
1.1	Develop awareness and information materials on dugongs and their habitats
1.3	Increase community awareness of ecological & biological information on dugongs, the threats they face and the need for their conservation including their habitats.
1.11	Provide feedback to local communities on dugong management, particularly if local people are involved in surveys, monitoring and/ or enforcement.
2.1	Identify and prioritize skills required by relevant national authorities, and local communities and stakeholders for improving capacity for dugong management.
3.1	Identify, assess and evaluate threats and potential threats to dugong populations at the national level.
3.10	Ensure EIAs for any coastal development consider their impacts on dugongs and their habitats as well as other marine life.
4.1	Establish where necessary and review where existing, relevant legislation including traditional / customary measures, to incorporate dugong habitat protection.
4.8	Develop appropriate dugong rescue / stranding guidelines for dugong range states based on existing ones.
5.1	Support documentation of traditional knowledge, practices and values.
5.5	Ensure traditional protocols and knowledge are adequately accommodated in the design and implementation of biological surveys.
6.1	Determine the distribution, abundance and trends of dugong populations in order to provide a base for conservation efforts and actions, using local knowledge and / or scientific methodologies.
6.7	Increase research attachments through training programme as appropriate.
7.1	Identify and encourage / facilitate improved livelihoods (including income generating activities) that are not detrimental and which promote conservation outcomes to dugong and their habitats, in consultation with local communities and other stakeholders.
7.3	Determine the level of interaction and impact of ecotourism related activities.
8.1	Strengthen collaboration with range states to combat illegal trade, and to cooperate in enforcement activities related to dugong products.
8.4	Encourage Pacific range states to actively participate in the implementation of this action plan as well as the CMS MoU for the Conservation and Management of Dugongs and their habitats.

³ These plans, as at August 2012, are currently under review for endorsement at the 23rd Annual SPREP Meeting of the Officials (September, 2012).

II. SPREP MARINE TURTLE ACTION PLAN (MTAP)

Goal: To conserve marine turtles and their habitats, in keeping with the traditions of the people of the Pacific Islands region.

ACTION	
1.2	Encourage schools to include turtle information in school curricula
1.11	Promote and support programmes for schools to adopt nearby beaches where turtles nest, with the children as 'wardens' watching over the nests and then (under supervision) can witness / assist with baby turtle migration from nests to the sea.
2.5	Build in-country capacity to enforce policies and legislation relating to turtle management.
2.7	Undertake in-country nesting beach / foraging grounds monitoring/ survey training workshop, including survey methodologies, turtle tagging, best handling practices and genetic sampling.
3.2	Reduce the use of plastic bags and encourage the development of alternative materials (e.g. cloth bags)
3.5	Encourage sustainable turtle harvesting (where harvesting is allowed) and eliminate the take of turtle eggs and nesters.
4.4	Amend relevant policies and legislation regarding turtle size limits to better reflect the impact of removing mature / adult females from populations and where possible, to ensure that preferences is given to using smaller sized animals in a controlled manner to ensure sustainability.
4.8	Develop, strengthen and enforce EIA policies to ensure that coastal development is sustainable and critical habitats for marine turtles are protected.
5.1	Review and identify gaps and conflicts in relevant policies and legislation that support / limit the protection and promotion of relevant TRM, TK, IPR, ABS and CMT pertaining to marine turtle conservation.
5.5	Document TK and customary practices on marine turtles and archive under the appropriate authority.
6.3	Identify and map turtle nesting beaches and prioritize index sites for long term monitoring.
6.22	Members and participating organisations / projects submit data at least annually to the TREDs database officer for incorporation into regional database to enable regional analysis.
7.4	Prohibit the commercial harvesting of marine turtles, commercial trade of their parts and derivatives.
7.5	Encourage sustainable management principles to traditional / subsistence uses of turtles permitted for food, including through community based management approaches.
8.5	Foster partnerships to support MTAP implementation at national and regional levels (including Governments, NGOs, private sector and local communities).
8.8	Encourage members to abide with CITES principles and regulation concerning marine turtles trade, export / import.

III. SPREP WHALE and DOLPHIN ACTION PLAN (WDAP)

Goal: To conserve whales and dolphins and their habitats for the peoples of the Pacific Islands region.

ACTION	
1.3	Integrate traditional knowledge, stories and customs into education and awareness tools and materials.
1.6	Provide materials and information to mass media in-country to inform public.
2.1	Identify and address training needs and support proposal writing to implement WDAP at country and regional level, using existing processes such as NCSA.
2.8	Develop surveillance and enforcement capacity for implementation of national protection measures including whale and dolphin watching tourism operations.
3.3	Take actions to ensure a favourable conservation status of affected whale and dolphin species.
3.9	Reduce amount of discarded fishing gear in the ocean
4.1	Support effort to declare / establish EEZ wide / national whale / marine sanctuaries, large MPAs and marine parks with technical / policy advice.
4.3	Harmonize local and national MPAs for the protection and management of cetaceans where possible.
5.6	Develop and implement national whale and dolphin action plans, including recovery plans, where necessary, based on the regional action plan, to promote and guide national whale and dolphin conservation programmes and initiatives.
5.7	Ensure to develop management plans for established / declared marine sanctuaries, MPAs and other ecosystem based protection mechanisms that include whales and dolphins.
6.7	Identify and empower appropriate in-country authorities to hold, maintain and promote traditional knowledge.
6.9	Assess the sustainability of cultural practices involving whales and dolphins that may represent a threat to whales and dolphins (e.g. Solomon Island dolphin drive)
7.2	Improve understanding of species diversity in all PICTs
7.18	Document the number of animals, species, location and date of any take (hunting, captivity purposes, research etc.)
8.6	Encourage annual stakeholder meetings (Govt; industry, scientists, NGOs) to assess management of the whale watch industry and use as a basis for industry review and reporting.
8.13	Develop whale watching operator reporting programme to collect useful data (tourists and animal numbers.)

ANNEX 2: Number of species on CMS Appendix lists by Oceania Range States.

APPENDIX	AUSTRALIA	COOK IS.	FSM	FIJI	TAHITI	GUAM	KIRIBATI	RMI	NAURU	NEW CALEDONIA	NIUE	NEW ZEALAND	CNMI	PALAU	PNG	SAMOA	SOLOMON IS.	TOKELAU	TONGA	TUVALU	VANUATU	WALLIS & FUTUNA
I	6	4	4	5	2	3	3	3	2	2	4	7	4	3	4	3	3	4	3	3	2	3
II	40	3	4	6	5	9	3	4	4	7	2	24	11	9	15	3	9	1	4	2	5	1
I & II	10	2	6	4	4	2	3	4	3	3	1	8	2	3	5	4	5	2	4	3	4	2