



**Humane Society International Position Statement to the
Convention of Migratory Species' 10th Conference of Parties (CoP10),
Bergen, Norway 20-25 November 2011**

1. Humane Society International (HSI) is one of the world's largest animal protection organisations, with 11 million supporters worldwide. HSI supports programs around the world, and maintains offices in Australia, Canada, Costa Rica, India, the United Kingdom and the United States. HSI's CMS work is led by our Australian and U.S. offices.
2. Humane Society International has a long-standing interest in the conservation of migratory species, and has attended previous CMS meetings of the Conference of the Parties. In addition, HSI has played an active role in the development of agreements under CMS, including the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Agreement on the Conservation of Gorillas and their Habitats (Gorillas), the Memorandum of Understanding on the Conservation of Migratory Sharks (Migratory Sharks MoU), the Indian Ocean-South East Asian Marine Turtles Memorandum of Understanding (IOSEA Marine Turtle MoU), and the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region (Pacific Cetaceans MoU). HSI has made significant investments in these agreements and, as such, we are committed to their development and implementation, as well as to the objectives of other Agreements and MoUs dedicated to species conservation within the CMS framework.
3. HSI will be focussing on a number of key issues at CMS CoP10, including species listings and resolutions, the 'Future Shape' process, CMS Agreements and Memoranda of Understanding, and potential species listing proposals for CoP11.

Species listings and resolutions

4. HSI urges Parties to **adopt the proposal to list the manta ray (*Manta birostris*)** on Appendices I and II (*Proposal I/5*).
5. CMS CoP10 will be considering a number of important resolutions.
 - i. ***Marine debris (UNEP/CMS/Resolution 10.4)*** – HSI commends the government of Australia for submitting this resolution and urges Parties to adopt it. Marine debris threatens the conservation status of many migratory species that may ingest debris or become entangled in it.
 - ii. ***Bycatch of CMS-listed species in Gillnet Fisheries (UNEP/CMS/Resolution 10.14)*** – the conservation status of many migratory marine species is threatened by gillnet fisheries. HSI therefore urges Parties to adopt this draft resolution. It urges Parties to adopt appropriate mitigation measures to reduce bycatch including the adoption of more selective gear and the use of seasonal or area closures and to improve the collection of data on bycatch, including the use of observer schemes. It recommends that Parties should also work nationally to determine those species most at risk and the most appropriate mitigation measures to put in place for gillnet fisheries within their waters. We request that Parties reflect this decision in all their Regional Fishery Management Organisation (RFMO) activities and commit sufficient funding to both CMS and the domestic process to ensure mitigation measures are implemented.



- iii. ***Migratory species conservation in the light of climate change*** (UNEP/CMS/Resolution 10.19) – HSI believes it is important to consider the effects of climate change on conservation issues affecting migratory species. We welcome the introduction of the resolution on this subject, and urge its adoption. HSI recommends that Parties evaluate the susceptibility of migratory species to climate change impacts, and prepare a plan to address which impacts should be a priority for the most vulnerable species. We urge Parties to ensure that the resolution also allows for the protection of areas where CMS-listed species - avian, terrestrial and marine - are predicted to be able to find secure and suitable refuges as the climate changes and to project forward to ensure the protection of species whose habitat areas are predicted to become more restricted making them more vulnerable to other impacts.
- iv. ***The role of ecological networks in the conservation of migratory species*** (UNEP/CMS/Resolution 10.3) – HSI encourages Parties to adopt this resolution. It is essential that critical habitat sites (feeding, breeding and migratory routes) for CMS-listed species are identified and included in protected-area networks, and that these networks extend to high seas for many of the listed marine species. Doing so will allow the taking of broad-scale cooperative actions to mitigate the predicted impacts of threats including climate change. However, HSI urges Parties to broaden the scope of this resolution to overtly include marine areas in domestic jurisdictions and on the high seas and to revise the resolution text accordingly.
- v. ***Global programme of work for cetaceans*** (UNEP/CMS/Resolution 10.15) – HSI urges Parties to adopt this resolution in total. HSI also encourages CMS Parties that are also members of the IWC to encourage closer cooperation and collaboration between the IWC and CMS Secretariats on conservation of all CMS-listed cetaceans.
- vi. ***Noise reduction*** (UNEP/CMS/Resolution 10.24) - HSI welcomes the resolution “*to abate underwater noise pollution for the protection of cetaceans and other biota*”, but encourages Parties to improve language within the resolution by focusing on the need for the development of national, regional and international regulations; including the mitigation and elimination of emissions of underwater noise.

'Future Shape' process

- 6. HSI has watched with interest the discussions and developments within the *Intersessional Working Group on the Future Shape of CMS*. HSI believes that any review or changes proposed to the structure and function of the CMS and its Secretariat must ensure that greater conservation outcomes result.
- 7. HSI is aware that there is a drive to find more efficient and collaborative, and less bureaucratic, ways of working. We are concerned, however, that the Future Shape process has been undertaken without adequate consideration of the minimal level of financial resources that have been committed to the ongoing development and progress of agreements once they come into force. Many agreements to date have had insufficient resources applied to their maintenance and growth. We do not believe that such agreements should be characterized as non-performing or clustered with other agreements simply to save costs. In some cases, they have had limited time or opportunity to come fully into force and prove their worthiness. Furthermore, HSI notes that Parties are required to implement conservation measures, action plans and decisions agreed to by the Parties at CoPs. Therefore, we urge Parties to ensure that



any conclusions agreed to as part of the Future Shape Process prioritize agreed actions for improving conservation.

8. HSI encourages Parties to increase the CMS triennium budget to counter the lack of funds available within the CMS Secretariat; to ensure the performance of agreements and MoUs by securing crucial conservation funds both for agreements and the Scientific Council's Small Grants Programme which will ensure that the CMS priority areas are taken forward.
9. HSI urges Parties to reject proposals for 'taxonomic or geographic clustering' of any of the MoUs while they are still in their infancy. Until adequate budgets have been allocated to each MoU, none should be shelved or retired until an appropriate period of properly funded performance has been set and gained.
10. HSI urges Parties to come to an agreement at this meeting on the 'Future Shape' process in order to ensure that budgets can be set and adequate funding and staffing provided to CMS Agreements and MoUs. Failure to come to an agreement at CoP10 will lead to further uncertainty for the CMS forward work programme and importantly the future of many MoUs, and this will have significant implications on their ability to contribute to conservation efforts.

CMS Agreements and Memoranda of Understanding

11. HSI is of the strong opinion that CMS agreements and MoUs are vital to ensure the conservation success of the Convention, as it is primarily through these agreements that the conservation work of CMS takes place.
12. As mentioned in paragraph 7 above, HSI has significant concerns regarding the lack of resources available for these agreements to progress conservation. It is vital that each agreement and MoU is adequately resourced by Parties to the CMS so as to implement conservation actions on the ground. HSI is especially concerned about the lack of funding from Parties for the Migratory Sharks MoU, the IOSEA Marine Turtle MoU, the Pacific Cetaceans MoU and the Gorilla Agreement. We commend Australia for its ongoing financial support of the ACAP agreement and urge other Parties to contribute towards increasing that Agreement's core budget.
13. HSI also has specific concerns regarding the lack of momentum in the Migratory Sharks MoU since it came into effect on 1 March 2010. HSI has been a supporter and active participant in all meetings and consultations on this MoU to date. We urge all CMS Parties to support the Migratory Sharks MoU and to ensure that it is provided with adequate funding to enable a first Meeting of Parties as a matter of urgency. HSI also encourages Parties to finalise and enact the Conservation Plan under the MoU at the earliest possible opportunity.

Future listings

14. HSI considers that there are many more species of shark that could benefit from listing under the Appendices of CMS. We encourage Parties to discuss the species identified in the Review of the Migratory Chondrichthyan Fishes (CMS/ScC14/Doc.14) as potentially benefiting from a CMS listing, and to consider additional proposals for listing these species for CoP11. Any shark species listed on the Appendices in future must also be



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added to the Migratory Shark MoU to ensure full conservation benefit can be afforded as a result of any listing on the CMS Appendices.

15. HSI encourages Parties to commend the work of the Scientific Council (SC) and to instruct the SC to give special attention to the potential development of new listing proposals for Arctic species, such as the walrus (*Odobenus rosmarus*) and narwal (*Monodon monoceros*) in preparation for CoP11. We also encourage the SC to review the potential listing of beaked whales, in particular the Cuvier's beaked whale (*Ziphius cavirostris*) for CoP11.
16. HSI also urges Parties to consider listing populations of North Pacific killer whale (*Orcinus orca*) on Appendix I at CoP11.