

SCIENTIFIC COUNCIL COMMENTS

(arising from ScC-SC8)

**PREVENTING POISONING OF MIGRATORY BIRDS
UNEP/CMS/COP15/Doc.26.2**

(ScC-SC8 Agenda item 9.2)

GENERAL COMMENTS ON THE DOCUMENT

The Sessional Committee welcomed the steps taken in the amendments to this resolution and in the draft Decisions to rationalise the institutional framework for implementation of this Resolution. It also recommended maintaining the Preventing Poisoning Working Group (PPWG) as there are a number of chemicals having impact on avian populations and causing declines, so there is a need for the CMS to address these issues. Importance of poison as a threat to other relevant CMS taxa was also highlighted.

Because of this recommendation, the ScC advised to reinstate the deleted paragraphs in the Resolution that refer to the PPWG. It was also noted that while a lack of resources might have prevented the WG to be active in the past, a call could be sent out to the members of other WGs, such as the WG on Migratory Species and Animal Health, as there could be experts with an interest in participating in this WG. Finally, the Sessional Committee noted that it is premature to cancel the PPWG until the outcomes of Draft Decision 15DD d) are published.

It is further suggested to consider adding a paragraph in the resolution on the forthcoming joint factsheet from CMS and the World Organization on Animal Health on NSAIDs.

Regarding Paragraph 7., page 3 of the Reporting section, it was proposed to rephrase as:

Parties made progress in phasing out the use of lead ammunition. On 10 July 2025, the UK Government announced its decision to introduce legislation to restrict most uses of lead ammunition for outdoor shooting in England, Wales and Scotland.

RECOMMENDATIONS TO COP15

The Scientific Council recommends to adopt the draft resolution and decisions with amendments as specified below].

COMMENTS ON SPECIFIC SECTIONS/ INCLUDING POSSIBLE PROPOSALS FOR TEXT REVISION

The following paragraphs are proposed for addition in **draft Resolution (page 6** of the document):

Concerned that a study of causes of mortality in large tracked migratory landbirds in the African-Eurasian flyway led by BirdLife International (Serratoso et al. 2024) showed that poisoning was the cause of mortality in these tracked birds in 16% of cases for which a cause could be established across 45 species and 40% of mortality in vulture species.

Highlighting that a recent report by BirdLife and Euronatur (2025) found that in the Mediterranean and Europe between 2020 and 2024, the trend in poisoning was assessed as remaining the same or getting worse in 27 countries and only improving in 7 countries.

BirdLife International questions the deletion of **preambular paragraph 11 on page 6** including its reference to the commissioning of the important *Review Of The Ecological Effects of Poisoning on Migratory Birds* that underpinned the work of the Group including its production of the subsequent Guidelines. Particularly as further studies are being recommended, it is recommended referencing this to ensure this review is a starting point for any further analysis.

Hence, it is suggested this preambular **paragraph 11 of draft Resolution (page 6)** is retained and reworded as follows:

Recalling Resolution 10.26¹ on minimizing the risk of poisoning to migratory birds, which called on the Scientific Council and the Secretariat to establish an intersessional working group, the Preventing Poisoning Working Group, and a product of this group UNEP/CMS/COP11/Inf.34 *Review of the Ecological Effects of Poisoning on Migratory Birds* which was funded by the UK and defined the future focus of the group and specifically its guidelines.

The following amendments are proposed in preambular **paragraph 15 of the draft Resolution (page 7 of the document)**:

Recalling that the diclofenac molecule was the principal cause of ~~contributed to~~ the catastrophic collapse of vulture populations of the Gyps species in South Asia and concerned that other new non-steroidal anti-inflammatory drug (NSAID) molecules in use, including aceclofenac, ketoprofen, nimesulide and flunixin, ~~can~~ have a similar effect on Vulture species or other scavenging raptors

And add another preambular **paragraph 16 thereunder (on page 7 of the document)**:

Acknowledging recent research work¹ by environmental economists that provides strong evidence that the impact of veterinary diclofenac on vultures in India was also associated with consequent substantial effects on human health, including large 4.7 per cent increases in human death rates in the period 2000-2005,

The following amendments are proposed in preambular **paragraph 18 of the draft Resolution (page 7 of the document)**:

Acknowledging the Ramsar Convention's Resolution XI.12 on ecosystem approaches to wetlands and health, and CMS Resolution 12.6 (RevCOP14) on Wildlife Health and Migratory Species which recognizes the interactions between disease – including poisoning – in wildlife, human and domestic animals, which stresses the urgent need to ensure that policy responses are better integrated in a 'One Health' approach across these sectors for most effective outcomes,

The following amendments are proposed in **preambular paragraph 19 of the draft Resolution (page 7 of the document)**:

Acknowledging also the Resolutions of the International Union for Conservation of Nature (IUCN) World Conservation Congress WCC-2016-Res-014 on combatting the illegal poisoning of wildlife, WCC-2016-Res-022 on conservation measures for vultures, including banning the use of veterinary diclofenac, and measures to ensure that other licenced veterinary NSAIDs are not toxic to vultures, and WCC-2016-Res-082 on a path forward to address concerns over the use of lead ammunition in hunting,

The following amendments are proposed in preambular **paragraph 26 of the draft Resolution (page 8 of the document)**:

¹ Frank, E. and Sudarshan, A. The Social Costs of Keystone Species Collapse: Evidence from the Decline of Vultures in India. *American Economic Review* 2024, 114(10): 3007–3040 <https://doi.org/10.1257/aer.20230016>

Welcoming the ongoing wider restriction ~~process~~proposal to amend Annex XVII under the REACH regulation of the EU (Regulation (EC) No 1907/2006) and the opinions adopted in 2022 by the expert committees of the European Chemicals Agency (ECHA), which ~~will be~~ are the basis for the European Commission to enact ~~a~~-restrictions on lead use in outdoor shooting and fishing in the European Union, ~~and further~~

The following **paragraph 27 of the preamble of the draft Resolution (page 8)** is proposed to be deleted:

~~*Welcoming* *Commending* the decision of the United Kingdom to ban shot containing more than one percent lead and bullets containing more than three percent lead, similar REACH process being undertaken in the United Kingdom to restrict lead ammunition for outdoor shooting,~~

The following paragraph is proposed for addition in **draft Resolution (page 8)** of the document) thereunder:

Commending the progress made by the United Kingdom in phasing out the use of lead ammunition. On 10 July 2025, the UK Government announced its decision to introduce legislation to restrict ~~some~~ most uses of lead ammunition for outdoor ~~recreational~~ shooting in England, Wales and Scotland.

Further, it is suggested to retain the **fourth from last preambular paragraph on page 9**:

Further noting the Sub-regional Implementation Plan to Prevent Poisoning of Migratory Birds in Southern African Countries 2017-2020, developed at the Regional Workshop on Preventing Poisoning of Migratory Birds, held in Cape Town, South Africa, on 24 August 2015, in response to Resolution 11.15,

The following amendments are proposed in preambular **paragraph 6 of the draft Resolution (page 10)** of the document):

Urges the Secretariat to consult regularly with relevant stakeholders, including government agencies, scientific bodies, non-governmental organizations and the agricultural, pharmaceutical, hunting, sports shooting and fishing sectors, in order to monitor the impacts of poisoning on migratory birds and to support the elaboration of national strategies and sector implementation plans as necessary to minimize detrimental impacts;

The following amendments are proposed in **operative paragraph 10 (page 10)** in order to maintain reference to the PPWG:

Invites the IUCN and its Species Survival Commission (SSC) to cooperate actively with CMS and the Preventing Poisoning Working Group (PPWG) on a global analysis of the impact of poisoning on wildlife, resources permitting;

The following amendments are proposed in **operative paragraph 16 (page 10)** in order to maintain reference to the PPWG:

16. *Urges* Parties, the United Nations Environment Programme and other relevant international organizations, as well as the industry, bilateral and multilateral donors and others, to consider supporting financially the implementation of this Resolution and the Guidelines, including through the coordination provided by the PPWG and the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights as per operative paragraph XX, support of regional workshops, and the provision of financial assistance to developing countries for relevant capacity-building;

The following amendments are proposed in preambular **paragraph 14 of the draft Resolution (page 11 of the document)**:

~~Invites Parties to note that neonicotinoid insecticides have become a main replacement for the organophosphates and carbamates reviewed ; and to consider conducting further research on and monitoring migratory bird mortality incidents associated with the use of these and other insecticides;~~

Invites Parties to note that neonicotinoid insecticides have become a main replacement for the organophosphates and carbamates reviewed and are now known to negatively impact multiple aspects of avian lifecycles; and to consider restricting ~~concerns around their continued use while~~ conducting further research on and monitoring migratory bird mortality incidents associated with the use of these and other insecticides;

It is proposed to **retain operative paragraph 18 (page 11)**.

18. *Agrees to continue* the PPWG, subject to the availability of resources, under the terms of reference annexed to this Resolution, ensuring its membership incorporates expertise from all geographical regions as well as representatives of industry and governments, and focuses on facilitating concerted efforts to prevent the impact of other sources of poisoning, address geographic gaps, and to monitor the implementation of the Guidelines;

The following amendments are proposed in preambular **paragraph 19 of the draft Resolution (page 11 of the document)**:

~~Agrees to continue, subject to availability of resources, the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights to take forward the implementation and update of the Guidelines in its relevant sections, as appropriate, also promoting actions to raise awareness among hunters and anglers on the risk related to the use of lead in ammunition and fishing weights and on the availability of non-toxic alternatives and to engage in discussions with the Olympic Committee and the International Shooting Federation to seek on regulating the use of lead ammunition in international sports shooting; and~~

Agrees to continue, subject to availability of resources, the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights to take forward the implementation and update of the Guidelines in its relevant sections, as appropriate, also promoting actions to raise awareness among hunters, sport shooters, and anglers on the risk related to the use of lead in ammunition and fishing weights and on the availability of non-toxic alternatives and to engage in discussions regarding the socio-economic impacts the effects of a potential phase out with the International Olympic Committee and the International Shooting Sport Federation (ISSF) to seek solutionseconsensus on regulating the use of lead ammunition in international sports shooting; and

The Terms of reference of the PPWG are proposed to be retained as Annex to the Resolution. The duration is proposed to be specified in line with standard text for ScC working groups:

Annex to Resolution 11.15 (Rev.COP14)

TERMS OF REFERENCE OF THE PREVENTING POISONING WORKING GROUP (PPWG) (for the intersessional period until COP15)

1. Background and purpose

This Working Group was established by Resolution 10.26² to assist the Parties to the Convention on Migratory Species (CMS) and its associated instruments, relevant Multilateral Environmental Agreements (MEAs) and Conventions to review the causes and consequences of poisoning of migratory birds, and to recommend suitable responses to address the problems.

2. Role and Scope

The role of the Working Group is to facilitate concerted efforts, actions and procedures to prevent poisoning of migratory birds other than lead poisoning which is dealt with by the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights. Its geographical scope is global. The Working Group will cover all migratory bird taxa as identified by CMS and its relevant associated instruments.

The Working Group, resources permitting, must report taking into account the regional aspects.

The Preventing Poisoning Working Group remains in place until the Sessional Committee decides its work is complete or an alternative arrangement is made.

3. Remit

The Working Group will:

Support implementation of the Preventing Poisoning Guidelines

- a. facilitate implementation of the Preventing Poisoning Guidelines and other relevant Resolutions adopted by COP as well as other relevant frameworks for action on relevant issues other than lead poisoning;
- b. set and implement priorities for its work;
- c. keep the Guidelines actively under review in the light of developing research findings and other relevant information and report relevant developments to the Scientific Council;
- d. assist in resource mobilization for priority actions, in collaboration and through the creation of synergies with other initiatives such as the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights and the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean, the Vulture Working Group, and the Landbirds Working Group;
- e. actively seek engagement from and with relevant agrochemical and veterinary pharmaceutical industries so as to develop alternative less detrimental solutions;
- f. review, take account of, and communicate best practice when poisons are used as management tools in the protection of migratory birds and other biodiversity;
- g. encourage the translation and dissemination of the Guidelines widely within relevant networks, as well as to end-users and others;
- h. monitor the implementation of the relevant decisions and plans and their effectiveness and submit progress reports to the governing bodies of the participating MEAs;
- i. stimulate internal and external communication and exchange of information, experience, best practice and know-how;
- j. strengthen relevant regional and international networks; and

Assess other causes of migratory bird poisoning

- k. resources permitting, consider the need for additional guidance for preventing impacts on migratory birds from other types of poison (for example pheromone-type substances) and geographic gaps, and how these might be developed.

For effective working, the Working Group will establish task groups addressing either thematic issues (e.g., for different poison types) and/or geographical regions to progress its work.

² Under the name Minimizing the Risk of Poisoning to Migratory Birds Working Group. Resolution 10.26 has been superseded by Resolution 11.15 (Rev.COP14) Preventing Poisoning of Migratory Birds.

4. Membership

The membership of the Working Group will comprise the Secretariats of the participating MEAs, as well as academic institutions, non-governmental organizations and other stakeholders, as appropriate.

The following representatives will also be invited to contribute to the Working Group:

- Representatives of CMS Parties;
- Representatives of the CMS Scientific Council, the Technical Committee of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), Technical Advisory Group of the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptor MOU), Bern Convention Expert Group on Birds;
- Representatives of the CMS Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean Task Force, the Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force, the African-Eurasian Migratory Landbirds Working Group and Flyways Working Group;
- Independent experts on an ad hoc basis as necessary and appropriate; and
- ECHA.

5. Governance

The Working Group will elect a Chair and a Vice-Chair from amongst its members and will operate by seeking consensus among the Group. The Working Group will report to the Scientific Council on its actions, membership and other related issues.

6. Operation

Funding permitting, a coordinator will be appointed with the following functions:

- organizing the meetings of the Working Group and preparing the background documents;
- maintaining and moderating the Working Group's communications;
- facilitating fundraising and resource mobilization; and
- facilitating engagement with stakeholders within and beyond the Working Group.

Meetings of the Working Group will be convened at appropriate intervals, as considered necessary and funding permitting. Between meetings, business will be conducted electronically, which will provide the primary mode of communication.

The Working Group, in collaboration with Parties and relevant international organizations, subject to the availability of funds, will organize regional workshops in trouble spot areas to assist in developing appropriate local or regional solutions to prevent the poisoning of migratory birds.

The following amendments are proposed in **paragraph 15 AA d) of the draft Decisions (page 15 of the document)**:

- a. undertake national review and monitoring exercises to encourage implementation of the phase-out of lead ammunition and lead fishing weights, and in doing so:
 - i. review, in light of the scientific evidence of the harms caused by lead ammunition to wildlife and the wider environment, the provisions and effectiveness of implementation of their legal instruments (legislation and policies) that regulate the use of lead ammunition and lead fishing weights, and modify these or introduce additional measures where necessary to restrict use of lead in ammunition and fishing weights;
 - ii. actively facilitate and support the development and availability of expanded product ranges of non-toxic alternative to lead ammunition and fishing weights, including through the innovative use of economic measures;

- ~~iii.~~ implement ongoing national-level monitoring and collate and analyze information on shooting activities, ammunition use across different areas and over time, and compliance with any restrictions; and map this information against at-risk migratory bird habitats to determine likely affected areas and scale of impacts;
- ~~iv.~~ collate national information on shooting activities, ammunition use across different areas and over time, and compliance; and map this information against at-risk migratory bird habitats to determine likely affected areas and scale of impacts;
- ~~iii.~~~~iv.~~ share information on progress made on activities i. and ii. above, and the information collated from activities iii. and iv. with the Secretariat for use by the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights (Lead Task Force);

The following amendments are proposed in **paragraph 15 DD d) of the draft Decisions (page 15 of the document)**:

15.DD d)

To help guide decisions on the future of the work, and nature, of the Preventing Poisoning Working Group, including consideration of whether to extend its scope to other relevant CMS taxa affected by poisons, prepare an analysis on the current impacts and hotspots of poisoning of migratory wildlife, including a mapping exercise that identifies the geographic areas and types of poisons already addressed by existing CMS instruments, as well as gaps and links to existing structures and instruments providing recommendations on CMS institutional frameworks to facilitate appropriate action to prevent further poisoning.