

Third Meeting of the Technical Advisory Group | *Sempach, Switzerland, 12-14 December 2018*

## REPORT FROM THE CMS SECRETARIAT

*Prepared by the CMS Secretariat*

1. The report of the CMS Secretariat to the 3<sup>rd</sup> Meeting of the Technical Advisory Group to the Raptors MOU (TAG3) provides a summary of key avian-related activities and concerns under the Convention since the last TAG meeting (TAG2, March 2015) with relevance to the Raptors MOU. Key documents include the resolutions and decisions adopted at the 12<sup>th</sup> Meeting of the Conference of the Parties to CMS (COP 12).

2. As agreed at COP11, a review process of decisions was launched with regard to the preparations for COP12, including the consolidation of resolutions on identical issues (Resolution 11.6; see also UNEP/CMS/StC45/Doc.19/Rev.1). Resolution 11.6 adopts two definitions for decisions adopted by the Parties, “Resolutions” and “Decisions”:

- *Resolution*: a decision of Parties, adopted at a Meeting of the Conference of the Parties, regarding the interpretation of the Convention or the application of its provisions. Resolutions are generally intended to provide long-standing guidance with respect to the Convention. Resolutions include decisions on how to interpret and implement the provisions of the Convention, establishing permanent committees, establishing long-term processes, and establishing the budgets of the Secretariat.
- *Decision*: a decision of the Parties, adopted at a Meeting of the Conference of the Parties, containing recommendations to Parties or instructions to a specific committee or the Secretariat. They are typically intended to remain in effect for a short period only, usually until a particular task has been completed. Decisions may, for example, request a report to be submitted to the Meeting of the Conference of the Parties following that at which they were adopted, and so would remain in effect from one Meeting of the Conference of the Parties to the next.

3. With the adoption of these definitions, the Parties eliminated “Recommendations,” a name for some decisions adopted by the Parties at various times. The review of every Resolution and Recommendation has also provided an opportunity to consolidate resolutions on the same or similar themes, drafting new resolutions and provisions in light of the distinction made at COP11 between “Resolutions” and “Decisions,” and other issues.

4. Main issues relevant to the Raptors MOU over the period since TAG2 pertain to resolutions and related action plans on specific taxonomic groups such as Vultures, specific issues such as illegal killing, poisoning and impacts of energy infrastructure and corresponding work of the Energy Task Force, and overarching and cross-cutting issues such as connectivity, climate change and World Migratory Bird Day.

**Resolution 11.2 (Rev.COP12); Decision 12.105: Strategic Plan for Migratory Species 2015-2023**

5. The Strategic Plan for Migratory Species 2015-2023 (SPMS) focusses on the conservation of migratory animals (populations, species or lower taxonomic levels, as the context requires), rather than on the Convention itself. This approach shifted the focus from the institution to the issue, thereby broadening relevance and ownership among the CMS Family of instruments and beyond. It is also consistent with COP decisions regarding the CMS “Future Shape” process, which identified the need for a coordinated and coherent approach to migratory species conservation among CMS and its daughter agreements.

6. Resolution 11.2 (Rev.COP12) urges the CMS Family of instruments to integrate the goals and targets of the Strategic Plan within relevant policy and planning instruments, and also to take action to raise awareness of the Plan. Furthermore, it encourages the decision-making bodies of CMS instruments, to identify existing or develop new sub-targets for the species and issues relevant to those instruments and organizations that support the achievement of the targets in the SPMS, and to inform the CMS Secretariat of such sub-targets.

7. A Companion Volume on implementing the SPMS and on indicators has been developed by a working group during the intersessional period as an evolving on-line resource on the CMS website as described in document UNEP/CMS/COP12/Doc.15. It is intended to help both country experts and other stakeholders to put in place and execute the necessary means of implementation towards reaching the goals and objectives of the SPMS. Both the Companion Volume and a set of fact sheets for the indicators (in document UNEP/CMS/COP12/Inf.26) are conceived as evolving documents which will be further updated and enhanced by the COP with support from the Secretariat in order to provide all Parties with the necessary tools to implement the Strategic Plan.

**Resolution 11.9: World Migratory Bird Day**

8. CMS, Environment For The Americas (EFTA), and AEWA outlined their new cooperation in a partnership agreement at a side event of CMS COP12. The new partnership formally unites two of the world’s largest bird education campaigns, International Migratory Bird Day (IMBD) and World Migratory Bird Day (WMBD) in a bid to strengthen recognition and appreciation of migratory birds and highlight the urgent need for their conservation. From 2018 onwards, the new joint campaign will adopt the single name of “World Migratory Bird Day”.

**Resolution 11.15 (Rev.COP12); Decisions 12.18-12.19: Preventing Poisoning of Migratory Birds**

9. Resolution 11.15 was adopted together with its annexed “Guidelines to Prevent the Risk of Poisoning to Migratory Birds”, and the “Review of the ecological effects of poisoning on migratory birds” (UNEP/CMS/COP11/Inf.34). The Guidelines tackle the risk to migratory birds resulting from insecticides, rodenticides, poison baits, veterinary pharmaceuticals and lead from ammunition, fishing weights and other sources of lead. Resolution 11.15 mandated the Inter-sessional CMS Preventing Poisoning Working Group (PPWG) under the Scientific Council to continue its work under the Terms of Reference in the annex of the Resolution.

10. The PPWG developed its Programme of Work 2017-2020 and formulated inputs for the revision of Resolution 11.15 at its 2<sup>nd</sup> Meeting in February 2017. Based on the preparations provided through the 2<sup>nd</sup> Meeting of the PPWG, Resolution 11.15 has been revised at COP12, which adopted the Terms of Reference of a Task Group on Lead and the Programme of Work of the PPWG for the period 2017-2020. Decision 12.18 encourages Parties and other donors to provide financial and technical support for the coordination of the PPWG, and for the implementation of the Programme of Work, particularly for organizing regional workshops in high-risk areas/flyways.

11. Resolution 11.15 (Rev.COP12) further recalls the MOU on the Conservation of Migratory Birds of Prey in Africa and Eurasia, which includes many African-Eurasian migratory raptors with an unfavourable conservation status.

**Resolution 11.16 (Rev.COP12); Decisions 12.26-12.30: The Prevention of Illegal Killing, Taking and Trade of Migratory Birds**

12. At COP11, Resolution 11.16 established an Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) and requested the Task Force to encourage monitoring of the trends on illegal killing, taking and trade of migratory birds and the implementation of the Tunis Action Plan 2013-2020 for the Eradication of Illegal Killing, Trapping and Trade of Wild Birds, in cooperation with the Bern Convention Secretariat.

13. During its two meetings, the MIKT developed a Programme of Work 2016-2020 (Cairo, Egypt, 2016) and a Scoreboard as a voluntary tool for Parties to assess the national progress in combating illegal killing, taking and trade of wild birds (Sliema, Malta, 2017).

14. During the 9<sup>th</sup> Meeting of Partners of the East Asian-Australasian Flyway Partnership (EAAFP), an International Task Force to address the Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway was established with a focus on EAAFP species, e.g. mainly waterbirds.

15. Through Resolution 11.16 (Rev.COP12), COP12 adopted the Scoreboard as a voluntary tool for Parties to assess their own progress in combating illegal killing, taking and trade of wild birds, and the Terms of Reference of the Intergovernmental Task Force to address the Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway (ITTEA). Decisions encourage Parties, organizations and stakeholders to implement the MIKT Programme of Work 2016-2020.

**Resolution 11.17 (Rev.COP12); Decisions 12.22 – 12.25: Action Plan for Migratory Landbirds in the African-Eurasian Region (AEMLAP)**

16. Resolution 11.17 (Rev.COP12) on the Action Plan for Migratory Landbirds in the African-Eurasian Region (AEMLAP) urges Parties and encourages non-Parties to address the issue of habitat loss and degradation of migratory landbird species through the development of policies that maintain, manage and restore natural and semi-natural habitats, including working with local communities, and in partnership with the poverty alleviation community and the agriculture and forestry sectors in Africa.

17. At the second meeting of the African Eurasian Migratory Landbirds Working Group (Abidjan, Côte d'Ivoire, 2015), a Programme of Work was agreed that gives top priority to tackling land use change in West Africa during the period 2016–2020.

18. At a workshop on “Sustainable Land Use in West Africa: National and International Policy Responses that Deliver for Migratory Birds and People” (Abuja, Nigeria, 2016), the Abuja Declaration on Sustainable Land Use for People and Biodiversity including Migratory Birds in West Africa was adopted. It identifies key land use changes and their drivers, and examples of good sustainable land use practices and supporting approaches, and provides guidance to countries for national policies and implementation in alignment with global commitments.

19. COP12 decisions invite Parties and organizations to provide financial support for the implementation of the AEMLAP, the Programme of Work 2016-2020 and an AEMLAP coordinator. The Secretariat shall consult with Range States on an institutional framework for the AEMLAP and to promote collaborative action for sustainable land use for migratory species and people. The Scientific Council should continue the Working Group and promote research that addresses key knowledge gaps relating to migratory landbird conservation in African landscapes.

**Res.11.18 (Rev.COP12): Saker Falcon (*Falco cherrug*) Global Action Plan**

20. The Resolution was revised by COP12 to allow reporting to the Meetings of Signatories, to the inter-sessional Meetings of the Scientific Council and to the Conference of the Parties until the Saker Falcon Task Force is eliminated. The completed Secretariat's tasks of conveying the resolution to other multi-lateral environmental agreements have been repealed.

**Resolution 11.27 (Rev.COP12); Decisions 12.81-12.82: Renewable Energy and Migratory Species**

21. Resolution 11.27 instructed the Secretariat to establish a multi-stakeholder Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation (the Energy Task Force, ETF).

22. At its first meeting in Cape Town, South Africa (2016), the ETF adopted a Work Plan 2017-2018 and the Cape Town Declaration, as a tool to inform stakeholders about the objectives of the ETF and its approach to achieve them. It also established a Technical Working Group tasked to identify key research priorities, review existing guidance material, and prepare a series of technical notes to accompany the existing CMS/AEWA guidelines if needed, and convene a process to review existing sensitivity mapping tools.

23. At the second meeting of the ETF (Bonn, Germany, 2017), priorities for future work and opportunities for collaboration have been identified. COP12 encouraged Parties and stakeholders to support the work plan of the ETF, and the ETF to produce guidance for assessing cumulative impacts of (renewable) energy and power line developments on migratory species, including beyond national borders. The risk of collisions and electrocution posed by energy infrastructure to birds of prey is strongly considered in the activities of the ETF. The third meeting of the ETF took place on 16 November 2018 in Sharm El-Sheikh, Egypt, in the margins of the UN Biodiversity Conference - the 14th Meeting of the Conference of the Parties to the Convention on Biological Diversity. The meeting proposed expanding the ETF membership to greater business and industry and opening its geographic scope to Asia. Promotion activities and potential synergies among conventions and sectors were discussed, as well as the status quo of current research, planned future research, research gaps, and priorities such as sensitivity mapping and database development.

**Resolution 11.33 (Rev.COP12); Decision 12.101: Guidelines for Assessing Listing Proposals to Appendices I and II of the Convention**

24. In accordance with the best scientific evidence and the precautionary approach, Resolution 11.33 (Rev.COP12) on Guidelines for Assessing Listing Proposals to Appendix I and II of the Convention, decides on the interpretation of the Text of the Convention, in order to assess listing proposals in Appendix I and II, and replaces previous Resolutions 2.2 and 5.3. The Guidelines for Assessment of Appendix I and II Listing Proposals, as presented in Annex I of the resolution, clarify the use that should be done of the IUCN Red List Categories and Criteria in order to assess proposals to list migratory species in CMS Appendices I and II. While Article III of the Convention broadly qualifies as "endangered" those species that are eligible to be listed in Appendix I, the guidelines explain that using the IUCN Red List criteria, a taxon should be assessed as 'Extinct in the Wild', 'Critically Endangered', or 'Endangered' for consideration for listing in Appendix I. In relation to the eligibility in Appendix II, Resolution 11.33 (Rev.COP12) recognizes that a taxon meet the definition of "unfavourable conservation status" of Article IV of the Convention, when it is assessed as 'Extinct in the Wild', 'Critically Endangered', 'Endangered', 'Vulnerable' or 'Near Threatened' using the IUCN Red List criteria.

25. The Guidelines also elucidate the process that should be followed with regard to removing a species from the Appendices. Finally, Resolution 11.33 (Rev.COP12), adopts the Format for Proposals to amend CMS Appendices, contained in its Annex 2.

**Resolution 12.10; Decisions 12.36 – 12.39: Conservation of African-Eurasian Vultures**

26. The 12-year Multi-Species Action Plan to Conserve African-Eurasian Vultures (Vulture MsAP) 2017-2029 has been adopted through Resolution 12.10 Conservation of African-Eurasian Vultures. The MsAP delivers on the implementation of the Flyways Programme of Work (Resolution 11.14, Resolution 12.11). Resolution 12.10 invites Parties and non-Parties to establish National Vulture Task Forces or equivalent bodies and integrate them into their (revised) National Biodiversity Strategies and Action Plans (NBSAPs) under CBD, especially to deliver Aichi Target 12.

**Resolution 12.11; Decisions 12.31, 12.33 - 12.35: Flyways**

27. Based on the work of the open-ended Flyways Working Group, Resolution 12.11 consolidates and repeals previous documents on Flyways (Recommendation 7.7, *American Pacific Flyway Programme*; Resolutions 10.10, *Guidance on Global Flyway Conservation and Options for Policy Arrangements*, and 11.14, *Programme of Work on Migratory Birds and Flyways*). The Resolution reaffirms the “Programme of Work on Migratory Birds and Flyways 2014-2023” and calls for its implementation. It also reaffirms the “Americas Flyways Framework” and adopts the Action Plan for the Americas Flyways.

28. The Programme of Work for the world’s flyways brings together all major actions required to promote the conservation of migratory birds and their habitats, and keeps with the goals and targets of the Strategic Plan for Migratory Species 2015-2023. It encourages cooperation and streamlining of actions. It identifies and promotes implementation of activities at the international and national levels that will effectively contribute to an improvement in the status of migratory birds and their habitats worldwide by providing a framework for protection of migratory birds throughout their life-cycles and enhancing synergies among relevant flyway-related instruments and programmes. Thereby, it assists countries in establishing national programmes of work through identifying priority actions, indicators, key stakeholders and time frames.

**Resolution 12.21; Decisions 12.72-12.74: Climate Change and Migratory Species**

29. Resolution 12.21 consolidates and repeals previous documents on the issue of climate change and migratory species (Recommendation 5.5 and Resolutions 8.13, 9.7, 10.19, and 11.26). The Resolution reaffirms the “Programme of Work on Climate Change and Migratory Species” and urges Parties and Signatories to CMS instruments and encourages non-Parties to put in place, as appropriate, legislative, administrative, management or other measures necessary to implement the actions, including considering the incorporation of such measures in national climate change strategies and National Biodiversity Strategies and Action Plans (NBSAPs) as a matter of priority. Related to Article I (1) (c) (4) of the Convention, on the definition of “favourable conservation status”, it was approved that conservation action beyond the historic range of species is compatible with, and may be required in order to meet the objectives and the obligations of Parties under the Convention with a view to climate-induced range shifts.

30. The “Programme of Work on Climate Change and Migratory Species” covers short, medium and long-term actions with regard to measures to facilitate species adaptation in response to climate change; vulnerability assessment; monitoring and research; climate change mitigation, human adaptation, and land use planning; knowledge exchange and capacity-building; and cooperation and implementation.

**Resolution 12.26; Decisions 12.91 - 12.93: Improving Ways of Addressing Connectivity in the Conservation of Migratory Species**

31. The Resolution 12.26 Improving Ways of Addressing Connectivity in the Conservation of Migratory Species aims at intensifying efforts to address threats to connectivity. It emphasises the

importance of sharing information on connectivity and maintaining large-scale databases in the long run.

32. At two workshops held in Italy in September 2015 and May 2017, under the auspices of the CMS Scientific Council, available scientific evidence and experiences were reviewed, and recommendations made for further work on migratory species connectivity in both terrestrial and marine environments.

33. Resolution 12.26 urges Parties to give special attention to connectivity when planning, implementing and evaluating actions to support the conservation and management of migratory species, both at national level and in the context of international cooperation, by an approach towards whole migration systems and processes, which *inter alia* includes prioritization of protected areas, strengthening and expanding ecological networks and addressing threats to connectivity.

#### **Resolution 12.27; Decision 12.102: Taxonomy and Nomenclature**

34. With regard to birds, Resolution 12.27 adopts the following standard references:

- Non-passerine species: Del Hoyo, J. & Collar, N.J. (2014). Handbook of the Birds of the World and BirdLife International Illustrated Checklist of the Birds of the World. Volume 1: Non-passerines. Lynx Edicions, Barcelona;
- Passerine species: Del Hoyo, J. & Collar, N.J. (2016). Handbook of the Birds of the World and BirdLife International Illustrated Checklist of the Birds of the World. Volume 2: Passerines. Lynx Edicions, Barcelona.

35. Following Decision 12.102, the Secretariat has adapted the CMS Appendices according to the new reference for birds.

36. An analysis for the adaptation of the CMS Appendices according to the new bird reference adopted and of the rules outlined in Resolution 12.27 is under way, under the lead of Professor Stephen Garnett, COP-appointed Councillor for Birds. The analysis includes the disaggregation of bird families in Appendix II, as recommended by the Scientific Council, in order to show which species are in each family and identify which of them meet the CMS criteria for migration.

#### **Resolution 12.28; Decisions 12.103 – 12.104: Concerted Actions**

37. This resolution consolidates the thirteen resolutions and recommendations on Concerted and Cooperative Actions into a single resolution. It also proposes adjustments aimed at streamlining the procedures for the management of the Concerted Actions tool. The COP12 mandate included in Decisions 12.103 were considered by the 3<sup>rd</sup> meeting of the Sessional Committee of the Scientific Council (ScC-SC3). One question to be resolved was which species designated for Concerted Action for the triennium 2018-2020 were to be recommended for the subsequent triennium. After significant debate, the Sessional Committee recommended to support a process of development and submission of proposals for Concerted Actions for any species currently in the list, in line with the guidelines included in Res. 12.28: only those species for which a proposal will have been developed and then endorsed by the Sessional Committee and the COP will be retained in the list. Further details about the discussion can be found in the Report of the Meeting (UNEP/CMS/StC48/Inf.5) and the report of the Chair of the Scientific Council (UNEP/CMS/StC48/Doc.6).

38. A draft template for reporting on progress in the implementation of Concerted Actions was developed by the Secretariat and submitted to ScC-SC3 for consideration and was finalized thereafter based on ScC-SC3 comments.