

Proposal for cooperation between GRASP and the CMS Gorilla Agreement

Background

Great Apes Survival Partnership

The [Great Apes Survival Partnership \(GRASP\)](#) was founded in 2001 at the World Summit on Sustainable Development, as a ‘Type II Partnership’, in response to the need to address critical threats facing great apes and the forest ecosystems on which they depend to survive.¹ [GRASP](#) is a unique partnership comprised of six categories (A-F) of partners: Range States (A), non-Range States (B), Intergovernmental Organisations (D), Conservation Organisations (E), and private companies (F) with the [GRASP](#) Secretariat co-hosted between the UN Environment Programme (UNEP) and the UN Educational, Scientific and Cultural Organization (UNESCO) and forming category (C). Altogether, [GRASP](#) includes 100 partners.² All 10 gorilla Range States³ are members of the Partnership.

[GRASP](#) is governed by a Council and an Executive Committee. The Council consists of all partners, with each partner of categories A-E holding an equal vote. Its meetings occur every four years, when it reviews and guides the work of the partnership. The Executive Committee consists of representatives of the following partner categories: Four representatives of Range States; two representatives of each: non-Range States, [GRASP](#) Secretariat, Intergovernmental Organisations (one of them being [CMS](#)), and Conservation Organisations.⁴ It is the intersessional body of the Council and meets every quarter of a year. Except for one of these quarterly meetings at which members meet physically, all others are conducted by teleconference. Each member serves four years on the Committee.

The [GRASP](#) Scientific Commission provides independent and scientifically sound advice to [GRASP](#) and its projects, including publications, surveys, and fieldwork. It includes experts from each region, the International Union for the Conservation of Nature (IUCN) / Species Survival Commission – Section on Great Apes, the International Primatological Society, and experts of special disciplines such as zoonotic disease, economics, and forestry. The Commission also holds a non-voting seat on the [GRASP](#) Executive Committee.

The Secretariat is physically hosted by UNEP at its headquarters in Nairobi, Kenya. All Secretariat staff are provided by UNEP, apart from one Junior Professional Officer, currently provided through UNESCO by the Government of France.

[GRASP’s](#) work is guided by its objectives as set out in the Rules for the Organization and Management of the [GRASP](#) Partnership;⁵ the Global Strategy for the Survival of [Great Apes](#) and Their Habitat - both of which were drafted in 2005, but updated in 2012 -and the 2013-2016 [GRASP](#) Priority Plan.⁶

¹ Rules for the Organization and Management of the GRASP Partnership

<https://dl.dropboxusercontent.com/u/13973491/grasp/Documents/Rules%20for%20Management%20of%20GRASP.pdf>

² A full list of all partners can be found at <http://www.un-grasp.org/the-partnership/partners/>

³ Angola, Cameroon, Central African Republic, Congo Republic, Democratic Republic of Congo, Equatorial Guinea, Gabon, Nigeria, Rwanda and Uganda

⁴ For current representatives see: <http://www.un-grasp.org/the-partnership/governance/excom/>

⁵ Ibid.

⁶ <https://dl.dropboxusercontent.com/u/13973491/grasp/Documents/Priority%20Plan%20.pdf>

CMS Agreement on the Conservation of Gorillas and Their Habitats

The **Gorilla Agreement** was concluded as Article IV(3) AGREEMENT under the Convention on the Conservation of Migratory Species of Wild Animals (CMS) in 2007.⁷ It is open to accession to all Gorilla Range States.⁸ However, Angola, Cameroon and Equatorial Guinea are not Parties as of yet.⁹

The Meeting of the Parties (MOP) is the highest decision-making body of the **Gorilla Agreement**.¹⁰ It meets ordinarily at least every three years to review progress in implementation and to set policies for the new reporting period. Since the Agreement's entry into force, the MOP has met twice.

The MOP is advised by a Technical Committee consisting of one representative of each Range State with expertise in gorilla conservation; one representative from **GRASP**; and one expert from each of the following fields: forest management and conservation; environmental law; and wildlife health.¹¹

The Secretariat to the **Gorilla Agreement** is provided by the Secretariat of CMS on an interim basis.

The Meeting to negotiate the **Gorilla Agreement** in 2007 requested the CMS Secretariat "to provide interim secretariat services to the **Gorilla Agreement**, in close co-operation with the UNEP/UNESCO/**GRASP** Secretariat and other institutions of **GRASP**".¹²

The work of the Parties to the **Gorilla Agreement** is guided by the **Agreement** text itself¹³, as well as the Action Plans adopted by the second MOP on the: Western Lowland Gorilla¹⁴; Cross River Gorilla¹⁵; Eastern Lowland Gorilla¹⁶; and Mountain Gorilla.¹⁷

Status quo: Concurring objectives, differing bases

While **GRASP** is concerned with all great apes, the **Gorilla Agreement** only deals with gorillas. *Hence, this analysis and proposals for cooperation will only consider the objectives and activities of **GRASP** related to gorillas.*

The overarching aim of **GRASP** is to "stop any further decline of great ape populations and their habitat".¹⁸ The objectives of **GRASP** can roughly be categorised as:

- Scientific work, such as research into population distributions and abundance;
- Conservation, such as supporting Range States in the drafting of laws, national and regional management plans and conservation tools; establishing innovative conservation approaches, through community participation and income-generating and sustainable use of resources derived from gorilla habitats;
- Education, information and outreach, such as raising awareness of different audiences on gorillas at the local, regional and global level through appropriate media;

⁷ http://www.cms.int/gorilla/sites/default/files/document/GA_MOP2_Inf_08_Agreement_Text_E_0.pdf

⁸ Angola, Cameroon, Central African Republic, Congo Republic, Democratic Republic of Congo, Equatorial Guinea, Gabon, Nigeria, Rwanda and Uganda

⁹ Angola had informed the CMS Secretariat that its parliament had ratified the Agreement on 25 April 2013 but no document of accession has been received by the CMS Secretariat as of yet.

¹⁰ For list of Focal Points see:

http://www.cms.int/manage/sites/default/files/document/Gorilla%20National%20Focal%20Points%20list_July15.pdf

¹¹ For current membership see:

http://www.cms.int/manage/sites/default/files/document/Gorilla%20Technical%20Committee%20members_July15.pdf

¹² See Resolution on Interim Arrangements for the CMS Gorilla Agreement

http://www.cms.int/gorilla/sites/default/files/document/Gor_Res_E_0.pdf

¹³ Ibid.

¹⁴ http://www.cms.int/gorilla/sites/default/files/document/GA_MOP2_Inf_7_1_AP_Ggg_postMoP1_E_0.pdf

¹⁵ http://www.cms.int/gorilla/sites/default/files/document/GA_MOP2_Inf_7_2_AP_Ggd_postMoP1_E_0.pdf

¹⁶ http://www.cms.int/gorilla/sites/default/files/document/GA_MOP2_Inf_7_3_AP_Gbg_postMoP1_E_0.pdf

¹⁷ http://www.cms.int/gorilla/sites/default/files/document/GA_MOP2_Inf_7_3_AP_Gbg_postMoP1_E_0.pdf

¹⁸ Global Strategy for the Survival of Great Apes and Their Habitat

- Cooperation with global and regional initiatives and organisations, such as UN REDD or CITES, that are concerned with issues related to the conservation of gorillas and their habitats;
- Coordination and information exchange among stakeholders, such as assessing gaps and overlaps in activities and sharing best practices;
- Fundraising for any of the above activities, as well as the organisation of the Partnership as such.

The **GRASP** 2013-2016 Priority Plan¹⁹ focuses the partnership's work in six priority areas:

- Illegal wildlife trade
- Political advocacy
- Disease monitoring
- Habitat protection
- Conflict-sensitive conservation
- Green Economy

The overarching principle of the **Gorilla Agreement** is that Parties “shall coordinate measures to maintain gorillas in a favourable conservation status or to restore them to such status”²⁰ and that they “shall prohibit the taking of animals” without any of the exceptions provided under Article III of the CMS text being available.²¹ Furthermore, the list of measures to be taken by Range States and provided in Article III (a) – (q) covers all the objectives set out in the **GRASP** Rules for the Organization and Management of the **GRASP** Partnership and the **GRASP** Global Strategy for the Survival of Great Apes and Their Habitat. In addition, Range States to the **Gorilla Agreement** shall “identify sites and habitats for gorillas occurring within their territory and ensure the protection, management rehabilitation and restoration of these sites [...]”²² as well as “coordinate their efforts to ensure that a network of suitable habitats is maintained or re-established throughout the entire range of all species and sub-species, in particular where habitats extend over the area of more than one Party to this Agreement”.²³ The Action Plans for each of the four sub-species, i.e. Cross River gorilla, Eastern Lowland gorilla, Mountain gorilla and Western Lowland gorilla that have been adopted by the Second MOP, provide further detail to the conservation actions for each sub-species.²⁴ They cover the following issues:

- conservation of all species and sub-species of gorillas;
- habitat conservation;
- management of human activities;
- research and monitoring;
- education and information;
- implementation and enforcement of gorilla conservation policies;
- reduction of the impact of disease;
- contribution to the sustainable development of local communities; and
- reduction of human-gorilla conflicts.

There are, thus, substantial overlaps between the **GRASP** objectives and the provisions of the **Gorilla Agreement**. In fact, two parallel processes have been created:

¹⁹ Ibid.

²⁰ Article II

²¹ Article III

²² Article III (b)

²³ Article III (c)

²⁴ <http://www.cms.int/gorilla/en/meeting/2nd-meeting-parties-1>

GRASP, on the one hand, brings together virtually all organisations and specialists working on gorilla conservation in a partnership, where each partner has an equal voice, allowing policies to be developed that reflect the majority of expert opinion. Through the multifaceted partnership GRASP constitutes a powerful implementation mechanism. Yet it has no legal basis by which Range States could be held accountable for their activities. The Gorilla Agreement, on the other hand, provides a solid legal foundation and policy instrument to the conservation activities undertaken by all Range States that have joined the Agreement and those that are not complying with the Agreement, can be held accountable for the actions.

The two bodies can therefore complement each other very well and, if cooperating by formal resolution/decision of its partners, Parties and members, could achieve more collectively than either can achieve individually.

Proposal for cooperation

The following measures provide a list of possibilities for GRASP and the Gorilla Agreement to cooperate. As stated earlier, *they will only consider the objectives and activities of GRASP related to gorillas*. A separate Memorandum/Letter of Understanding should be signed between the GRASP Secretariat and the CMS Gorilla Agreement Secretariat on the exact division of duties and responsibilities in relation to the points set out below.

1. Joint Focal Points

In order to ensure consistency and continuation of actions by Range States of GRASP and Parties to the Gorilla Agreement, it is necessary that countries appoint the same person as Focal Point to both bodies.

2. Joint Meetings - Hold GRASP Council together with Gorilla Agreement MOP

In order to maximise efficiency and cost-effectiveness, the GRASP Council and Gorilla Agreement MOP could decide to hold their meetings every three/four years together. The effectiveness of this proposal is dependent on the appointment of only one Focal Point to both bodies by each Range State.

3. Joint Work Programme – Gorilla Agreement MOP to adopt GRASP Programme of Work

In order to avoid duplication and give legal weight to the policy and implementation work done by GRASP, the GRASP Council and MOP of the Gorilla Agreement could adopt the same Programme of Work, Action Plans, etc.. It could be set up so that after jointly discussing the work and documents by both bodies, the Gorilla Agreement MOP formally adopts the documents.

4. Joint Scientific Advice – Utilise Scientific Commission of GRASP as advisory body for Gorilla Agreement

In order to maximise the quality of technical expertise provided to gorilla conservation, the Parties to the Gorilla Agreement could adopt a resolution requesting the Scientific Commission of GRASP to provide its services to the Agreement (while leaving the Technical Committee dormant in place merely as back-up instrument). Such a change could be adopted by a resolution/decision of the Gorilla Agreement MOP (and the GRASP Council). [Alternatively, the Parties to the Agreement could decide to replace the Technical Committee with the GRASP Scientific Commission and make the changes legally effective. This would, however, require an amendment of the Gorilla Agreement under Article X of the Agreement, requiring a 2/3 majority of the Parties present and voting. Given the procedural complexity, this might not be the preferred option.]

5. CMS Gorilla Agreement to provide secretariat services to GRASP

If GRASP Council and Gorilla Agreement MOPs were being merged, the CMS Gorilla Agreement Secretariat could, for the preparation of their joint meetings as well as in preparation of GRASP Executive Committee meetings, where documents adopted by/requested from the Gorilla Agreement MOP are being discussed, provide secretariat services, such as document management and logistical arrangements related to joint focal points and venues.

6. Joint outreach / information

With both bodies sharing the same objectives, a joint outreach and communication strategy could be developed. In addition, an agreement between the Secretariats of both bodies could be reached to represent each other (and gorilla conservation as such) as one joint objective at any meeting or in any forum attended by either of the Secretariats. This would allow maximum exposure and a cost-effective way of conducting outreach.

7. Joint fundraising

Fundraising for specific projects could be conducted jointly between the GRASP Secretariat and the CMS Gorilla Agreement Secretariat for the joint work programme and/or joint activities, yet implementation would continue lying within the responsibility of GRASP.