



# CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Conf.9.27  
16 October 2008

Original: English

NINTH MEETING OF THE  
CONFERENCE OF THE PARTIES  
Rome, 1-5 December 2008  
Agenda Item 17.0

## FUTURE FLYWAYS POLICY

*(Prepared by the CMS Secretariat)*

### Introduction

1. The 32<sup>nd</sup> Meeting of the Standing Committee in 2007 considered a preliminary report on flyways, prepared by the CMS Secretariat (CMS/StC32/16). The review focused on defining the main global migration routes for birds and suggested policy direction for each flyway. The Committee requested the Secretariat to prepare a more comprehensive factual report on flyways, and a separate document for COP9 on flyway policies. The former paper is available at < [http://www.cms.int/bodies/StC/32\\_stc\\_meeting/Doc\\_16\\_Flyway\\_status\\_report.pdf](http://www.cms.int/bodies/StC/32_stc_meeting/Doc_16_Flyway_status_report.pdf) >. The present paper deals with flyway policy.

### Concepts of Flyways

2. Bird migration is a highly complex phenomenon, both in its spatial and temporal organization, partly due to the fact that migration patterns are highly species-specific. The best-known migrations, those that link breeding grounds to non-breeding areas and take place on an annual cycle, tend to be orientated from north to south, both in Eurasia and in the Americas. However this rule cannot always be applied; some birds, for instance in Eurasia, migrate on a clear east-west course. This biological complexity explains why the notion of uniform migration routes has long been abandoned. Even the concept of flyways, discussed below, is not or only rarely used in connection with different groups of birds.

3. The flyway concept is essentially an operational concept linked to waterfowl whose populations are to be managed over their entire migratory area. A robust definition of flyway has been proposed by G. C. Boere and D. A. Stroud (2006: 40)<sup>1</sup> as "... the biological systems of migration paths that directly link sites and ecosystems in different countries and continents". Thus defined, a flyway is a geographical region within which a species or a constellation of species, or some populations or a constellation of populations complete their annual cycle.

<sup>1</sup> Boere, G.C., Galbraith, C.A. & Stroud, D.A. (eds). 2006. *Waterbirds around the world*. The Stationery Office, Edinburgh, UK. 960pp.

4. It includes the areas where the birds breed, the areas of the main non-breeding (or contra-nuptial) range, migration stopover areas, areas where birds that have not yet reached breeding maturity may spend the breeding season, moulting areas, and post-breeding expansion areas. Because waterbirds are often associated with habitats that are patchily and often parsimoniously distributed in the landscape, the effective geographical area thus envisioned is never the entire land or sea surface over which the birds fly, but takes more the appearance of an archipelago or network of sites.

5. Regarding flyways not as biological phenomena, nor as administrative management units, but as geographical entities, as recommended by Boere and Stroud, therefore considerably simplifies reviews and comparisons of the sometimes contradictory flyway arrangements that have been proposed and the links that have, can or could be established between these arrangements and regional agreements. Indeed, depending, in particular, on whether the accent is on wildfowl and shorebirds, or on the continental perspective taken, different models for dividing the world into flyways have been proposed. One practical arrangement divides the world into five flyway areas, with some overlaps at the margins. This arrangement accommodates and integrates the traditions of waterfowl management agencies and the habits of researchers and conservationists in various fields of avian migration studies while taking fully into account the existence of established or proposed regional agreements.

- (i) **The African Eurasian Migratory Waterbird Agreement (AEWA) area**, which includes north-eastern Canada, Greenland, Europe, western Siberia, the western Central Asian republics, the Caucasus, the Middle East, the Arabian Peninsula, all of Africa, Madagascar and its associated islands.
- (ii) **The Central Asian Flyway (CAF) area**, which includes central Siberia, Mongolia, the Central Asian republics, Iran and Afghanistan, the Gulf States and Oman, the Indian subcontinent.
- (iii) **The East Asian Australasian Flyway (EAAF) area**, which includes eastern Siberia, eastern Mongolia, Korea, Japan, eastern China, south-eastern Asia, the Philippines, New Guinea and Australia. New Zealand is often included.
- (iv) **The Americas**, an area that includes North, Central and South America and the Caribbean and which includes the four traditional North American flyways (Pacific, Central, Mississippi, Atlantic) as well as the area over which a number of South American initiatives are in progress.
- (v) **The Central Pacific Flyway**, an area that extends over the Pacific Ocean from Alaska to New Zealand.

## **Regional initiatives and Policy Recommendations**

### **(i) AEWA**

6. AEWA is the most ambitious of the Agreements ever concluded under CMS and applies at present to 255 species. A number of seabirds were added to this list at the recent MOP in Madagascar. The fact that a large proportion of CMS parties that are range states have signed the Agreement is a measure of the success of AEWA and its formula. Also, AEWA has developed or is developing Single-Species Action Plans for several Appendix I species within its scope.

## ***Policy proposals***

7. AEWA is an Article IV, paragraph 3 AGREEMENT. As such, its terms of reference and relation to the parent Convention are covered by the Convention and associated Resolutions. The AGREEMENT clearly fulfils its role and has been regarded as a model in the development of other similar instruments. Because AEWA is the largest single CMS Agreement it is an essential role model.

8. With a view to drawing lessons from the AEWA experience, it is important that AEWA's conservation achievements, in particular those related to population trends and secure site networks, are assessed. The CMS Conference of Parties has a specific duty under Article VII.5 (e) of the Convention to "review the progress being made by Agreements". Parties are invited to consider fulfilling this by considering AEWA's achievements as part of a wider review of CMS bird agreements in 2010-2011 (see draft Resolution 9.2).

### **(ii) Central Asian Flyway (CAF) Process**

9. The CMS Secretariat launched an Action Plan on 11 January 2008 for one of the world's most vital routes for migratory birds, the Central Asian Flyway (CAF). The CAF territory is essentially centred on one of the three major wintering areas of waterfowl in the Old World, the Indian subcontinent - the other two being Africa, in AEWA territory, and south-east Asia, in EAAF territory.

10. The new Plan, finalised after consultations with the 30 range states, is a detailed document covering 175 species of divers, grebes, pelicans, cormorants, herons, storks, ibises, flamingos, geese, cranes, rails, sun grebes, jacanas, crab plovers, oystercatchers, stilts, avocets, pratincoles, plovers, scolopacids, gulls and terns. 13 of the species are already listed on Appendix I of the Convention.

11. The Action Plan contains provisions for species and habitat conservation, single species action plans and emergency measures. It will be an umbrella for the creation of a CAF Site Network. Management of human activities, including hunting, eco-tourism, research, capacity building and implementation are covered. The plan in English and Russian is available at < [http://www.cms.int/species/CAF/caf\\_ap.htm](http://www.cms.int/species/CAF/caf_ap.htm) >.

12. The concept of an instrument parallel to AEWA for the eastern Palaearctic and its associated subtropical and tropical regions of the Indian subcontinent and south-eastern Asia were first recognised by the second CMS COP in 1988.

13. Since then a series of meetings of specialists and governments has taken place. Negotiations on the precise form of a CAF Agreement under Article IV of the Convention are still incomplete.

14. In parallel with the launch of the Action Plan in early 2008, the CMS Secretariat established an interim co-ordination mechanism to manage the website, facilitate projects and inter-governmental activities, and prepare for further consultations with range states on the final legal and institutional framework for CAF, with India as lead country. The CMS Secretariat is also liaising with Wetlands International as a key partner in this process, for which further resources would be required.

### *Policy proposals*

15. The necessity of a CAF instrument has been emphasised for many years. The Action Plan already exists. Before progressing further the Secretariat believes that we should work on the Action Plan's implementation, including the completion of pilot projects rather than focusing attention and resources on the Plan's "legal umbrella" or links to other bodies such as AEWA. The main obstacle is obtaining sustained commitment both in terms of conservation interest and resource provision from the key range states for this flyway. It would not be appropriate, in the view of the Secretariat to try and deflect attention from this, by suggesting a merger with AEWA as this would have the effect of putting a further financial burden mainly on European donor states for a flyway, which is largely discrete from the African-Eurasian waterbird route.

16. Without the commitment and resources of the range states of the Central Asian Flyway, particularly the larger countries, conservation efforts from the outside are unlikely to be sustainable. It is essential that a viable, independent mechanism be established under CMS for this flyway that has the strong support of the range states. The expertise available from AEWA (and other flyways such as EAAF) should be utilised in this process. The Action Plan is a good start.

17. The Secretariat would suggest to the COP that a meeting should be convened in 2009/10 in Central Asia at which the attendance of all range states would be facilitated. The meeting should focus on the new Action Plan, on agreeing several pilot projects which could be the subject of application for external funding, and establishing a stronger co-ordination arrangements for the CAF. The meeting could also consider whether range states should move towards a formal agreement (binding or non-binding) under Article IV of the Convention, and the timetable for such negotiations.

18. These proposals are included in draft Resolution 9.2.

#### **(iii) Partnership for the Conservation of Migratory Waterbirds and the Sustainable Use of their Habitats in the East Asian – Australasian Flyway (EAAF)**

19. The **East Asian - Australasian Flyway** is one of the world's great flyways. At its northernmost limit, it stretches eastwards from the Taimyr Peninsula in Russia to Alaska. Its southern end encompasses Australia and New Zealand. Between these extremes the flyway covers much of eastern Asia, including China, Japan, Korea, South-East Asia and the western Pacific. It is especially important for the millions of migratory waders or shorebirds that breed in northern Asia and Alaska and spend the non-breeding season in South-East Asia and Australasia. In total, the flyway passes through 22 countries with approximately 55 migratory species travelling along it, including 28 globally threatened species.

20. In 2002, at the World Summit on Sustainable Development (WSSD) in Johannesburg, the Governments of Japan and Australia, together with Wetlands International, successfully proposed a Type II Partnership for the conservation and sustainable use of sites of international importance for migratory waterbirds in East Asia, South East Asia and Australasia. In November 2004, representatives from twenty-one Governments, Inter-governmental Organizations and non-government organizations met in the Republic of Korea to discuss future regional cooperation for conservation of migratory waterbirds using the Type II Partnership model. They agreed that this Partnership would enhance collaboration between Governments, Inter-governmental Organizations and non-government organizations and contribute towards achieving the objectives of the Millennium Development Goals.

21. The CMS Secretariat was involved in some of the negotiations towards the Partnership in 2004 and earlier. Indeed it had been assumed at an earlier stage that an Article IV agreement would be negotiated for the flyway. However this approach did not receive sufficient support from the range states (where CMS membership was initially small. However the position now is that more than half of the States covered by the Partnership are either Parties to the Convention or are participating in species Agreements developed under its auspices).

22. The East Asian-Australasian Flyway Partnership (EAAFP) was formally launched on 6 November 2006. The goal of the Partnership is to recognise and conserve migratory waterbirds in the East Asian - Australasian Flyway for the benefit of people and biodiversity. It builds on the achievements of the Asia-Pacific Migratory Waterbird Conservation Committee, the Asia-Pacific Migratory Waterbird Conservation Strategy (APMWCS), and its Action Plans for Anatidae, Cranes and Shorebirds. The Strategy and Action Plans have enhanced and guided international cooperation and coordination and activities to conserve and protect internationally important habitat for migratory waterbirds since 1996. Achievements under the Strategy and Actions Plans have included the identification of more than 700 sites of international importance for migratory waterbirds in the flyway and the development of Site Networks for Anatidae, Cranes and Shorebirds, as well as a range of activities that have increased our knowledge of migratory waterbirds, raised awareness of the importance of these birds and built capacity for managers responsible for maintaining sites important for migratory waterbirds across the Flyway.

23. At its meeting in September 2006, the CMS Standing Committee agreed a statement welcoming the EAAFP and encouraging all Parties and other States from the region to join it. The meeting acknowledged that the Partnership could be recognized as fulfilling the conditions of a non-binding agreement under Article IV (4) of the Convention. The Committee expressed the hope that the partnership would serve as a bridge to a more permanent arrangement under CMS auspices.

24. The statement also noted *inter alia* that:

- a. The Secretariat would also take an active role, subject to its resources, in the technical and other work of the Partnership.
- b. CMS supported the establishment of a central coordination point for the collection and dissemination of information relevant to the Partnership, and noted that each individual state was encouraged to develop national partnerships to support the international framework and facilitate and guide implementation at the national level.
- c. Within the partnership, CMS would deploy its experience in the development of similar inter-governmental instruments under Article IV of the Convention, notably the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) and the Agreement on the Conservation of Albatrosses and Petrels (ACAP).

### ***Policy proposals***

25. The EAAFP is developing positively as an alternative partnership model for the delivery of regional species conservation initiatives, consistent with Article IV of the Convention. Parties are invited to welcome this, and to suggest that the development of the

EAAFP is kept under regular review. In particular, EAAFP should be invited to present a formal report to the next COP and if appropriate, to the intervening meetings of the Standing Committee. A representative should also be invited to attend the Scientific Council.

26. These proposals are included in draft Resolution 9.2.

**(iv) American Flyways Processes**

27. North, Central, and South America, as well as the Caribbean are probably best viewed as a single flyway space, in which contrasting organisational schemes exist. In North America, that is the United States, Canada and Mexico, the space has traditionally been divided into 4 flyways, Atlantic, Mississippi, Central and Pacific. For each Flyway, there is a corresponding Flyway Council, an administrative body that forges co-operation among public wildlife agencies for the purpose of protecting and conserving migratory birds in North America. There are several Councils and initiatives already in place, some of which (in Central and South America) are administered by CMS and should ideally, ultimately lead to a flyway agreement covering Central and South America and the Caribbean, similar to AEWA. 14 parties to CMS are potential Range States of an Americas Flyway agreement.

***Policy proposals***

28. Because two instruments that would considerably contribute to and easily combine with such a flyway agreement already exist (Ruddy-headed Goose, Grassland Birds), and a third is close to being concluded (Andean Flamingos), an Article IV, paragraph 4 agreement would appear to be the most effective formula. It could be formalised by a fourth Memorandum of Understanding for the conservation and restoration of shorebirds and wetland birds of the South American, Central American and Caribbean Flyways. Once such an agreement exists, its administrators could easily negotiate partnership arrangements with the North American initiatives.

29. Proposals on these lines are included in draft Resolution 9.2.

**(v) Central Pacific Flyway**

30. The Central Pacific Flyway includes New Zealand, a CMS Party, and hundreds of islands spread over the northern and southern Pacific, many of them belonging to CMS Parties. Although the Central Pacific Flyway has unique biological characteristics, it does not seem to have given rise to organisational developments that would amount to a flyway agreement. The high conservation significance of the flyway has, however, generated numerous research and awareness-raising initiatives.

***Policy proposals***

31. The threats that are faced by birds that travel these migration routes, all of which are on Appendix II of CMS, are very real. Because their migrations are such extreme phenomena, they are particularly sensitive to perturbations of the global environment, such as loss of beaches and other stopover sites through sea level rises. By assuming a leading role in that field, CMS would contribute very substantially to raising the world profile of the Convention as an effective and responsive conservation instrument. In addition, such a high visibility agreement in this area would be a powerful tool to promote the Convention among small island states, for many of which these species are highly emblematic. The nature of the area,

with its constellation of island states, may justify a paragraph 3, rather than paragraph 4, agreement, provided the slightly greater complexity of the first does not delay the action. In either case, the agreement process could be established by the Conference of the Parties, through a Resolution on these lines:

*Aware* of the exceptional evolutionary and eco-ethological character of the Central Pacific Flyway, as the site of some of the most strenuous migrations on Earth;

*Noting* that the species that travel the Flyway are on Appendix II of CMS;

*Conscious* of the increasing threats encountered by these species as a result of various components of global change;

*Convinced* that the existence of an agreement in that region would substantially improve the conservation status of the species concerned; and

*Further convinced* that such an agreement would greatly contribute to demonstrating the effectiveness of the Convention, raising its profile by association with a unique phenomenon and augmenting its appeal to island states, for many of which these species are of great cultural significance.

#### *The Conference of the Parties to CMS*

1. *Requests* the Secretariat, in co-operation with the Scientific Council and the Parties that are Range States, to prepare an Article IV, paragraph 3 AGREEMENT or paragraph 4 agreement and an Action Plan for the conservation of migratory birds of the trans-hemispheric Central Pacific Flyway;
2. *Urges* Parties that are Range States to join the agreement at the earliest possible opportunity;
3. *Encourages* the Secretariat to pursue efforts to bring into the Convention Pacific island states that could benefit from this agreement; and
4. *Encourages* Range States that are not parties to CMS to support the agreement and contribute to its implementation.