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**CMS SCIENTIFIC COUNCIL
FLYWAYS WORKING GROUP REVIEWS**

EXECUTIVE SUMMARY

REVIEW 3

**PROPOSED POLICY OPTIONS FOR FLYWAY CONSERVATION/
MANAGEMENT TO FEED INTO THE FUTURE SHAPE OF THE CMS**

Executive Summary

This Report, commissioned by the Convention on Migratory Species (CMS), and developed with the CMS “Migratory Birds Flyways Working Group”, examines the major migratory bird flyways of the world; reviews the coverage of these flyways by existing agreements under CMS; outlines the key pressures acting on populations of migratory birds; proposes priorities for the development of CMS agreements, and provides options on how these might be developed.

Present coverage

This report builds on two earlier reviews commissioned by CMS, firstly to consider the extent of knowledge about flyways, and secondly to review the existing coverage of these by agreements under the auspices of CMS.

These earlier reviews noted that:

Geographical coverage (on paper) is **strongest** in:

- Africa – Eurasia (particularly Eurasia);
- Americas (particularly North America);
- East Asia – Australasia.

Geographical coverage (on paper) is **weakest** in:

- Central Pacific;
- Central Asia;

Similarly, Pelagic (open ocean) flyways in the Atlantic Ocean, Pacific Ocean, Indian Ocean and Southern Ocean have little coverage by agreements at present.

Coverage for species (on paper) is **strongest** for:

- Waterfowl (Anatidae);
- Shorebirds/waders (Scolopacidae);
- Other migratory waterbirds such as divers (loons), grebes, cranes and herons;
- Nearctic-breeding passerines and other landbirds that migrate to the Neotropics for the non-breeding season;

- Raptors (particularly in Africa-Eurasia).

Coverage of species groups (on paper) is **weakest** for:

- Passerines (particularly in Africa-Eurasia and Asia-Pacific, though coverage is good for Nearctic-breeding migratory passerines in the Americas);
- Other landbirds (with some exceptions e.g. certain species covered through bilateral treaties in the Americas).
- Inter-tropical and intra-tropical migrants in all regions;

Priorities for Action

This review has identified the priority actions needed to take two major, interlinked steps in the conservation of migratory birds around the world:

Firstly, to put in place an overarching, and common, strategic framework for action at the global level; and secondly, and equally importantly, to use this, to focus effort and action on the key priority conservation issues impacting on migratory bird species, through the production of Action Plans.

In terms of priorities for action at the Regional level, it is clear that East, and South Asia are key areas in need of rapid action, given the number of declining species and the wide scale destruction of habitats, especially inter-tidal areas seen there. In addition, there is an urgent need for dedicated measures to focus attention on the declines in the African-Eurasian long-distance sub-Saharan land bird migrants and intra-African migrants. It is important also to clarify the best approach for CMS to adopt in the Central Asian Flyway especially for waterbirds. Considerable work has been done here over recent times and it is appropriate now to agree a way forward

There is a need to consolidate the approach to be used in South and Central America, and especially to explore whether a “whole of the Americas “ approach can be developed to migratory birds by clarifying the views of the countries involved in developing such an approach. Finally from a Regional perspective, it is important to clarify the approach to be used in the Pacific Region. This large area of ocean and

islands tends at present to fall between the work of CMS in Asia and the work in the Americas.

Two groups of species in particular require additional urgent action from CMS, namely seabirds and passerines. For both these groups action is required that assists their conservation over extensive areas of land and sea.

A key action in dealing with in all these threats; species declines and habitat destruction, is the need to involve local people in the management of fragile areas; and to help them see the real value of migratory bird species and of their habitats to their own wellbeing.

Threats to migratory birds

Consideration of the threats to migratory birds has confirmed that there is, as expected, a wide range of issues impacting on populations around the world. Habitat loss, climate change, by catch, disease, contamination from different sources including from pesticides and heavy metals, unsustainable use, infrastructure developments and the effects of alien species are all significant threats at present. Habitat loss is considered to be the most important impact for non-seabirds with extensive areas used by migratory birds being destroyed each year. By catch in fishing operations and alien species are the dominant threats to seabirds. The following section summarises the key actions

Developing a new approach

In order to fill the gaps in the coverage of CMS agreements and to limit the impacts from the threats to migratory birds noted in this Report, the Flyways Working Group suggests that it is important to build on existing agreements and initiatives to provide a new overarching approach. This could take the form of generic Regional agreements, underpinned by a series of flexible action plans designed to tackle the top priorities for action in each part of the world. The Flyways Working Group suggest that this mechanism could provide a streamlined approach for the use of resources by governments that opens the way for more rapid conservation action and better opportunities for partnerships with others in future.

The following lists the key findings and actions required to make the implementation of this new approach a reality.

Tackling the Threats to Migratory Birds.

Action: Habitat loss. CMS has the potential to develop a key role in the conservation of habitats for migratory birds by ensuring that the habitat requirements of migratory birds are integrated into land use policies through Governments, other Multilateral Environmental Agreements (MEAs), UN institutions and Non Governmental Organisations. Some of this can be achieved through designation, using existing mechanisms and through the appropriate management of protected areas, but large proportions of migrants use habitats beyond these sites and conservation of these wider areas is also urgently needed. To achieve this, synergies need to be developed through scaled up collaborations, to address the drivers of change, with the Convention of Biological Biodiversity and other UN institutions especially with the Food and Agriculture Organisation (FAO) and other MEAs as appropriate. As regards the latter, topics where collaboration would be merited could be further defined in a CMS/FAO Memorandum of Cooperation, further to CMS Resolution 9.6.

Action: Climate change. The Flyways Working Group stresses the importance of CMS continuing to take action to limit the impact of climate change on migratory bird species. The Flyways Working Group notes, especially in the context of rapid climate change, that it is important to continue to monitor the status of migratory birds and their habitats; to record any changes in their ecology in some detail and increasingly to promote adaptive management to help ensure the success of conservation actions.

Action: Bycatch. The issue of bycatch is regarded by the Flyways Working Group as one of the key threats to migratory bird species and is seen as a priority for action. The group noted also the significance of other “non-use” mortality impacting on the populations of some species.

Action: Unsustainable use. The Flyways Working Group recognises the importance of CMS tackling the range of issues involved in the unsustainable use of migratory

bird species. This can be done via a range of measures at the forthcoming Conference of the Parties in November 2011, and should include Resolutions designed to strengthen cooperation, promote conservation actions, highlight good practice, and where necessary, to stimulate corrective actions to address the situations highlighted in this Report. Particular focal areas where threatened species are affected by unsustainable use include the Mediterranean, Middle East, Sahel and East Asia.

Action: Poisoning. The Flyways Working Group considers this an issue on which the Convention is uniquely placed to coordinate action, for example building on the work of AEWA regarding lead shot, to address the indiscriminate killing of carnivorous scavengers by poisoned baits, the killing of waterbirds through poisoning e.g. in Africa, and by the misuse of agrochemicals.

Action: Invasive Alien species. Dealing with invasive alien species is an issue that the Flyways Working Group considers a priority for future action by CMS. CMS action needs to be coordinated with major international initiatives on this issue with other fora, such as the CBD, Bern Convention and the EU, to ensure added value for migratory species

Action: Disease. The Flyways Working Group considers it important for the Convention to continue to work on issues related to wildlife disease, and to ensure that relevant measures are included in agreements to address these issues. Note that many countries are likely to remain particularly interested in wildlife disease related issues due to their generally high profile and potential impact. The Wildlife Disease Task Force created by CMS CoP 9 provides a mechanism to take this forward.

Action: Agricultural conflicts and pest control. CMS, FAO and international NGO's should continue to work together to develop appropriate practical solutions and to advocate relevant policy solutions in order to resolve these conflicts.

Action: Information gaps In partnership with others, CMS should encourage and promote the continuation, further development and improved coverage of

internationally co-ordinated, national long-term monitoring schemes for migrant bird populations and key sites. A coherent, costed, long-term plan is needed for the creation of an effective and sustainably funded, migratory bird monitoring programme

Regional priorities

Action: New Parties In order to achieve global coverage it is essential that several large countries assist in the development of this approach. The addition of Brazil, China, Russia and the USA would allow a much greater geographical “reach” and would allow substantial additional scientific and conservation resources to be deployed. Similarly, the addition of countries and regional organisations, such as ASEAN, in SE Asia in particular, would be of real benefit in the development of conservation action there.

Action: Species listing The Flyways Working group noted the importance of achieving a more comprehensive review of species to be listed on the Appendices to CMS as this is a key building block for global co-ordination and better prioritisation of conservation action. .

Action: Americas. Notwithstanding that much of the monitoring and conservation work in the Americas is undertaken by organisations outwith the CMS family, the Flyways Working Group suggests that CMS should investigate the feasibility of working in partnership to develop an overarching conservation Action Plan for the Americas; recognising especially the established programmes of work in the North and between both continents. This initiative could initially take the form of a workshop to consider the specific needs and possible mechanisms with all the Parties and other interested countries and organisation in the Region.

Action: Americas. Given the specific need in relation to Neo-tropical intra-Regional migrants, CMS should review with the, range states and other key stakeholders in Central and South America, the potential for an agreement covering intra-Regional migrants (especially the so called Neotropical Austral Migrants) in the Neo-tropics.

Action: S E, East Asia and Australasia. Again, noting the extensive monitoring and conservation work done outside the CMS family in this Region, the Flyways Working

Group suggests that, as with other Regions, the development of an overarching framework agreement would be an essential step in the coordination of conservation action. Other specific action plans could be used to address particular conservation issues in the Region. This should encompass non waterbird species, building on the effective groundwork already established by others.

Action: S E and East Asia and Australasia. The Flyways Working Group suggests that CMS should clarify its relationship with existing agreements and prioritise effort in relation to species using coastal and other threatened habitats such as forest areas in the Region. This is likely to require a Regional workshop with the Parties, range states and other key stakeholders to explore the options and possible initiatives. Additionally, this is likely to require a clear “new start” to building relationships across the Region to ensure that some of the key countries are involved in this work from the outset.

Action: Pacific. In a similar way to other Regions, an initial workshop to scope out the options; identify possible blockages to progress, and to map out a way ahead would be an important first step in defining the needs for conservation here. Special attention should be taken to austral trans-equatorial migrants (seabirds) where large numbers of individuals from a few important species migrate (for example Sooty shearwater).

Action: Central Asian Flyway. The Flyways Working Group suggests that CMS establishes the views of the Parties on how to take forwards existing work in the Central Asian Region. In particular, this should build on the work already done in this Region, where the existing draft action plan for waterbirds could be developed further in future. In addition CMS should valuate, with the Parties in the Region, the potential to develop a new framework agreement for the Region or to align with existing agreements, namely with the African Eurasian Waterbird Agreement (AEWA) and the Memorandum of Understanding on the Conservation of Birds of Prey in Africa and Eurasia. This should build on earlier discussions to consider synergies with AEWA in particular. The Parties should consider also the potential to initiate new agreements, probably in the form of Action Plans, to address the key conservation priorities for

passerines. This overall initiative is likely to require a Regional level workshop to explore relevant issues.

Action: Europe and Africa. The Flyways Working Group stresses that maintaining the work of AEWA and developing the work on the Raptor MoU should be seen as a priority, whilst ensuring the continued activity of the single species MoUs in the Region. Maintaining this level of activity is important, whilst seeking to develop synergies, joint working and enhancing the cost-effectiveness of delivery for all the agreements in the Region. Increasing the level of integration will be important here, while at the same time developing an overarching approach to agreements in the other Regions of the world. The key issue in taking forward new initiatives in this Region is to consider the options for the future scope and modus operandi of AEWA. The following options were highlighted at the Edinburgh Workshop:

- The status quo: AEWA dealing with waterbirds in the African-Eurasian flyway with binding action plans.
- CAF extension: extend the geographic scope of AEWA to cover the Central Asian Flyway
- Taxonomic extension: AEWA's coverage to include species other than waterbirds
- Geographic and species extension: AEWA to be the core of a wider framework birds agreement

These options were not mutually exclusive, as the second and fourth approaches could be followed in parallel, the former as a short-term interim solution while the latter, which was legally more complex, was being ratified.

In addition, it has been suggested that the development of new MoUs for single species be limited in future to allow a greater focus on the two larger agreements in this region. It was noted, however, that there is an urgent need for the development

of provision for long-distance migrant landbirds, especially those that spend the non-breeding season in Sub-Saharan Africa, many of which are in severe decline.

Action: Europe and Africa Following the approach suggested for other Regions of the world, CMS should consider the co-ordination of the existing agreements and MOUs here to form a wider framework agreement, under which the existing agreements and MoUs could administratively sit; as could any new provision for Sub-Saharan migrant landbirds.

Action: Marine The Flyways Working Group urges action by CMS to help in developing a coherent conservation framework and Action Plan for marine bird species not presently covered by Agreement on the Conservation of Albatross and Petrels (ACAP) or AEWA. The Group suggests that this could perhaps best be achieved by expanding the remit and work of ACAP, in discussion with AEWA, rather than initiating any new agreement; and suggest that this option needs to be discussed, initially by ACAP and AEWA, so that the Parties to these Agreements can form a clear view on how to proceed. This initiative should be taken forward in conjunction with FAO and with Regional Fishery Management Organisations. The Flyways Working Group suggested that, this could, perhaps be discussed at the next meeting of ACAP in order to develop an informed view of the detailed issues involved.

Developing an Approach for the Future

Action: Developing the approach for the future In considering how best to respond to the species focussed priorities outlined here, the Flyways Working Group suggests that it is important to build on existing agreements and initiatives for these and related species. Equally, it does not seem practical to develop formal and strictly legally binding, stand alone agreements in every case; rather the priority is to develop action plans (that are fully funded and that are effective on the ground), set within a wider, generic legal framework. (See Diagram 1).The Flyways Working Group suggest that this mechanism could provide an approach that streamlines the use of resources by governments and that opens the way for more rapid conservation action in future.

Action: Coordination The Flyways Working Group considers that Option 2 (Wider coordination) is the only high level option that will allow the Convention to fulfil its remit over the coming triennium and beyond. It is also the only way to ensure global level coverage by agreements designed to steer conservation action on priority species and issues. It was noted that for this approach to deliver real benefits, resources would be required in the CMS Secretariat and elsewhere, especially in the early phases of activity.

Action: Regional Framework Agreements The Flyways Working Group suggests that CMS consider this new approach; with Regional framework agreements supported by action plans focussing on the most urgent habitat and species conservation need in each Region of the world. This approach could be introduced progressively, so that existing work is not unduly disrupted.

Action: Guidelines for new agreements The Flyways Working group suggests that the guidelines presented in 6.2.1 are useful in assisting in the evaluation of any new agreement, and could be adopted by CMS as a guide to aid Parties in such deliberations.

Action: Future Resolutions The Flyways Working Group recommends that a resolution/recommendation aimed to take forward the approaches outlined in this report is developed for the next CMS CoP. Ideally this should be proposed jointly by Parties from each of the flyways of the world, so that the truly global nature of the issues are immediately obvious to the Conference of the Parties.

Action: Timescales for implementation The Flyways Working Group suggests that the set of initiatives (6.3.1-6.3.3) would help develop a global approach to the conservation of migratory birds and their habitats. It recognises that this would, of necessity need to be completed over the medium term and stresses that it is important to address the geographical and species gaps identified in this and in previous reviews.

Action: Indicators and monitoring. There is a need to harmonise the use of indicators across the work of all the international Conventions. CMS should examine the new CBD indicator set following the agreement of the new CBD strategic plan, targets and associated indicators, to ensure a degree of harmony with them. In order to provide the basic data for the development and use of indicators it is vital that internationally coordinated national long-term bird population monitoring schemes are maintained and new schemes developed where none currently exist.

Action: Developing Regional Workshops For the Secretariat and others to consider the options for the legal basis of Framework Agreements and to consider how best to deliver the Regional workshops listed above.

Action: Action Plans: For the Secretariat and others to consider the legal basis for the creation and delivery of Action Plans as part of the overall approach.

Action: Flyways Working Group. For the Parties to consider the role of the Flyway Working Group in providing ongoing coordination and guidance in relation to the implementation of the set of initiatives (6.3.1-6.3.3).