



**CONVENTION ON
MIGRATORY
SPECIES**

UNEP/CMS/COP14/Doc.30.1.1/Rev.1

9 October 2023

Original: English

14th MEETING OF THE CONFERENCE OF THE PARTIES
Samarkand, Uzbekistan, 12 – 17 February 2024
Agenda Item 30.1

**PRIORITIES FOR ADDRESSING ILLEGAL AND UNSUSTAINABLE TAKING
OF MIGRATORY SPECIES**

(Prepared by the Secretariat)

Summary:

This document examines growing trends in illegal and unsustainable taking of migratory species. It proposes an amendment to Resolution 11.31 and Decisions to address these issues.

Rev.1 makes consistent the language in decisions directed to the Scientific Council.

PRIORITIES FOR ADDRESSING ILLEGAL AND UNSUSTAINABLE TAKING OF MIGRATORY SPECIES

Background

1. Overexploitation from illegal and unsustainable taking is one of the greatest threats to wildlife including migratory species of wild animals¹. Ensuring that any taking of migratory species is legal and sustainable is essential for their survival, as well as for the benefits they provide to nature and to people.
2. In this document, the term “taking” is used as defined in the Convention.² Taking of migratory species is driven by a variety of motivations, including taking for subsistence, luxury meat, sale, sport, pest control, or religious and belief-based uses.
3. As the leading global agreement on the conservation and sustainable use of migratory species, CMS plays a major role in addressing the taking of wild species of animals. A variety of specific workstreams to address illegal and unsustainable taking of avian, aquatic and terrestrial species have been pursued under CMS, such as initiatives to address the illegal killing of birds, and reports on the use of CMS species for wild meat. Current work under CMS related to these issues is summarized further below.
4. At COP11, CMS Parties adopted [Resolution 11.31](#) - *Fighting Wildlife Crime and Offences Within and Beyond Borders*.³ While some illegal taking may constitute a crime, other illegal taking may be subject to administrative and other non-criminal sanctions, fees or other measures at the national level. Hence, the term “illegal” taking encompasses a wider variety of situations relevant to CMS. Resolution 11.31 contains numerous provisions that are applicable to this broader set of issues, and it is proposed that it be further expanded to also address unsustainable taking.
5. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is the leading global agreement for regulating international trade in plants and animals. Illegal taking of wildlife that does not involve international transport, such as the poaching of protected species for domestic uses, falls outside its scope. In fact, while the taking of some CMS species is tied to international trade, for many CMS species, taking primarily relates to domestic activities, use or sale. For example, most intentionally killed CMS-listed birds are not traded internationally. The same is true for numerous CMS-listed aquatic species such as dolphins and porpoises. Similarly, many of the terrestrial species hunted for wild meat are not sold in international markets.
6. Efforts under CMS to address illegal and unsustainable taking have evolved in an uncoordinated manner, and do not effectively address the cross-cutting issues relevant across taxa. Given the significant and growing threats to migratory species from these activities, a more holistic approach to addressing these issues under CMS is warranted.

¹ The taking discussed in this document can be illegal, unsustainable, or both.

² Article I.1 of the Convention defines ‘taking’ as “taking, hunting, fishing, capturing, harassing, deliberate killing, or attempting to engage in any such conduct”.

³ The term “crime” is not defined by the Convention; a [CMS fact sheet](#) defines it as “acts committed contrary to national and international laws and regulations intended to protect natural resources and to manage their sustainable use. CMS, Fact Sheet: Wildlife Crime, available at https://www.cms.int/sites/default/files/fact_sheet_wildlife_crime.pdf. A similar definition has been used by the UN Office on Drugs and Crime (UNODC).

Recent scientific assessments

7. According to the IPBES 2019 Global Assessment,⁴ in terrestrial and freshwater ecosystems, direct exploitation of animals, plants and other organisms is one of the most significant direct drivers of biodiversity loss, second only to land-use change. In marine ecosystems, direct exploitation (mainly fishing) has the largest impact.
8. CMS COP13 (2020) called on the Secretariat to prepare a report on the conservation status of migratory species (Decision 13.24). The draft report, presented in UNEP/CMS/ScC-SC6/Doc.7.1, includes findings related to the numerous pressures on migratory species.
9. Among these, the report found that seven in ten CMS-listed species are affected by overexploitation – 89 per cent of Appendix I species and 68 per cent of Appendix II species. For terrestrial and avian species, it found that the vast majority of such overexploitation is a result of intentional exploitation.⁵
10. For aquatic species, both intentional and unintentional (often referred to as bycatch) exploitation are implicated. The subject of bycatch, as well as fisheries-induced mortality more generally, is addressed in [UNEP/CMS/COP14/Doc.27.1.1](#).
11. Furthermore, the report found that taking threatens almost two thirds of CMS Appendix I species. It also found that unsustainable or illegal hunting is a threat for 70 per cent of CMS-listed terrestrial species. Similarly, the IPBES report on sustainable use⁶ found that unsustainable hunting has been identified as a threat for 1,341 terrestrial mammal species.
12. COP13 also adopted several Decisions calling on the Secretariat to assess the risk posed to Appendix I taxa from direct use and trade. The Secretariat entered into a contract with the UNEP – World Conservation Monitoring Centre (UNEP-WCMC) to prepare an assessment, presented in [UNEP/CMS/ScC-SC6/Doc.7.2](#).
13. The assessment first analyzed the potential threat to CMS Appendix-I listed species from direct use and trade, applying a risk matrix that considered conservation status. It found that of the 180 CMS Appendix-I listed taxa, 53 (30%) were most likely to be negatively impacted by direct use and trade. All but one⁷ of the 53 higher risk taxa were considered threatened by intentional biological resource use by the IUCN Red List.
14. The assessment also examined the extent to which direct use and trade was related to domestic use or sale versus international trade. Over three quarters of the CMS Appendix I taxa were identified as harvested for domestic use, including all reptiles (8 taxa), all but two terrestrial mammal species (24/26 taxa), and all but three fish species (21/24 taxa). Of the 139 Appendix I taxa harvested for domestic use, 82% (114 taxa) were considered to be threatened by intentional biological resource use⁸ according to the IUCN Red List. This includes 26 taxa that were reported as *only* in domestic, but not international, use. If considering Appendix I taxa threatened by intentional biological resource use (122 taxa), a higher proportion were considered to be in domestic compared to international use/trade (114 taxa, 93% compared to 87 taxa, 71%). All 53

⁴ IPBES (2019) *Summary for policymakers of the global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*

⁵ It is important to note that it is often difficult to distinguish between intentional and unintentional exploitation – for instance, where unselective methods are used for the killing of birds or aquatic species.

⁶ IPBES (2022) *The Sustainable Use of Wild Species – Summary for Policymakers*

⁷ *Physeter macrocephalus* was considered historically threatened by intentional use (threat code 5.4.2) but this was classified as “unlikely to return”

⁸ Red List threat categories 5.1.1, 5.4.1 and 5.4.2, excluding those considered ‘past, unlikely to return’.

of the taxa most likely to be impacted by direct trade and use were reported as being harvested for domestic use.

15. Finally, the assessment analyzed the extent to which direct use and trade might be in contravention of CMS. It found that when considering only the CITES trade records, 244 transactions involving CMS Appendix-I listed species were reported by 18 exporting CMS Parties during the study period (2015-2019). Transactions involving 26 taxa listed on CMS Appendix I were reported in CITES trade that might potentially be in contravention of Article III, paragraph 5.

Understanding what constitutes “illegal taking”

16. CMS Article III.5 provides that:

Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals that belong to such species. Exceptions may be made to this prohibition only if:

- a) the taking is for scientific purposes;*
- b) the taking is for the purpose of enhancing the propagation or survival of the affected species;*
- c) the taking is to accommodate the needs of traditional subsistence users of such species;*
or
- d) extraordinary circumstances so require;*

provided that such exceptions are precise as to content and limited in space and time. Such taking should not operate to the disadvantage of the species.

17. States that are not Parties to CMS are not subject to this obligation. In addition, the listing of a species in Appendix I may exclude some areas of its Range from the listing.
18. The Convention does not place a similar prohibition against taking for species listed in Appendix II. However, Article II.1 and II.2 set forth fundamental principles, including the importance of conserving migratory species, and avoiding any such species from becoming endangered. Article V.5 also addresses the kinds of measures that should be included in Agreements for Appendix II species including: “measures based on sound ecological principles to control and manage the taking of the migratory species”; and “procedures for co-ordinating action to suppress illegal taking”.
19. At the national level, CMS Parties may adopt legislation that goes beyond that needed to implement the prohibition on taking of Appendix I species. For instance, Parties might also prohibit the taking of an Appendix II species to address a decline in its population in the country in question.
20. The line between “taking” and other exploitation of CMS species can be blurred in some situations. As defined in Article I.1.i “Taking” means taking, hunting, fishing capturing, harassing, deliberate killing, or attempting to engage in any such conduct. This definition suggests that the occurrence of taking necessitates a certain degree of intentionality.
21. However, various species listed in CMS Appendices are frequently exploited using indiscriminate methods. This includes birds killed in nets or traps, as well as marine species caught in longline, purse seine, trawl, or gillnet fisheries which may be then sold commercially. Utilizing indiscriminate hunting or fishing techniques poses a significant risk to such CMS-listed species. Thus, in considering actions that are needed to address the illegal and unsustainable taking of migratory species, the distinction between

“intentional” and “unintentional” exploitation can be complex, and warrants further examination.

Sustainability

22. “Sustainable use” is defined in Article 2 of the Convention on Biological Diversity as “the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations”.
23. As concluded in the IPBES report on sustainable use, the use of wild species of plants and animals is widespread and occurs across almost all aquatic and terrestrial ecosystems. Billions of people in all regions of the world rely on and benefit from the use of wild species of plants and animals for many purposes. Yet, the report found that overexploitation is one of the greatest threats to wild species. Identifying the actions and factors that need to be in place to ensure that taking is sustainable and understanding the drivers of unsustainable use are key to reversing the current trends.
24. The IPBES report on sustainable use points to a variety of factors that may affect the sustainability of the use of wild species. These include both direct and indirect drivers, which point to actions that can be taken to move towards more sustainable approaches.⁹

CMS activities to address illegal and unsustainable taking of migratory species

25. CMS has been addressing the issue of illegal and unsustainable taking for many years, through different streams of work. With respect to avian taxa, this includes initiatives on the illegal killing of bird (UNEP/CMS/COP14/Doc.28.1) and poisoning of birds (UNEP/CMS/COP14/Doc.28.3).
26. With respect to aquatic taxa, in 2017, CMS COP12 adopted [Resolution 12.15 Aquatic Wild Meat](#). This was the first time this specific subject was considered by a global agreement. The Resolution established a thematic working group dealing with aquatic wild meat to provide expert advice to CMS Parties and to recommend actions for Parties, non-Party Range States and other stakeholders, including intergovernmental and non-governmental organizations. [UNEP/CMS/COP14/Doc.30.1.2](#) contains more information on progress made as well as a draft Resolution and draft Decisions on this topic.
27. COP13 also called for additional studies to examine the scale and motivations behind the taking of avian and terrestrial migratory species for wild meat (Decisions 13.109 to 13.112 - Addressing Unsustainable Use of Terrestrial and Avian Wild Meat of Migratory Species of Wild Animals). Progress to implement these Decisions is addressed in Document [UNEP/CMS/COP14/Doc.30.1.3](#).

CMS National Legislation Programme

28. COP 12 adopted [Resolution 12.9](#) establishing a CMS National Legislation Programme to strengthen the implementation of the Convention through national legislation and to support Parties, if needed, in developing or improving relevant domestic legislation. The Programme focuses on implementation of Article III.4 a) and b) and III.5. Progress in implementing Decisions 13.20-13.23 will be addressed in UNEP/CMS/COP14/Doc.24 - *Review Mechanism and National Legislation Programme*. Fifty-eight CMS Parties have participated in the Programme thus far.

⁹ IPBES (2022) *The Sustainable Use of Wild Species – Summary for Policymakers*, p. 20-23

29. The analysis of the fifty-eight National Legislation Profiles revealed that, while most of the laws reviewed covered the activities included in the definition of “taking” such as hunting, fishing, capture and intentional killing, in several cases harassment and attempts to engage in such activities are not explicitly prohibited.
30. The analysis also found that the narrow conditions for exceptions to the take prohibition may not always be properly reflected in legislation. For example, it found that some legislation allows for the hunting of species listed in CMS Appendix I in order to manage and control animal populations or to mitigate human-wildlife conflicts. As a result, such legislation may not fully prohibit the taking of CMS Appendix I species in line with the Convention.
31. In addition to efforts to improve legislation, it would be useful to analyze information on enforcement of national legislation and on whether effective mechanisms, including deterrent and proportionate penalties, are in place to fully implement the Convention. It is also critically important to identify and address possible capacity issues with regards to assessing and monitoring population levels and regulating and enforcing hunting laws.

Community participation and livelihoods

32. Community participation in conservation is increasingly recognized as an effective measure to address illegal and unsustainable taking of migratory species. More details on the successes and challenges of community based conservation, along with ten key principles for including local communities in the conservation of species, is provided in Document [UNEP/CMS/COP14/Doc.30.2.3](#).

Cooperation with other relevant international entities and forums

33. A number of important developments and collaborative efforts have been ongoing with partners and in other fora relevant to these issues.
34. The Kunming-Montreal Global Biodiversity Framework, recently adopted under the auspices of the Convention on Biological Diversity, includes several targets aimed at addressing the conservation and use of wild species. Target 4 focuses on the management of actions to halt human-induced extinction of known threatened species. Target 5 seeks to ensure that the use, harvesting and trade of wild species is sustainable, safe and legal, in order to prevent overexploitation. Target 9 is aimed at ensuring that the management and use of wild species is sustainable, thereby providing social, economic and environmental benefits for people, especially those in vulnerable situations and those most dependent on biodiversity. CMS Parties and stakeholders have a major role to play in achieving these targets, and in developing better indicators to measure progress on these targets.
35. The newly launched Integrated Programme on Wildlife Conservation for Development under the Global Environment Facility (GEF), led by the World Bank, aims to conserve wildlife and landscapes by addressing the drivers of species loss and ensuring that countries and communities are benefiting from these natural assets. Countries will be supported to combat overexploitation of wildlife, not only for internationally-traded species but also for illegal and unsustainable domestic activities, and to develop strategies for the coexistence of human and wildlife populations as well as the avoidance of zoonotic spillovers. With the roll-out of the 8th GEF replenishment, the CMS Secretariat has joined the Steering Committee for the implementation of the Programme.

36. The revised Joint Work Programme 2021-2025, endorsed by the Standing Committees of CITES and CMS in 2021, calls on the two Secretariats to collaborate in addressing illegal and/or unsustainable use, including: maximizing synergies between CMS and the CITES Monitoring the Illegal Killing of Elephants (MIKE) Programme in Africa; collaborating on activities relating to the management and sustainable use of the Saker Falcon, Argali Sheep and Saiga Antelope; and working together to address the illegal trade in migratory birds.
37. The CMS Secretariat is a member of the Collaborative Partnership on Sustainable Wildlife Management (CPW), a voluntary partnership of 14 international organizations with substantive mandates and programmes to promote the sustainable use and conservation of wildlife resources. The CPW, established in March 2013 in Bangkok, Thailand, provides a platform for addressing wildlife management issues that require national and supra-national responses, and works to promote and increase cooperation and coordination on sustainable wildlife management issues among its members and partners.
38. The Secretariat has also been exploring collaboration with other potential partners. These include the United Nations Office on Drug and Crime, the United Nations Food and Agricultural Organization and a number of non-governmental organizations engaged on these issues.

Discussion and analysis

39. Given the magnitude of illegal and unsustainable taking of migratory species, these issues need to be addressed in a more cross-cutting, comprehensive manner, while bearing in mind the continued need for some measures aimed specifically at different taxa or groups of species, including through existing initiatives under CMS. The CMS study on terrestrial wild meat, the IPBES report on sustainable use, and the draft State of the World's Migratory Species Report all contain recommendations that point to a number of areas for increased focus across the different taxa.
40. These include: additional scientific efforts to gather data and analyse the levels and drivers of intentional taking of specific species; education and awareness-raising; engagement with local communities and in community-led conservation efforts; identification of effective policy tools and instruments; strengthening of national legislation, regulatory systems and enforcement for taking and domestic sale; and identifying and addressing direct and indirect drivers. It is important that any such work is done in collaboration with other entities who are also engaged in these issues.
41. Annex 1 contains an updated version of Resolution 11.31, which aims to more holistically address both illegal and unsustainable taking.
42. Draft Decisions aimed at Parties, the Scientific Council, intergovernmental and non-governmental organizations, and the Secretariat are proposed in Annex 2.

Recommended actions

43. The Conference of the Parties is recommended to:
 - a) Adopt the Resolution contained in Annex 1 of this document;
 - b) Adopt the draft Decisions contained in Annex 2 of this document.

PROPOSED AMENDMENTS TO RESOLUTION 11.31

NB: Proposed new text is underlined. Text to be deleted is crossed out.

FIGHTING WILDLIFE CRIME AND OFFENCES WITHIN AND BEYOND BORDERS
ILLEGAL AND UNSUSTAINABLE TAKING OF WILDLIFE

Concerned that illegal and unsustainable taking of wildlife, including wildlife crime, is a growing threat to migratory species and the benefits they provide;

Further ~~Recognizing~~ that wildlife crime and offences ~~have reached~~ continue to take place at an unprecedented scale and global reach, with wildlife trafficking being highly lucrative with little risk of prosecution and thus ranks right behind arms and drug smuggling and human trafficking worldwide;

Concerned that ~~illegal and unsustainable taking of wildlife crime and offences~~ cause an immense loss of revenue for States and local communities, severely damage livelihoods and ecosystems, negatively impact on sustainable utilization and tourism, and in some cases lead to threats to human lives and fund organized criminal and other violent groups;

Acknowledging that “The Future We Want”, adopted at Rio+20 and endorsed by consensus of the UN General Assembly, “recognize[d] the economic, social and environmental impacts of illicit trafficking in wildlife where firm and strengthened action needs to be taken on both the supply and demand sides”;

Taking note of the UNEP Governing Council Decision 27/9 on advancing justice, governance and law for environmental sustainability;

Recognizing the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) as the principal international instrument for ensuring that international trade in specimens of wild animals and plants does not threaten the species’ survival;

Welcoming the adoption by the United Nations Environment Assembly (UNEA) of a Resolution on illegal trade in wildlife (UNEP/EA.1/3), acknowledging the role of CMS in countering such illegal activities and including the call for strengthened cross-agency cooperation;

Further welcoming the ~~creation~~ continued work of the International Consortium on Combating Wildlife Crime (ICWC), which includes the United Nations Office on Drugs and Crime (UNODC), the secretariat of CITES, Interpol, the World Customs Organization (WCO) and the World Bank, as an important collaborative effort to strengthen enforcement;

Noting the declaration and agreed urgent measures of the African Elephant Summit (Gaborone, December 2013), the declaration of the Elysée Summit for Peace and Security in Africa (Paris, December 2013), the London Declaration on Illegal Wildlife Trade (London, February 2014), the anti-poaching declaration of African Ministers of Tourism and UN World Tourism Organization (Berlin, April 2014) and the declaration of the Conference to Combat Wildlife Trafficking and Illicit Trade (Dar es Salaam, United Republic of Tanzania, May 2014) ~~and also noting the “African Elephant Action Plan” and “African Elephant Fund”;~~

Further noting that the species listed on the CMS Appendices include many of those most affected by ~~illegal and unsustainable taking of wildlife crime and offences~~, including African

elephants, Argali mountain sheep, Saiga antelopes, Snow leopards, gorillas, Saker falcons, sharks, sturgeons, Manta rays and marine turtles, and that their decline has severe negative impacts, both ecological and socio-economic;

~~Concerned that the African elephant is particularly affected by wildlife crime and offences including as a result of increased demand for ivory in consuming markets, with poaching rates surpassing the species' natural growth rate and an estimated annual loss of more than 20,000 individuals in 2013 alone, which will result in an overall population decline of 20 per cent within the next 10 years, if the situation is not altered;~~

Welcoming the Kunming-Montreal Global Biodiversity Framework adopted under the Convention on Biological Diversity, which includes numerous Goals and Targets related to the conservation and sustainable use of wildlife;

~~Recognizing the specific role of CMS in the global response to the illegal and unsustainable taking of wildlife crime and offences by strengthening population management *in situ*, including population monitoring, awareness-raising, capacity-building, national law enforcement and creation of alternative livelihoods, both within Range States and across national borders where illegal and unsustainable taking of wildlife crime and offences is often hardest to control;~~

~~Recalling the value of CMS instruments, including its regional agreements and action plans, and its role in creating a platform for engaging all relevant stakeholders in addressing illegal and unsustainable taking of wildlife crime and offences in concert with all other aspects of wildlife conservation and management;~~

~~Further recalling that CMS Parties have adopted Resolutions on minimizing the risk of poisoning to migratory birds (Res.10.26-Resolution 11.15 (Rev.COP13)), on the illegal killing, taking and trade of migratory birds (Res.11.16 (Rev.COP13)) and on the Central Asian Mammal Initiative (Res.11.24 (Rev.COP13)), which includes a programme of work for the conservation of large mammal migrations in Central Asia providing *inter alia* for anti-poaching and other actions to minimize wildlife crime;~~

~~Recognizing that illegal and unsustainable taking of wildlife crime and offences are not confined to terrestrial landscapes but also have an impact on the marine environment, where Illegal, Unreported and Unregulated fishing (IUU) and other forms of illegal and unsustainable taking constitutes a severe threat to migratory species, especially in the High Seas but also in areas within national jurisdiction;~~

~~Further recognizing the efforts of Parties efforts to develop and implement legislative provisions and programmes and to promote the sustainable utilization of wildlife as an integral part of conservation and secure livelihoods of vulnerable communities; and~~

~~Welcoming the close collaboration between CMS and CITES in working towards the sustainable use of transboundary wildlife including measures to eradicate illegal and unsustainable taking of wildlife crime and offences and *noting* the adoption of the CMS-CITES Joint Work Programme 202145-202520 at the 65th 73rd Meeting of the CITES Standing Committee and the 452nd Meeting of the CMS Standing Committee;~~

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. Encourages Parties and non-Parties to take measures to increase awareness of illegal and unsustainable taking of wildlife crime and offences and the negative impacts that it has on migratory species and the benefits they provide;

2. Urges Parties and non-Parties to identify the drivers of illegal and unsustainable taking of wildlife within their jurisdiction and develop strategies to effectively address such activities;
3. Recommends that Parties and non-Parties provide greater information and training for their enforcement, prosecution and judicial authorities with respect to the significant threat of illegal and unsustainable taking of migratory species;
4. Encourages Parties, non-Parties and stakeholders to increase national efforts on population estimates and monitoring of wildlife species;
- 2.5. Urges Parties to take appropriate measures to ensure that their legislation legislative framework fully implements the provisions of the Convention, and provides for penalties for illegal taking of wildlife crime that are effective, act as a deterrent and reflect the gravity of the offence and provide for the confiscation of specimens taken in violation of the Convention;
- 3.6. Urges Parties and *invites* non-Parties to strengthen national and transboundary law enforcement with emphasis on interdisciplinary cooperation and intelligence sharing between relevant stakeholders, such as rangers, wildlife management, customs, police and the military;
- 4.7. Suggests that Parties and non-Parties establish cooperative bilateral and multilateral arrangements for the management of shared wildlife populations and habitats with common boundaries, in order to minimize illegal taking, use, sale and trafficking;
- 5.8. Encourages Parties, where relevant and appropriate, to enhance cooperation for the repatriation of live, illegally-traded wildlife and promote the establishment of legal frameworks in recipient countries that ensure a timely and cost-efficient repatriation of live animals and eggs, ensuring that any such framework is consistent with Parties' obligations under CITES and subject to relevant biosecurity and environmental concerns and policies;
- 6.9. Encourages Parties and non-Parties, funding agencies and CMS Partners to support capacity-building nationally, across borders and in the High Seas for rangers, customs, police, the military and other relevant bodies;
10. Calls upon Parties and non-Parties to engage with local communities to identify drivers of illegal and unsustainable taking of wildlife and develop and implement conservation strategies to address them;
- 7.11. Calls upon Parties, non-Parties and relevant development agencies to promote alternative livelihoods in local communities in order to minimize the illegal and unsustainable taking of wildlife crime and offences;
- 8.12. Suggests the enacting of national laws that prohibit the possession and sale of illegally obtained wildlife specimens and products other than those that have been confiscated;
- 9.13. Recommends that Parties and non-Parties work to reduce demand for illegally obtained wildlife specimens and products within their domestic markets and utilize ~~the~~ CMS framework to exchange knowledge and lessons learned regarding successful demand-side reduction strategies;
- 10.14 Proposes that Parties and relevant funding agencies provide adequate, predictable and timely financial support for implementing the provisions of this Resolution;

41. 15 *Calls upon* Parties and other Range States that have not already done so, to sign the CMS instruments relevant to species particularly affected by illegal and unsustainable taking wildlife crime and offences, such as the Gorilla Agreement, AEWA, and the MOUs on Sharks, Raptors and IOSEA marine turtles, and to implement the relevant provisions;
42. 16. *Welcomes* the cooperation between the Secretariat and the members of the Collaborative Partnership on Sustainable Wildlife Management (CPW) and *encourages* the Secretariat to continue working closely with the CPW;
43. 17. *Encourages* the many stakeholders addressing the illegal and unsustainable taking of wildlife crime affecting migratory species to collaborate closely, including Parties, non-Parties, intergovernmental, international and national organizations, Multilateral Environmental Agreements and established networks, such as ICCWC and each of its partner agencies (CITES, INTERPOL, UNODC, the World Bank and the WCO), UNEP, Regional Fishery Management Organizations (RFMOs), and regional Wildlife Enforcement Networks (WENs); ~~and~~
44. 18. *Instructs* the Secretariat to continue strengthening collaboration with relevant organizations and stakeholders in order to address the illegal and unsustainable taking of wildlife crime and offences; and
19. *Proposes* that Parties and relevant funding agencies provide adequate, predictable and timely financial support for implementing the provisions of this Resolution.

DRAFT DECISIONS

ILLEGAL AND UNSUSTAINABLE TAKING

Directed to Parties

14.AA Parties are requested to:

- a) Undertake efforts to identify the extent and drivers of illegal and unsustainable taking of migratory species within their jurisdiction, including for use and sale of aquatic, avian and terrestrial wild meat;
- b) Assess and as needed amend or adopt legislation, regulations and permitting measures to ensure the effective implementation of the Convention, including with respect to the taking of species listed in Appendices I and II;
- c) Participate in the CMS National Legislation Programme;
- d) Increase monitoring and enforcement of legislation, regulations and other measures related to taking of migratory species, and strengthen the capacity and training of enforcement, judiciary and conservation management personnel;
- e) Implement environmental education programmes to raise awareness of the importance and benefits of migratory species, and of laws concerning them;
- f) Increase engagement of local communities in the conservation of migratory species;
- g) Pursue other policies, initiatives and activities to address the direct and indirect drivers of illegal and unsustainable taking;
- h) Collaborate with other Parties and stakeholders to develop regional action approaches and plans for addressing illegal and unsustainable taking of migratory species;
- i) Provide support for implementation of Decision 14.DD, and cooperate with the Secretariat in implementing Decision 14.DD (b) - (d).; and
- j) Include updates on the implementation of this Decision and Resolution 11.31 in their national reports to be submitted in advance of COP15.

Directed to Parties, intergovernmental and non-governmental organizations

14.BB Parties, intergovernmental and non-governmental organizations are encouraged to:

- a) Collaborate with the Secretariat and Parties in the implementation of activities set out in Decision 14.DD (b) – (c); and
- b) Support Range State Parties to effectively address the direct and indirect drivers of illegal and unsustainable taking of migratory species, including through provision of technical support and expertise.

Directed to the Scientific Council

14.CC The Scientific Council is requested to, subject to the availability of resources:

- a) review the analysis commissioned by the Secretariat at the 7th or 8th meeting of its Sessional Committee and provide recommendations on further measures to be taken by Parties and other stakeholders to address the illegal and unsustainable taking of migratory species for consideration by the 15th meeting of the Conference of the Parties;
- b) Establish a Working Group on the taking of terrestrial species for various uses; and
- c) Consider the need to modify the terms of reference of any existing Working Groups to effectively address the issues of illegal and unsustainable taking of migratory species.

Directed to the Secretariat

14.DD The Secretariat shall:

- a) Review the various activities and programmes addressing illegal and unsustainable taking established under CMS and its Agreements to identify aspects that can be implemented in a cross-cutting and more coordinated manner;
- b) Subject to the availability of external resources, undertake an analysis on:
 - i. the main drivers and scale of illegal and unsustainable take of species listed in CMS Appendices I and II, based on comparable and collatable data;
 - ii. the impacts of illegal and unsustainable take on the conservation status of such species, including cumulative impacts on species at the flyway and population level;
 - iii. measures used by Parties and non-Parties aimed at ensuring that taking of wildlife is legal and sustainable, with a view to identifying case studies of effective practices; and
 - iv. priorities for increasing capacity of Parties for monitoring and enforcement of national legislation and regulations and other measures pertaining to the taking of migratory species;
- c) Subject to the availability of external resources, support efforts to address illegal and unsustainable taking of migratory species, in collaboration with relevant entities, including:
 - i. Facilitating educational and capacity building activities for Parties;
 - ii. Mobilizing projects and initiatives aimed at developing effective measures for Parties and stakeholders to address illegal and unsustainable taking; and
 - iii. Engagement with local communities;

- d) Raise awareness of the issue of illegal and unsustainable taking of migratory species among Parties and stakeholders and within regional and global forums;
- e) Collaborate with partners, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Food and Agriculture Organization of the United Nations (FAO), Regional Seas Conventions and Action Plans (RSCAPs), Regional Fisheries Management Organizations (RFMOs), the United Nations Development Programme (UNDP) and the United Nations Office on Drugs and Crime (UNODC), as well as relevant non-governmental organizations, on the implementation of these Decisions;
- f) Report to the Conference of Parties at its 15th meeting on the progress in implementing this Decision.