



Convention on the Conservation of Migratory Species of Wild Animals

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SUSTAINABLE USE

(Prepared by the Secretariat)

Sustainable use and the Convention on Migratory Species

1. CMS has always been conscious of the value of wild animals for environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view (preamble to the Convention). The Convention is concerned with the unsustainable use of biodiversity and addresses the taking of migratory species, in particular in Article III and V. CMS indeed states that:

Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species. Exceptions may be made to this prohibition only if: (...) the taking is to accommodate the needs of traditional subsistence users of such species.

2. Guidelines for agreements (Article V) make explicit reference to the need for each Agreements to provide for measures based on sound ecological principles to control and manage the taking of the migratory species.

3. Indeed, many species are listed on CMS Appendixes because they are subject to uses, some of which are not sustainable insofar as they have seriously affected the conservation of the species. In this regard, specific resolutions have been adopted at different meetings of the CMS COP to address unsustainable uses and destructive practices.

4. COP-8 considered the issue of sustainable use in depth. In particular the COP considered the Addis Ababa principles and Guidelines developed and adopted by CBD, which offered an opportunity to Parties to discuss the sustainable management of the taking of species and the conservation of their habitats.

5. In March 2006, CMS also issued a study of the benefits and risks of wildlife watching - a non-consumptive use of species- and its potential contribution to conservation.

Addis Ababa principles and Guidelines in the CMS context

6. The seventh meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD) adopted the Addis Ababa Principles and Guidelines for the sustainable Use

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of Biodiversity (AAPGs), a set of fourteen practical principles and operational guidelines, designed to ensure and enhance the sustainability of uses of the components of biodiversity.

7. The AAPGs acknowledge that conservation and sustainable use of biological diversity are essential to the survival of species and viability of ecosystems and also benefit humankind, particularly those people who are dependent on biological diversity for their livelihoods. Overexploitation of resources, inappropriate methods of fishing and harvesting, over-hunting, catches of non targeted endangered species, destructive practice and intensive technologies were all recognized as causes of environmental degradation and loss of species, also leading to declines in the local economies and societies.

8. The AAPGs are based on the assumption that it is possible to use biodiversity in a manner in which ecological processes, species and genetic variability remain above the threshold needed for long-term viability, and that therefore all resource managers and users have the responsibility to ensure that use does not exceed these capacities. The AAPGs provide a framework for advising Governments, resource managers, indigenous and local communities, the private sector and other stakeholders about how they can ensure that their use of the components of biodiversity will not lead to the long-term decline of biological diversity.

9. The CBD has indicated that application of the principles should not be rigid, but rather flexible and adaptable to different realities and adjustable to specific ecosystems. Indeed, although the principles are intended to be of general relevance, they will not apply equally to different situations with equal rigor. Given that their application varies according to the biodiversity being used, the conditions under which they are being used, and the institutional and cultural context in which the use is taking place, future work on the AAPGs within CBD and other conventions is looking at their applicability in different contexts. The work of CMS is clearly one of such contexts.

10. The eighth meeting of the CMS COP considered the AAPGs and instructed the Scientific Council to examine their applicability and usefulness within the context of CMS for improving the conservation status of relevant migratory species listed under the CMS Appendices. The Scientific Council was also urged to liaise with other Conventions, Parties and NGOs to gather and share information on relevant studies on the AAPGs and report its findings to the ninth meeting of the Conference of the Parties.

Applicability of the AAPGs to CMS: examples on issues to be considered

11. All AAPGs are relevant to migratory species. However some of them pose a direct challenge and invite an active role by the CMS and its Agreements and relevant Action Plans. In particular, CMS deals with two important aspects on which the AAPGs touch, and need further consideration and assessment:

- the transboundary character of the resource; and
- its migratory nature.

12. These present a particular challenge to regulation, adaptive management and monitoring.

13. Throughout the process leading to the development of the AAPGs the transboundary character of the resource was identified as an important issue to be addressed. These considerations led to the proposal contained in CBD COP decision VII/12 paragraph 6(f), requesting Parties and Governments, in collaboration with relevant organizations, to undertake further research on the applicability of the AAPGs in a transboundary context, where resources are shared between countries or in the case of migratory species moving across national jurisdictions.

14. One of the key issues to be analyzed and addressed under the CMS could be tenure and access rights and how to apply Practical Principles 2 (PP2), calling for the empowerment of local users to be responsible and accountable for the use of the resource concerned. Given that by definition CMS is dealing with species that cross frontiers, it should be determined what happens to tenure rights, where they exist, in this case.

15. Also it is implicit that the sustainability of uses should be regulated along the migratory route or pathway. The applicability of the AAPGs in the CMS should be checked against the possibility to monitor the local use of the resource along the pathway, and the possibility to guarantee coordination among different management mechanisms and mutually compatible management plans.

16. Similarly, PP7 addresses the scale of the use, and states that “the spatial and temporal scale should be compatible with the ecological and socio-economic scales of the use and its impact”. Existing guidelines suggest linking the responsibility and accountability to the spatial and temporal scale of the use and, in case of transboundary resources, advise that appropriate representation from those states participate in the management and decisions about the resources. Also the applicability of this principle in a CMS context needs to be assessed.

17. PP8 calls for the development of “arrangements for international cooperation where multinational decision-making and coordination are needed”. The issue at stake is: Can CMS play a role in developing multilateral agreements to be signed by the interested states to establish how the resources will be used and in what amounts?

18. Those above are only some of the questions that can arise when assessing the applicability of the AAPGs to CMS, and are meant to provide the Scientific Council with a basis for discussion, in response to COP-8 recommendation 8.18.

Wildlife watching and tourism

19. In March 2006 CMS launched a publication on Wildlife Watching and Tourism (available at: http://www.cms.int/publications/pdf/CMS_WildlifeWatching.pdf). The study is meant to be an honest assessment of benefits and risks of a fast growing tourism activity and its impact on species. The study shows how wildlife watching tourism can make important contributions to community development and conservation by raising awareness of the animals observed and their habitats, by creating revenues for conservation and by creating jobs and income for local communities. This study is based on the analysis of 12 case studies and literature on the issue, and makes a number of recommendations on ways to use planning and visitor management to ensure the long-term sustainability of the activity.

20. As a result of the study, the CMS Secretariat acknowledged that, despite the high number of guidelines developed to address a wide range of different wildlife watching activities of various scales and magnitude, there remains a lack of international guidance on the issue.

21. The Scientific Council is invited to consider the recommendations contained in the study and assess whether the CMS could develop general guidance on wildlife watching activities, including:

- Assessment of disturbance and habitat damage;
- Rule and regulations for wildlife watching activities;
- Visitors management;
- Planning of WW activity; and
- Management of impacts.

Terms of reference for an inter-sessional working group on sustainable use

22. Assess the applicability of each AAPG to CMS. Report should include:

- rationale for applicability/non-applicability;
- problems related to applicability;
- practical examples;
- issues to be addressed; and
- guidance.

and should be based on the assessment of relevant studies and literature gathered through other Conventions, parties and NGOS.

23. Work towards an interpretation of the term ‘**traditional subsistence users**’ used in Art. III, para. 5 c) of the Convention.

24. Consider the wildlife watching report and determine possible mandate for CMS, including the development of guidance in the sector.