



CONVENTION ON MIGRATORY SPECIES

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MIGRATORY MARINE SPECIES

Adopted by the Conference of the Parties at its Ninth Meeting (Rome, 1-5 December 2008)

Acknowledging that migratory marine species are an important and growing area of activity in the CMS work programme;

Recognising that Objective 2 of the CMS Strategic Plan 2006-2011 is to “ensure that migratory species benefit from the best possible conservation measures”, and that migratory marine species in particular, due to the inherent connectivity of their dynamic habitats, can best be conserved through joint international cooperative efforts;

Acknowledging the related decision of CMS COP9 including Resolution 9.2 (Priorities for CMS Agreements), Resolution 9.7 (Climate Change Impacts on Migratory Species), Resolution 9.18 (Bycatch), Resolution 9.19 (Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota) as well previous decisions related to marine species conservation;

Concerned that migratory marine species face multiple, cumulative and often synergistic threats with possible effects over vast areas, such as by-catch, over-fishing, pollution, habitat destruction or degradation, marine noise impacts, deliberate hunts as well as climate change;

Conscious of the major and accelerating changes to Arctic regions due to climate change and its consequences for migratory marine mammals in these regions; and

Recalling the UNEP Governing Council decision (Monaco 2008) concerning Arctic sustainable development;

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

1. *Urges* Parties, the Scientific Council and the CMS Secretariat to identify priority issues, species and habitats in the marine sphere requiring intervention by CMS in the next decade;
2. *Decides* to endorse the Revised Secretariat Programme to Implement CMS Resolution 8.22: Adverse Human Induced Impacts on Cetaceans under Annex I;
3. *Requests* the CMS Secretariat to consider options for increasing linkages and synergies within the CMS family by promoting joint priorities, the sharing of technical expertise and

resources and holding joint meetings if appropriate;

4. *Requests* the Scientific Council to:
 - (a) Commence work towards the species priorities identified in Resolution 9.2;
 - (b) Seek avenues for research and dialogue on issues of common interest, such as climate change, fisheries and outreach strategies, in particular with the Convention on Biological Diversity, UNEP, the United Nations Framework Convention on Climate Change, the Food and Agriculture Organization, Regional Fisheries Management Organizations and other relevant bodies (such as Convention on the Conservation of Antarctic Marine Living Resources) on fisheries; and explore a closer working relationship the International Whaling Commission for cetaceans and with the Arctic Council (in particular CAFF) regarding Arctic migratory marine species;
 - (c) Review the latest available information on the current and predicted conservation status, in relation to the possible consequences of climate change, of all Arctic migratory marine species listed in the CMS appendices;
 - (d) Consider whether additional Arctic migratory marine species might warrant listing on the CMS appendices;
 - (e) Further consider existing initiatives and research relating to ongoing conservation efforts for marine migratory species, such as the establishment of ecologically representative marine protected area networks and an integrated approach to coastal and marine management; and
 - (f) Facilitate the review of existing data on southern populations of shark species to assist Parties with listing proposals to be submitted to CMS COP10 and further COPs; and
5. *Further requests* the Scientific Council to report its findings to the 10th Conference of the Parties.

ANNEX 1

REVISED SECRETARIAT PROGRAMME TO IMPLEMENT CMS RESOLUTION 8.22:
ADVERSE HUMAN INDUCED IMPACTS ON CETACEANS**I. Summary of Resolution 8.22 requirements**

Resolution 8.22 asks for the development of a draft *Programme of Work for Cetaceans* to be considered by CMS COP9.

The resolution explicitly requires that this programme of work be developed with the full knowledge of activities relating to cetaceans of the International Maritime Organization (IMO), the Convention for the Protection of: the Marine Environment of the North-East Atlantic (OSPAR), the Cartagena Convention and the UNEP Regional Seas Programme, the United Nations Informal Consultation on Protection of the Oceans and the Law of the Sea (UNICPOLOS), the International Whaling Commission Scientific Committee (IWC SC) and Conservation Committee (IWC CC), the United Nations Food and Agricultural Organisation (FAO) and its Committee on Fisheries Industries (COFI) and Regional Fisheries Management Organisations (RFMOs) and requires the programme of work to identify points of collaboration and synergy between CMS, CMS cetacean-related agreements, IMO, IWC SC and CC, OSPAR, UNICPOLOS and the UNEP Regional Seas Programme.

In the development of this programme of work, CMS Resolution 8.22 requires specific activities be undertaken. These areas can be grouped as follows:

1. *notification* of CMS Resolution 8.22 be transmitted to IMO, IWC SC and CC, OSPAR, UNICPOLOS and the UNEP Regional Seas Programme to ensure a full exchange of information, promote collaboration and reduce duplication of effort with these other international organisations.
2. *review* of the extent to which CMS, CMS cetacean-related agreements, IMO, IWC SC and CC, OSPAR, UNICPOLOS, the UNEP Regional Seas Programme, FAO, COFI and the RFMOs are addressing listed impacts through their threat abatement activities.
3. *analysis* of the gaps and overlaps between CMS, CMS cetacean-related agreements, IMO, IWC SC and CC, OSPAR, UNICPOLOS, the UNEP Regional Seas Programme and the *identification* of priority impacts and regions requiring urgent attention.
4. *development* of a draft programme of work for submission to CMS COP9.

II. Progress and revised Secretariat programme

The report structure has been signed off by both the 14th Scientific Committee and the 32nd Standing Committee and significant progress has been made on the substantive areas of the report including:

1. summary of regions and listed impacts;
2. review the extent to which CMS and CMS cetacean-related Agreements are addressing listed impacts through their threat abatement activities; and
3. review the extent to which IMO, IWC SC and CC, OSPAR, UNICPOLOS and the UNEP Regional Seas Programme are addressing listed impacts through their threat abatement activities.

The section of the review dealing with the impacts to cetaceans will be distributed in early January 2009 to identified members of the Scientific Council for comment and input between January and March 2009. At the same time the review will be distributed to other expert bodies for additional input. This will provide a thorough basis for prioritization of activities by threats. Comment will be drawn in by March 2009.

Work is now focusing on completing:

1. the review of cetacean related requirements within the Scientific Council Strategic Implementation Plan;
2. the analysis of gaps and overlaps between CMS activities and IMO, IWC SC and CC, OSPAR, UNICPOLOS and the UNEP Regional Seas Programme; and
3. identification of where collaboration and synergies can exist between CMS and CMS cetacean-related Agreements, IMO, IWC SC and CC, OSPAR, UNICPOLOS and the UNEP Regional Seas Programme.

Early in 2009, the sections reviewing the extent to which IMO, IWC SC and CC, OSPAR, UNICPOLOS and the UNEP Regional Seas Programme are addressing listed impacts through their threat abatement activities will be sent to IMO, IWC SC and CC, OSPAR, UNICPOLOS and UNEP for the individual input and comment. Comment will be drawn in by March 2009.

Between March and July the Secretariat will work with the CMS Appointed Councillor for Aquatic Mammals to identify the priority impacts and regions requiring urgent attention and develop the draft *Programme of Work for Cetaceans*.

This will be circulated to Parties for comments. On the basis of the comments received, a revised draft will be produced that will be submitted to the Standing Committee for approval.