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**APPLICATION TO THE CONVENTION ON MIGRATORY SPECIES OF
THE ADDIS ABABA PRINCIPLES AND GUIDELINES
FOR THE SUSTAINABLE USE OF BIODIVERSITY(1)***(note prepared by the Secretariat)***1. Background**

1. The seventh meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD) adopted the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (AAPGs), a set of fourteen practical principles and operational guidelines, designed to ensure and enhance the sustainability of uses of the components of biodiversity. The principles and guidelines were the result of a series of regional and open-ended workshops which produced a framework of key factors, conditions and actions to be considered or taken by Governments, resource managers and stakeholders, in an effort to optimize the uses of biological resources, ecosystems and other biodiversity components.

2. The AAPGs acknowledge that conservation and sustainable use of biological diversity are essential to the survival of species and viability of ecosystems and also benefit humankind, particularly those people who are dependent on biological diversity for their livelihoods. Overexploitation of resources, inappropriate methods of fishing and harvesting, over-hunting, catches of non targeted endangered species, destructive practice and intensive technologies were all recognized as causes of environmental degradation and loss of species, also leading to declines in the local economies and societies.

3. The AAPGs are based on the assumption that it is possible to use biodiversity in a manner in which ecological processes, species and genetic variability remain above the threshold needed for long-term viability, and that therefore all resource managers and users have the responsibility to ensure that use does not exceed these capacities. The AAPGs provide a framework for advising Governments, resource managers, indigenous and local communities, the private sector and other stakeholders about how they can ensure that their use of the components of biodiversity will not lead to the long-term decline of biological diversity.

1 The full text of the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity is provided in document UNEP/CMS/Inf.8.15

4. The CBD has indicated that application of the principles should not be rigid, but rather flexible and adaptable to different realities and adjustable to specific ecosystems. Indeed, although the principles are intended to be of general relevance, they will not apply equally to different situations with equal rigour. Given that their application varies according to the biodiversity being used, the conditions under which they are being used, and the institutional and cultural context in which the use is taking place, future work on the AAPGs within CBD and other conventions is looking at their applicability in different contexts. The work of CMS is clearly one such context.

2. Future work on the AAPGs within CBD

5. In addition to adopting the AAPGs and inviting Parties to mainstream them into a range of measures including policies, programmes and national legislation and regulations, plans and programmes addressing biodiversity management, the CBD COP in Decision VII/12 also made a series of recommendations to investigate their applicability in different contexts and further clarify a number of issues related to their implementation. The decision listed those subjects that Governments and relevant organizations were requested to further study, in order to assess, *inter alia*, the impacts of sustainable use on livelihoods; the role of indigenous and local communities in sustainable use; the relationship between resilience of ecosystems and sustainable use; the elaboration of management plans; and the applicability of the AAPGs in a transboundary context - for a resource shared between different countries, or migratory species moving across national jurisdictions (2).

3. CITES actions on AAPGs

6. The thirteenth meeting of the Conference of the Parties to CITES in October 2004 considered the Addis Ababa Principles and Guidelines and urged CITES Parties to make use of the AAPGs taking into account scientific, trade and enforcement considerations determined by national circumstances, when adopting non-detriment-making processes and making CITES non-detriment findings. CITES decided to share relevant experiences with CBD on the use of the principles for endangered species and to participate in the work of the CBD on sustainable use.

7. More recently, the CITES Animals Committee also considered the AAPGs and identified taxa for the testing of the applicability of the principles and to assess whether and how the AAPGs are relevant in the context of CITES. The 53rd meeting of the CITES Standing Committee in June 2005, within the broader issue of the “synergy between CITES and the Convention on Biological Diversity”, indicated the need for CITES to enhance engagement in implementing the AAPGs including through the development of “case studies (working with the Animals and Plants Committees and the Parties), informing CBD SBSTTA and Conference of the Parties of CITES experiences with sustainable use and engaging with ongoing CBD processes as they relate to the Addis Ababa Principles and Guidelines (e.g. capacity-building workshops, case studies).” (StC.53, Doc.8.1).

4. The AAPGs and the Convention on Migratory Species

8. CMS has always been conscious of the value of wild animals for environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view (preamble to the Convention) and recognises that the relevance of these values for conservation is being more widely appreciated. The Convention is concerned with the unsustainable use of

2 For a complete list of items, please see CBD COP Decision VII/12

biodiversity and addresses the taking of migratory species, in particular in Article III and V. Guidelines for agreements (Article V) make explicit reference to the need for each Agreements to provide for measures based on sound ecological principles to control and manage the taking of the migratory species.

9. Indeed, many species are listed on CMS Appendixes because they are subject to uses, some of which are not sustainable insofar as they have seriously affected the conservation of the species. In this regard, specific resolutions have been adopted at different meetings of the CMS COP to address unsustainable uses and destructive practices and more may be considered by the eighth meeting of the CMS COP. However, sustainable use has not been explicitly addressed under the CMS. The AAPGs offer an opportunity, as with the biodiversity-related conventions, to provide Parties with a coherent framework for the sustainable management of the taking of species and the conservation of their habitats.

4.1. Relevance of specific AAPGs

10. All AAPGs are relevant to migratory species. However some of them pose a direct challenge and invite an active role by the CMS and its Agreements and relevant Action Plans. In particular, CMS deals with two important aspects on which the AAPGs touch, and need further consideration: the transboundary character of the resource and its migratory nature. These present a particular challenge to regulation, adaptive management and monitoring.

11. Throughout the process leading to the development of the AAPGs the transboundary character of the resource was identified as an important issue to be addressed. These considerations led to the proposal contained in CBD COP decision VII/12 paragraph 6(f), requesting Parties and Governments, in collaboration with relevant organizations, to undertake further research on the applicability of the AAPGs in a transboundary context, where resources are shared between countries or in the case of migratory species moving across national jurisdictions.

12. One of the key issues to be analyzed and addressed under the CMS could be tenure and access rights and how to apply Practical Principles 2 (PP2), calling for the empowerment of local users to be responsible and accountable for the use of the resource concerned. Given that by definition CMS is dealing with species that cross frontiers, it should be determined what happens to tenure rights, where they exist, in this case. Also it is implicit that the sustainability of uses should be regulated along the migratory route or pathway. Guidance should be developed to address the local use of the resource along the pathway, and coordination among different management mechanisms and mutually compatible management plans.

13. Similarly, PP7 addresses the scale of the use, and states that “the spatial and temporal scale should be compatible with the ecological and socio-economic scales of the use and its impact”. Existing guidelines suggest linking the responsibility and accountability to the spatial and temporal scale of the use and, in case of transboundary resources, advise that appropriate representation from those states participate in the management and decisions about the resources.

14. Also PP8 is in line with CMS tools, calling for the development of “arrangements for international cooperation where multinational decision-making and coordination are needed”. CMS can play a role in developing multilateral agreements to be signed by the interested states to establish how the resources will be used and in what amounts.

4.2 Suggested actions by CMS

15. To a considerable degree the thinking behind the AAPGs is embodied in existing CMS MoUs, Agreements and transboundary Action Plans. However the importance of the AAPGs as expressed is that they aim to provide a coherent and holistic overview of the actions which will, if adopted, enhance the sustainability of the uses of components of biodiversity. As a first step it would therefore be valuable if Parties to specific Agreements and Action Plans were to review them to see whether the AAPGs indicate further actions to meet their objectives. Out of such reviews and appropriate research it may be possible to conclude on which aspects more general guidelines should be developed to address sustainable use aspects of transboundary resources. For the future CMS can play a pivotal role in developing bilateral or multilateral agreements between or among range States for the sustainable use of transboundary resources and in ensuring that the AAPGs are fully taken into account when proposals for new CMS agreements are brought forward.

16. In general, CMS should be responsible for advising and guiding sustainable use of transboundary migratory species in relation to the application of the Addis Ababa Principles and Guidelines, including ways to mainstream them into transboundary management and action plans, as well as into other tools (Agreements and MoUs).

The Conference of the Parties is invited to refer to draft resolution 8.1 on sustainable use, indicating suggested actions under CMS.