Introduction:

The Wildlife Conservation Society (WCS) is a global conservation organization working to save wildlife and wild places through science, conservation action, education, and inspiring people to value nature. We envision a world in which wildlife thrives in healthy lands and seas, valued by societies that embrace and benefit from the diversity and integrity of life on earth. Our field programs in more than 60 countries in Asia, Africa, the Americas, and the Pacific build on more than 100 years of experience and scientific and technical expertise across the globe. To learn more about WCS, visit www.wcs.org.

In this document:

This document captures expertise of WCS, and relays our position on some of the documents and proposed decisions for species and issues that we work on. A summary table of recommendations is found on pages 3-6.

How to contact us:

WCS will be represented at CMS CoP13 by a small delegation led by WCS Vice President for International Policy Dr. Susan Lieberman (slieberman@wcs.org) and WCS India Director Prakriti Srivastava (psrivastava@wcs.org). Should you have any questions, please feel free to reach out to Dr. Lieberman or contact any member of our delegation present at the CoP.
WCS takes a science-based approach to the protection of wildlife and wild places, including many of the migratory species listed on the CMS Appendices. WCS works to study and conserve CMS-listed species and on other related issues, such as transboundary cooperation, spatial planning, and ecological integrity and connectivity, across several continents and in all of the world’s oceans.

WCS has a long history of partnership with the Convention on Migratory Species (CMS), which includes the signing of a formal Cooperation Agreement in 2007 and WCS’s signing on as a Cooperating Partner to the Memorandum of Understanding on the Conservation of Migratory Sharks (CMS Sharks MOU) in 2016. WCS shares with CMS and the CMS Parties the common goal of conserving migratory species through enhanced and concerted actions at multiple levels and between all sectors and actors involved.

WCS will be represented by a small team of wildlife and policy experts at the 13th meeting of the CMS Conference of the Parties (CoP13) in Gandhinagar, India in February 2020. This document presents our views on many of the documents before the Parties at CoP13, including proposals to amend the CMS Appendices, which are based on the best available scientific and technical information from our field and country programs around the world. We have not included recommendations for species we do not work on, or are found in countries where we do not work.

Decisions made by Party governments over the course of the meeting will have profound implications for the future of species conservation and sustainable development. We look forward to meeting with Parties and others during CoP13, and to advancing the conservation of migratory species. Should you have any questions or concerns regarding WCS, or our position on any agenda item to be considered during CoP13, please contact Dr. Susan Lieberman, Vice President for International Policy at slieberman@wcs.org.

WCS Side Events at CMS CoP13

Monday 17 (12:45 - 13:30): Advancing Jaguar Conservation: Listing Panthera Onca on Appendices I and II of CMS, Costa Rica, Bolivia, Peru, Paraguay, IFAW and WCS


Wednesday 19 (12:45 - 13:30): Control of Illegal Trade in Wildlife Including Migratory Species, Ministry of Environment, Forest and Climate Change, WCS India

Thursday 20 (18:15-19:00): Navigating Troubled Waters: Conserving India’s Vast Marine Space, WCS India

Thursday 20 (18:15-19:00): The Final Flight: Conserving Eurasia’s Iconic Bustard Species, WCS India, Eurasian Bustard Alliance, The Corbett Foundation
# Summary Recommendations for CMS CoP13

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>TITLE</th>
<th>WCS RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2</td>
<td>Options for a Follow-up to the Strategic Plan 2015-2023</td>
<td>Adopt draft decisions in the Annex.</td>
</tr>
<tr>
<td>15.1</td>
<td>Revision of COP-Appointed Councillor Subject Areas</td>
<td>Amend to add “illegal and unsustainable take and trade” as a standalone Subject Area.</td>
</tr>
<tr>
<td>18</td>
<td>Synergies and Partnerships</td>
<td>Adopt the proposed amendments in Annex 1, and draft decisions in Annex 2.</td>
</tr>
<tr>
<td>19</td>
<td>Implementation of the Programme of Work 2017-2020</td>
<td>Note report from the Secretariat, and provide intersessional support.</td>
</tr>
<tr>
<td>20</td>
<td>National Reports</td>
<td>Adopt draft decisions in Annex 1.</td>
</tr>
<tr>
<td>21</td>
<td>Application of Article III of the Convention</td>
<td>Amend draft resolution to add operative paragraph related to Annexes 3, 4 of Document 22.</td>
</tr>
<tr>
<td>25</td>
<td>Progress towards development of Global Atlas on Animal Migration</td>
<td>Note report from the Secretariat, and provide intersessional support for these efforts.</td>
</tr>
<tr>
<td>26.1.4</td>
<td>Flyways</td>
<td>Adopt amendments in Annex 1 and draft decisions in Annex 2. Consider re-organizing avian items.</td>
</tr>
<tr>
<td>26.2.1</td>
<td>Identification of Important Marine Mammal Areas</td>
<td>Amend draft decisions in Annex 2 to call for development of CMS guidelines for conservation and management of designated IMMAs.</td>
</tr>
<tr>
<td>26.2.2</td>
<td>Marine Noise</td>
<td>Adopt draft decisions in Annex 1.</td>
</tr>
</tbody>
</table>
### Summary Recommendations for CMS CoP13

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>TITLE</th>
<th>WCS RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>26.2.3</td>
<td>Bycatch</td>
<td><strong>Adopt</strong> draft decisions in Annex 1, as amended by the Scientific Council.</td>
</tr>
<tr>
<td>26.2.4</td>
<td>Aquatic Wild Meat</td>
<td><strong>Adopt</strong> draft decisions in Annex 1, as amended by Scientific Council.</td>
</tr>
<tr>
<td>26.2.7</td>
<td>Chondrichthyan Species</td>
<td><strong>Adopt</strong> draft decisions in Annex 3, as amended by Scientific Council.</td>
</tr>
<tr>
<td>26.2.10</td>
<td>Global Program of Work for Cetaceans</td>
<td><strong>Amend</strong> draft decisions in Annex 2 to direct a revision for global programme of work leading up to CoP14.</td>
</tr>
<tr>
<td>26.3.1</td>
<td>CITES-CMS African Carnivores Initiative</td>
<td><strong>Adopt</strong> draft Resolution in Annex 1 and draft decisions in Annex 2.</td>
</tr>
<tr>
<td>26.3.4</td>
<td>Sahelo-Saharan Megafauna</td>
<td><strong>Adopt</strong> amendments in Annex 1 and draft decisions in Annex 2.</td>
</tr>
<tr>
<td>26.3.5</td>
<td>Central Asian Mammal Initiative</td>
<td><strong>Adopt</strong> amendments in Annex 1, and Programme of Work 2021-2026 in Annex 2.</td>
</tr>
<tr>
<td>26.4.3</td>
<td>Addressing Unsustainable Use of Terrestrial and Avian Wild Meat</td>
<td><strong>Renew</strong> decisions in Annex, as amended by Secretariat and Scientific Council (and reinstate 13.AA b.ii).</td>
</tr>
<tr>
<td>26.4.4</td>
<td>Addressing Connectivity in the Conservation of Migratory Species</td>
<td><strong>Adopt</strong> amendments in Annex 1 and draft decisions in Annex 2, as amended by the Scientific Council.</td>
</tr>
<tr>
<td>26.4.5</td>
<td>Transfrontier Conservation Areas for Migratory Species</td>
<td><strong>Adopt</strong> amendments in Annex 1, as amended by the Scientific Council, and <strong>Renew</strong> decisions in Annex 2.</td>
</tr>
<tr>
<td>26.4.6</td>
<td>Community Participation and Livelihoods</td>
<td><strong>Adopt</strong> draft decisions in Annex 1.</td>
</tr>
<tr>
<td>26.4.8</td>
<td>Climate Change and Migratory Species</td>
<td><strong>Adopt</strong> draft decisions in Annex 1, as amended by Scientific Council.</td>
</tr>
<tr>
<td>26.4.11</td>
<td>Infrastructure Development and Migratory Species</td>
<td><strong>Adopt</strong> the draft decisions in Annex 1, as amended by Scientific Council.</td>
</tr>
</tbody>
</table>
## Summary Recommendations for CMS CoP13

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>TITLE</th>
<th>WCS RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>27.1.1</td>
<td>Proposal: Mainland Asian/Indian Elephant (<em>Elephas maximus indicus</em>) on Appendix I</td>
<td>Adopt the proposal submitted by India.</td>
</tr>
<tr>
<td>27.1.2</td>
<td>Proposal: Jaguar (<em>Panthera onca</em>) on Appendix I and II</td>
<td>Adopt the proposal submitted by Costa Rica, Argentina, Bolivia, Paraguay, Peru and Uruguay.</td>
</tr>
<tr>
<td>27.1.3</td>
<td>Proposal: Urial (<em>Ovis vignei</em>) on Appendix II</td>
<td>Adopt the proposal submitted by Tajikistan, Iran and Uzbekistan.</td>
</tr>
<tr>
<td>27.1.4</td>
<td>Proposal: Great Indian Bustard (<em>Ardeotis nigriceps</em>) on Appendix I</td>
<td>Adopt the proposal submitted by India.</td>
</tr>
<tr>
<td>27.1.5</td>
<td>Proposal: Bengal Florican (<em>Houbaropsis bengalensis bengalensis</em>) on Appendix I</td>
<td>Adopt the proposal submitted by India. Amend to include <em>Houbaropsis bengalensis blandini</em>.</td>
</tr>
<tr>
<td>27.1.8</td>
<td>Proposal: Oceanic Whitetip Shark (<em>Carcharhinus longimanus</em>) on Appendix I</td>
<td>Adopt the proposal submitted by Brazil.</td>
</tr>
<tr>
<td>27.1.9 (a) and (b)</td>
<td>Proposal: Smooth Hammerhead Shark (<em>Sphyrna zygaena</em>) on Appendix II</td>
<td>Adopt the proposal from the European Union (27.1.9 b)</td>
</tr>
<tr>
<td>27.2</td>
<td>Guidelines for...proposals for the amendment CMS Appendices</td>
<td>Adopt amendments proposed by Scientific Council in Annex 1 and 2, and draft decisions in Annex 3.</td>
</tr>
<tr>
<td>27.4</td>
<td>Reservations with respect to Amendments to Appendices I and II of the Convention</td>
<td>Adopt the proposed draft resolution from the European Union.</td>
</tr>
<tr>
<td>28.1</td>
<td>Progress on Implementation of Concerted Actions</td>
<td>Adopt the proposed template in Annex 1, and proposed amendments in Annex 2.</td>
</tr>
<tr>
<td>28.1.3</td>
<td>Report on Concerted Action for Atlantic Humpback Dolphin (<em>Sousa teuszii</em>)</td>
<td>Note report, and provide intersessional support. Consider alignment with other instruments.</td>
</tr>
<tr>
<td>28.1.4</td>
<td>Report on Concerted Action for Humpback Whales (<em>Megaptera novaeangliae</em>) of the Arabian Sea</td>
<td>Note report, and urge range States and civil society to convene stakeholders to discuss next steps.</td>
</tr>
<tr>
<td>28.1.6</td>
<td>Report on Concerted Action for the Mobulid Rays (Mobulidae)</td>
<td>Note report, and provide intersessional support.</td>
</tr>
<tr>
<td>28.2.2</td>
<td>Proposal: Concerted Action for the Asian Elephant (<em>Elephas maximus</em>)</td>
<td>Adopt proposed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
</tbody>
</table>
## Summary Recommendations for CMS CoP13

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>TITLE</th>
<th>WCS RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>28.2.3</td>
<td>Proposal: Concerted Action for the Giraffe <em>(Giraffa camelopardalis)</em></td>
<td>Adopt proposed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
<tr>
<td>28.2.4</td>
<td>Proposal: Continuation of the Concerted Action for Sahelo-Saharan Megafauna</td>
<td>Adopt updated/renewed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
<tr>
<td>28.2.5</td>
<td>Proposal: Concerted Action for the Irrawaddy Dolphin <em>(Orcaella brevirostris)</em></td>
<td>Adopt updated Concerted Action, as recommended by Scientific Council. Amend to prioritize interventions.</td>
</tr>
<tr>
<td>28.2.8</td>
<td>Proposal: Concerted Action for the Common Guitarfish <em>(Rhinobatos rhinobatos)</em>, Largetooth Sawfish <em>(Pristis pristis)</em>, Smalltooth Sawfish <em>(P. pectinata)</em></td>
<td>Adopt proposed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
<tr>
<td>28.2.9</td>
<td>Proposal: Concerted Action for the Common Guitarfish <em>(Rhinobatos rhinobatos)</em> and Bottlenose Wedgefish <em>(Rhynchobatus australis)</em></td>
<td>Adopt proposed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
<tr>
<td>28.2.10</td>
<td>Proposal: Concerted Action for the Great Indian Bustard <em>(Ardeotis nigriceps)</em></td>
<td>Adopt proposed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
<tr>
<td>28.2.11</td>
<td>Proposal: Concerted Action for Bengal Florican <em>(Houbaropsis bengalensis bengalensis)</em></td>
<td>Adopt proposed Concerted Action, as recommended by the Scientific Council.</td>
</tr>
</tbody>
</table>
13. Budget and Administration

13.2 Budget 2021-2023 and Programme of Work from CoP13 to CoP14

WCS appreciates the funding that Parties have already pledged funds for specific, high-priority activities of the Secretariat in the updated CMS Programme of Work, including (but not limited to) Switzerland for supporting engagement with the post-2020 global biodiversity framework, Italy for supporting the development of a Global Atlas on Animal Migration, Germany for further support to the Central Asian Mammal Initiative (CAMI), and the European Union for their support to the CMS Sharks MOU and the National Legislation Programme.

WCS recommends that CMS Parties adopt a Programme of Work that prioritizes activities which demonstrate additional conservation outcomes. We note that practical assessments geared towards decision making and cooperative activities under longer-term, species- or region-specific cooperation frameworks will not only lead to further cooperation among Parties to CMS, but could also inspire other range States to join CMS after seeing the value to conservation efforts.

With this in mind, we strongly support the following activities outlined in the draft Programme of Work, and urge Parties and other stakeholders to provide financial resources or other forms of leadership for on them:

- Assessing the impact of both international trade and direct use on the conservation status of Appendix I-listed species;
- Developing a Global Atlas on Animal Migration, or further developing key region-, taxa- or issue-specific modules as part of a living, online CMS atlas;
- Implementing existing Concerted Actions on key cetacean species and populations, with momentum for collaboration, such as the Atlantic humpback dolphin and Arabian Sea humpback whales;
- Implementing Reso. Conf. 10.2 on Freshwater Migratory Fish, which would address a key gap in discussions within CMS and be highly relevant for CMS Parties in South America, South Asia, etc.;
- Reviewing levels of bycatch of CMS-listed chondrichthyan species and existing mitigation measures, and preparing legislative guidance regarding the taking of Appendix I-listed chondrichthyan species;
- Assessing illegal killing of birds in South and Central America and the Caribbean to support the other work of the Americas Flyway Action Plan;
- Implementing Decisions and Resolutions related to linear infrastructure to address a critical threats identified by Parties;
- Promoting country accession to fill critical geographic gaps for migratory species;
- Implementing the full National Legislation Programme and operationalizing the Review Mechanism to maximize compliance with the Convention and associated decisions of the CoP.

WCS would be pleased to assist with implementation of these activities in partnership with CMS Parties, the Secretariat and other partners as opportunities arise.
Strategic and Institutional Matters

14. Strategic Plan

14.2 Options for a Follow-up to the Strategic Plan 2015-2023 [COP13/Doc.14.2]

WCS supports the adoption of the draft decisions in the Annex to this document. It is critical that the CMS Secretariat and CMS Family stakeholders contribute to the development of a post-2020 global biodiversity framework, and that any future (i.e. post-2023) CMS Strategic Plan be closely aligned with the CBD post-2020 framework (and with other relevant frameworks, such as the UN Sustainable Development Goals and CITES). This can serve to simplify implementation and reporting obligations of Parties, as well as better organize and prioritize multilateral funding for biodiversity-related issues.

15. Scientific Council

15.1 Revision of COP-Appointed Councillor Subject Areas [COP13/Doc.15.1]

WCS appreciates the work of the Scientific Council on preparing a list of COP-Appointed Councillor subject areas through CoP15; however, there is a key gap in the subject areas presented in Doc. 15.1. The recent IPBES Global Assessment recognizes overexploitation of species as one of five direct drivers of biodiversity loss, and, as such, it is critical to add “illegal and unsustainable take and trade” as its own subject area, and not limit considerations to a smaller issue such as bycatch, thereby excluding all terrestrial and almost all avian species. This will better reflect the known drivers of biodiversity loss, more closely align with a post-2020 global biodiversity framework, and build on increased cooperation with other multilateral environmental agreements such as CITES.

17. CMS Contribution to the post-2020 Biodiversity Framework [COP13/Doc.17] [SC Comments]

WCS strongly supports this document, and the draft decisions in the Annex. We congratulate the CMS Secretariat and Parties for their contributions to the post-2020 global biodiversity framework currently under negotiation by Parties to the Convention on Biological Diversity (CBD). WCS is pleased to be part of the CMS Family working group on the post-2020 framework, and looks forward to discussions at CoP13 on how CMS Parties and stakeholders can best contribute to negotiations.

WCS welcomes the CMS options paper on ecological connectivity and the post-2020 framework, and encourages Parties to consider this during internal discussions on the post-2020 framework. Ecological connectivity is part of a suite of ecosystem values that promote the integrity, functionality and health of ecosystems, which are undermined by similar threats such as unsustainable resource use, land and sea use/conversion and the expanding footprint of infrastructure. It is critical that any post-2020 global biodiversity framework consider these aspects of ecosystems and reflect them in high level goals and targets in a new framework.
18. Synergies and Partnerships [COP13/Doc.18]

WCS recommends that Parties adopt the amendments to Reso. Conf. 11.10 (Rev. CoP12) in Annex 1 and the draft decisions in Annex 2 to COP13 Doc.18. WCS appreciates Notification 2018/008, and note the compilation of views in COP13/Inf.32 as Inputs towards enhancing the relationship between the CMS Family and Civil Society. WCS was pleased to serve as part of the “Civil Society Project Steering Group” which conducted a review (the summary of which is published in Annex 3 as “Conservation Collaboration: Strengthening the relationship between CMS and its NGO partners when the world needs us most”). We look forward to future intersessional work on the engagement of NGO partners and civil society in the implementation of CMS.

Interpretation and Implementation of the Convention


WCS commends the Secretariat for producing this report on the implementation of the Programme of Work 2018-2020. WCS appreciates the significant accomplishments of the CMS Secretariat and those working to achieve the objectives of CMS Family agreements and other species-specific initiatives. WCS was pleased to work with the CMS Secretariat on several key initiatives, including the Central Asian Mammals Migration and Linear Infrastructure Atlas. We look forward to future collaborative efforts on the next Programme of Work through 2023.


WCS recommends the adoption of draft decisions in Annex 1 of this document. WCS appreciates the efforts of many Parties to submit their National Reports in advance of CoP13, and we commend the Secretariat for overseeing the development and adoption by the Standing Committee of a new template for National Reports. We urge those Parties who have not submitted their Reports to do so.

We note several key messages of the UNEP-WCMC analysis of National Reports in Annex 2, including that there remain significant legislative gaps at the national or domestic level with respect to prohibiting take of, or trade in species in CMS Appendix I, and that conservation successes (as reported) were largely limited to certain mammals. Acknowledging that resources and capacity remain the primary barrier to success, we urge Parties to prioritize efforts in the new Programme of Work, as well as any voluntary contributions, in response to this analysis. This could include support for future intersessional work on the taking and trade of species listed in CMS Appendix I and increased collaboration with CITES. We also note that habitat loss and degradation are described by the Parties as the most dominant pressures on migratory species across their range, despite progress being made at the individual site level. WCS urges CMS Parties to reflect the importance of this issue in the new Programme of Work, such as through enhanced efforts on linear infrastructure at the national and regional level, and other efforts to mitigate threats to ecosystem integrity and connectivity both within CMS and more broadly through the post-2020 global biodiversity framework.
21. Application of Article III of the Convention [COP13/Doc.21] [SC Comments]

WCS generally supports the draft Resolution in Annex 1 and the draft decisions in Annex 2 to this document, including amendments proposed by the Scientific Council. However, we propose some additional amendments to the draft Resolution. We consider the effective implementation of Article III to be a critical element of CMS implementation at the national level.

It is critical that CMS provide clarity to Parties on how to effectively implement Article III of the Convention, including by preventing the import or export of species on CMS Appendix I. However, international trade (import/export) is part of a broader discussion on how to refine Article III implementation. There are related discussions on how to adopt regulations and legislation preventing take and trade in species on Appendix I in Document 22, as well as ongoing debate on exceptions provided for the take of species on Appendix I. These issues can be addressed through both the National Legislation Programme and a draft Resolution on implementation of Article III.

We urge Parties at CoP13 to adopt a Resolution and relevant Decisions that aim to provide greater clarity not only on the import/export of Appendix I species, but also on how to improve implementation of Article III more broadly and improve collaboration with CITES. We therefore recommend that the draft Resolution include an additional operative paragraph that encourages Parties to make use of the “Legislative Guidance Materials Relating to Implementation of Article III.5” found in Doc.22 Annex 3 and the “Model Law for the Implementation of Article III.5” found in Doc.22 Annex 4.

We invite participants at CMS CoP13 to attend a side event entitled, “Control of Illegal Trade in Wildlife Including Migratory Species,” co-hosted by WCS India and the Ministry of Environment, Forest and Climate Change, Government of India, on 19 February at 12:45 in Room 5.

22. Review Mechanism and National Legislation Programme [COP13/Doc.22]

WCS generally supports the adoption of draft decisions in Annex 4, and welcomes the progress reported by the Secretariat on the Review Mechanism and the National Legislation Programme since CoP12, including the development of legislative guidance for Parties.

Per the discussion of agenda item 21 (above), WCS recommends that the draft Resolution considered on Application of Article III include an additional operative paragraph that encourages Parties to make use of the “Legislative Guidance Materials Relating to Implementation of Article III.5” found in Doc.22 Annex 3 and the “Model Law for the Implementation of Article III.5” found in Doc.22 Annex 4. These are valuable resources, and all contribute to successful implementation of Article III of the Convention.

Additionally, WCS urges CMS Parties to pay due attention to Article III, paragraphs 4(a) and (b) of the treaty (in addition to Article III paragraph 5), particularly given the high incidence of Parties noting in their National Reports that habitat loss and degradation remains the primary threat to migratory species conservation. We urge Parties to support this analysis as part of the National Legislation Programme, and urge Parties to consider guidance on implementation of Article III paragraphs 4(a) and (b) leading up to CMS CoP14. This is largely reflected in the draft decisions, but we urge Parties to strongly support this during the CoP and intersessionally.
25. Progress towards the development of an atlas on animal migration

WCS strongly supports continued work on additional modules for a global atlas on animal migration, and urges Parties to provide additional resources to the CMS Secretariat and other key stakeholders for the development of such modules. WCS was pleased to work with the CMS Secretariat on several key initiatives, including the Central Asian Mammals Migration and Linear Infrastructure Atlas. A modular approach is appropriate, given high variability in data availability for different taxa and regions; however this information should be aggregated to the extent possible and provided for decision-makers in an updateable, public portal (e.g. on the CMS website). We note that data collection and presentation efforts are only as useful as their provision to decision makers, and strategic planning for maximizing the long-term value of these modular efforts is critical. WCS would be pleased to contribute to these efforts intersessionally.

Interpretation and Implementation of the Convention

26. Conservation Issues

26.1 Avian Species

26.1.1 The Prevention of Illegal Killing, Taking and Trade of Migratory Birds

WCS recommends that Parties adopt the draft amendments to Resolution 11.16 (Rev.COP12) in Annex 1, and the draft Decisions in Annex 2 of this document. We support the proposed amendments from the Scientific Council. CMS provides a critical forum in which to convene discussions on the illegal killing, taking and trade of migratory birds.

WCS is a member of the East-Asian Australasian Flyway Partnership (EEAFP), which will coordinate closely with the ITTEA under CMS. WCS would be pleased to join such a Task Force and engage with intersessional work on non-waterbirds along the EAAF. WCS contributed to the development of the Action Plan for the Americas Flyways 2018-2023, which has been developed by the CMS Americas Flyways Framework Task Force (AFFTF). This work plan includes an analysis of the legal framework of the countries in this region on Illegal Killing, Taking and Trade of Migratory Birds (IKB), which will be hugely valuable to further cooperation. We urge Parties to support this activity.

Regarding agenda items on avian species, clearer organization of the policy structure on migratory birds and flyways could assist in implementation efforts. We recommend the adoption of decisions that lead to reorganization of issues related to flyways and avian species, for adoption at CoP14.
26. Conservation Issues (Continued)

26.1 Avian Species (Continued)

26.1.4 Flyways [COP13/Doc.26.1.4] [SC Comments]

WCS recommends that Parties adopt the draft amendments to Resolution 12.11 in Annex 1 and the draft Decisions in Annex 2 of this document. We urge Parties and organizations to provide additional funding for meetings of the Americas Flyway Task Force and the implementation of the Action Plan for the Americas Flyways 2018-2023. WCS has active field conservation programs (on migratory birds or their habitats) in many of the countries in the Americas and along the flyway (Argentina, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, Honduras, Nicaragua, Peru, and the USA), and looks forward to collaborating with CMS and other stakeholders on this effort.

Regarding agenda items related to avian species, clearer organization of the policy structure on migratory birds and flyways could assist in implementation efforts. We recommend the adoption of decisions that lead to re-organization of issues related to flyways and avian species for adoption at CoP14. This could help address problems of political buy-in and support for implementation identified by the Scientific Council.
26. Conservation Issues (Continued)

26.2 Aquatic Species

We invite participants at CMS CoP13 to attend a side event entitled, “Navigating Troubled Waters: Conserving India’s Vast Marine Space,” on 20 February at 18:15 in Room 2.

26.2.1 Conservation Measures Relevant for CMS-listed Species Evident from the Identification of Important Marine Mammal Areas [COP13/Doc.26.2.1/Rev.1]

WCS generally recommends adoption of the draft Decisions in Annex 2, though we recommend an amendment. WCS scientists are members of the IUCN SSC/WCPA Marine Mammals Protected Areas Task Force, and we are pleased to have participated in two regional workshops in which IMMA proposals were reviewed. WCS supports the IMMA methodology and designation, and we urge Parties (and other range States) to translate IMMAs into national planning processes, legislative and regulatory approaches, etc. IMMAs provide an additional, verified layer for marine spatial planning, and redress some of the significant imbalance with respect to prioritization for cetaceans in current spatial planning processes. We also recommend that Parties and organizations review identified IMMAs, for possible identification as KBAs as well.

WCS recommends that Parties develop CMS guidelines for conservation and management of areas designated as IMMAs, including the potential designation and management of marine protected areas. This is particularly crucial for threatened species, or those listed on CMS Appendix I, and guidelines can reflect this prioritization. We recommend an additional Decision under 13.CC to ask the Scientific Council to consider such guidance, provided by the IUCN SSC/WCPA Task Force, if resources are made available.

26.2.2 Marine Noise [COP13/Doc.26.2.2/Rev1]

WCS recommends that Parties adopt the draft decisions and looks forward to engaging on the supplementary guidance on ocean noise through the CMS Scientific Council following CMS CoP13. Anthropogenic marine noise, including from marine seismic surveys and commercial shipping, is an increasingly major threat to many marine species, and in particular threatens the conservation of many cetaceans and other marine mammals included on the CMS Appendices. We urge international policy fora and organizations to work together closely to align and update guidance, and to work with member States and organizations on their implementation at relevant scales.

WCS was pleased to join CMS in contributing to expert dialogues during the 19th Meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea ([ICP-19]) in June 2019, which focused on “Anthropogenic underwater noise,” and resulted in some of the strongest language to date on ocean noise within the annual omnibus oceans UNGA Resolution. Since that meeting, WCS and key partners from IUCN, governments and the private sector have launched a multi-disciplinary partnership, “The Global Alliance for Managing Ocean Noise” (GAMeON), that enlists industry, government, academia and NGOs to use research and technology to monitor and mitigate ocean noise impacts and inform policy. We look forward to further activities under GAMeON, and welcome the engagement of CMS Parties and other stakeholders.
26. Conservation Issues (Continued)

26.2 Aquatic Species (Continued)

26.2.3 Bycatch [COP13/Doc.26.2.3] [SC Comments]

WCS recommends that Parties adopt the draft decisions in Annex 1 to this document, with the amendments proposed by the Scientific Council. Some discussions and/or recommendations on bycatch reduction focus on commercial or industrial fisheries. Less attention has been paid to bycatch in small-scale or artisanal fisheries, which is a critical threat to marine mammals, along with sharks and rays, listed on the CMS Appendices -- including, for example, the Atlantic humpback dolphin (*Sousa teuszii*) and Irrawaddy dolphin (*Orcaella brevirostris*). CMS should contribute its expertise and convening power to significantly reduce bycatch in small-scale or artisanal fisheries that threaten several CMS Appendix-listed species with extinction -- recognizing that these fisheries are also often critical to the livelihoods and food security of local communities, and that a different suite of conservation solutions will be needed to address bycatch in small-scale versus commercial fisheries. We draw attention to Appendix 2 of CMS/ScC-SC4/Doc.10.2.4, which discusses the interplay between bycatch and the secondary consumption of dolphins which can lead to targeted catches. We also note the overlap of this recommendation and the recommendation in the draft CMS Programme of Work for reviewing levels of bycatch of CMS-listed chondrichthyan species and existing mitigation measures, and preparing legislative guidance regarding the taking of Appendix I-listed chondrichthyan species. Many small-scale fisheries that threaten marine mammals with bycatch also catch large numbers of CMS-listed chondrichthyan species.

26.2.4 Aquatic Wild Meat [COP13/Doc.26.2.4/Rev.1] [Annex 2] [Annex 3]

WCS generally recommends adoption of the draft Decisions in Annex 1. WCS has been pleased to contribute to the Scientific Council’s Aquatic Wildmeat Working group, and has in the past contributed to various briefing documents prepared for prior CoPs. WCS welcomes increased attention of the Collaborative Partnership on Sustainable Wildlife Management on aquatic species, and supports greater cooperation between CMS and this Partnership.

We note that there are several intersecting, but separate, issues around aquatic wildmeat, and their conservation solutions. For example, the harvesting of aquatic wildmeat for human consumption or as part of artisanal fishing operations (including as bycatch) is quite different in nature from issues facing sharks and rays targeted or incidentally caught as bycatch or in mixed, non selective catch within commercial or industrial fishing operations.
26. Conservation Issues (Continued)

26.2 Aquatic Species (Continued)

26.2.4 Aquatic Wild Meat (Continued)

We urge CMS to engage actively with ongoing efforts within and outside of CMS to address these issues, and to consider identifying stable funding for this work and agreeing to a path forward on internal and external coordination on these issues. The greatest priority should be species listed on CMS Appendix I or threatened on the IUCN Red List of Threatened Species.

We support the move to incorporate CMS Appendix I-Listed Sharks and Rays into all relevant activities of the working group, but caution against the consideration of Appendix II species at this time, due to the complex nature of mixed fisheries for the species referenced above. If Appendix II species were in need of inclusion here, a more appropriate first step would be to consider including them on CMS Appendix I.

We note that a “sub-regional aquatic Wild Meat action plan for the Gulf of Guinea” is significantly related to other agenda items under consideration, including the progress report on the Atlantic humpback dolphin, item 26.2.3 on Bycatch, and we would urge coordination on these efforts if such as decision is adopted. Streamlining efforts at the sub-regional level can be done through various means, and offer an opportunity to make progress at relevant scales for migratory species.

26.2.7 Chondrichthyan Species [COP13/Doc.26.2.7]

WCS fully supports the minor changes to this resolution, with the amendments creating a less time-bound and more focused summary of the status, and priorities for the conservation and management of the world’s migratory sharks and rays.

We note that progress towards the long-established goals that form the core of this resolution has been incredibly slow, while the conservation status of the world’s migratory sharks and rays continues to deteriorate. Implementation of this resolution, and CMS shark and ray listings more widely, has been lacking, with a recent study indicating that only 28% of CMS parties have adopted appropriate domestic measures for CMS Appendix I listed sharks and rays. As such, WCS feels that the draft decisions contained in Annex 3 are timely, and should be a top priority for CMS Parties if adopted at the COP, given the low level of domestic action for Appendix I sharks and rays to date.

26.2.10 Global Programme of Work for Cetaceans [COP13/Doc.26.2.10/Rev.2]

WCS notes with concern that this “Global Programme of Work” is heavily biased towards work on cetaceans in the Red Sea, and does not currently reflect a global priority-setting exercise for the large number of threatened cetacean species currently listed in the CMS Appendices. We concur that there are critical conservation needs in the Red Sea, but we urge Parties to consider thoughtfully developing a truly global programme of work for consideration at CoP14, in collaboration with the CMS Scientific Council and the IUCN SSC Cetacean Specialist Group (CSG).

(Continued on next page)
26. Conservation Issues (Continued)

26.2 Aquatic Species (Continued)

26.2.10 Global Programme of Work for Cetaceans (Continued)

WCS would be enthusiastic to help, with two members of our staff serving as regional coordinators for the CSG in Asia and Africa, respectively, and other staff who are also active members of the group with key expertise in genetics, noise, and Arctic and Latin American species. For CoP13, WCS proposes that Parties develop a Concerted Action on threatened or near-threatened species within the Red Sea, including *Sousa plumbea* and *Pseudorca crassidens*, instead.

26.3 Terrestrial Species

26.3.1 Joint CMS-CITES African Carnivores Initiative [COP13/Doc.26.3.1/Rev.1] [SC Comments]

WCS recommends that Parties adopt the draft Resolution in Annex 1 and the draft Decisions in Annex 2 of this document. A joint Programme of Work will be critical to prioritizing and fundraising for activities to be undertaken within CITES and CMS. We support the additional amendments proposed by the Scientific Council, and recommend additional amendments below.

WCS supports the African Carnivores Initiative (ACI) as a means of collaboration between range states and multilateral environmental agreements (CITES) to facilitate the conservation of the African lion (*Panthera leo*), cheetah (*Acinonyx jubatus*), leopard (*Panthera pardus*) and wild dog (*Lycaon pictus*). WCS is committed to conserving Africa’s wildlife through partnerships designed to benefit both people and nature. WCS operates the largest and longest standing NGO field conservation program in Africa, with science-based projects in: Cameroon, Central African Republic, Republic of the Congo, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Gabon, Kenya, Madagascar, Mozambique, Nigeria, Rwanda, South Sudan, Tanzania, and Uganda.

WCS is reviewing the updated Guidelines for the Conservation of Lions in Africa, and looks forward to further engagement through the CMS Scientific Council and through CITES policy processes. We also look forward to reviewing the Roadmap for the Conservation of Leopards.

With respect to the draft Decisions for all taxa, and particularly in the joint Programme of Work to be developed with CITES, we urge “illegal take and trade” to be a key threat considered for species such as African lion, leopard and cheetah. Discussions within the CITES Standing Committee have made clear that there continue to be some irregularities in the reporting of trade in these species, and cases of illegal trade continue to be documented. While this is largely a matter for CITES, it is critical to reflect it in the joint Programme of Work, and to view these threats as part of the larger picture with other threats considered by the ACI, such as habitat loss, prey depletion or human-wildlife conflict.

*We invite participants at CMS CoP13 to attend a side event entitled, “Racing Extinction: Challenges in Cheetah Conservation and importance of the African Carnivore Initiative,” co-hosted by WCS and the Cheetah Conservation Fund (CCF) and the Zoological Society of London (ZSL), on 18 February at 12:45 in Room 2.*
26. Conservation Issues (Continued)

26.3 Terrestrial Species (Continued)

26.3.3 African Elephant Action Plan [COP13/Doc.26.3.3] [SC Comments]

WCS recommends the adoption of the draft Decisions in Annex 1 to this document. Aligning strategies between multilateral frameworks and efforts seeking to conserve the same species is appropriate and needed.

26.3.4 Sahelo-Saharan Megafauna [COP13/Doc.26.3.4] [SC Comments]

WCS recommends the adoption of proposed amendments to Reso. Conf. 9.21 (Rev. COP12) and the draft decision in Annex 2. This region has some of the last remaining wilderness areas in Africa, which supports many CMS-listed species. WCS supports ecosystem approaches to conservation and notes that conservation and restoration efforts can benefit species and programs beyond this particular initiative as well. WCS appreciates the contributions of range States, the CMS Secretariats and Parties such as France for the implementation of existing frameworks such as the Sahelo-Saharan Antelope Action Plan.

The region is subject to tremendous security and development challenges, as profiled in paragraph 7 of this document, and anti-poaching or conservation efforts have historically received less international attention and support than those in other parts of Africa. WCS has an active and growing conservation program in the Sudano-Sahel region, and strongly supports more active engagement of CMS Parties and the international community on wildlife conservation in the region.

26.3.5 Central Asian Mammals Initiative [COP13/Doc.26.3.5] [SC Comments]

WCS recommends that Parties adopt the proposed amendments to Resolution 11.24 in Annex 1 of this document, and the Programme of Work 2021-2026 in Annex 2. We note the comment from the Scientific Council that the Programme of Work is ambitious and “might benefit from a more rigorous prioritization of... activities.” WCS was pleased to contribute to technical discussions during the generation of this Programme of Work, and it represents a wide array of activities that would be helpful. Among these activities, a continued focus on upstream elements of planning and mitigating the impacts of linear infrastructure, and managing the wildlife-livestock-human health interface will be critical given the conservation challenges identified by WCS in this region.
26. Conservation Issues (Continued)

26.4 Cross-cutting Conservation Issues

26.4.3 Addressing Unsustainable Use of Terrestrial and Avian Wild Meat [COP13/Doc.26.4.3] [SC Comments]

WCS recommends that Parties renew Decisions 12.83-12.85 and 12.88 as amended by the Secretariat. We also urge Parties to support the amendments proposed by the Scientific Council (i.e. clarifying amendment in Decision 13.CC and reinstating Decision 13.AA para. b.ii). We urge Parties to support this work, in line with the recommendations proposed by WCS on agenda item 26.2.4 above. We note the intersection between this work and the analysis of the impact of trade in species on CMS Appendix I that is currently part of the draft Programme of Work 2020-2030.

26.4.4 Improving Ways of Addressing Connectivity in the Conservation of Migratory Species [COP13/Doc.26.4.4] [SC Comments]

WCS generally supports the proposed amendments to Reso. Conf. 12.26 in Annex 1 and the amended draft decisions in Annex 2, including additional amendments proposed by the Scientific Council. We consider it critical to coordinate efforts on connectivity with other stakeholders, including the IUCN Connectivity Conservation Specialist Group, and on the development of forthcoming *IUCN Guidelines on Safeguarding Ecological Corridors in the Context of Ecological Networks for Conservation*. We agree that an assessment on connectivity would be a valuable addition to the second work programme of the Intergovernmental Science-Policy Platform (IPBES).

We note that connectivity is more than just corridors, though they are a critical aspect. As WCS conservation scientist Joel Berger noted in a recent article, aligning our understanding of terminology will be a critical step in moving connectivity conservation forward, as will increased political will of connectivity experts to advocating for this critical concept within political fora. In that that habitat loss and degradation are described by the Parties as the most dominant pressures on migratory species across their range, WCS urges CMS Parties to reflect the importance of this issue in Resolution 12.26 as well. We therefore propose that a reference be made to large, intact landscapes and seascapes as a superlative form of ensuring connectivity.

26.4.5 Transfrontier Conservation Areas for Migratory Species [COP13/Doc.26.4.5] [SC Comments]

WCS recommends that Parties adopt the proposed amendments to Resolution 12.7 in Annex 1 to this document, as amended by the Scientific Council, as well as the renewal of Decisions 12.94-96 in Annex 2. WCS has been engaged in transboundary conservation in Africa, Asia, the Americas and Oceania for decades, and understands the importance of transboundary cooperation for both biodiversity and environmental conservation, as well as the significant value of cross-border collaboration. We welcome the support of CMS and the European Union, and others, on scaling up conservation efforts in Transfrontier Conservation Areas, which can be a critical tool for international cooperation. Large, intact ecosystems must be maintained, conserved, and managed wherever they are found, including those that straddle international borders. We commend those Parties that have concluded agreements or otherwise taken steps to conserve these areas.
26. Conservation Issues (Continued)

26.4 Cross-cutting Conservation Issues (Continued)

26.4.6 Community Participation and Livelihoods [COP13/Doc.26.4.6] [SC Comments]

WCS generally supports the adoption of draft decisions in Annex 1 of the document, and supports the path forward towards the presentation and analysis of case studies related to community-based management for migratory species. WCS concurs with the Scientific Council’s recommendation that “Intergovernmental organizations and non-governmental organizations [...] be invited to provide relevant case studies.” As part of our conservation work with Indigenous Peoples and local communities across dozens of countries, we understand the vital role that local livelihoods play in the development agenda for rural communities, and the ways in which they can positively impact conservation efforts for CMS-listed species and their habitats. We support further exchange of best practices, and would be pleased to be involved in such discussions to contribute our own expertise. WCS also contributed to discussions within CITES on community management of wildlife, and as such we concur with the Scientific Council’s recommendation that this be aligned with ongoing work within CITES as well.

26.4.8 Climate Change and Migratory Species [COP13/Doc.26.4.8] [SC Comments]

WCS recommends that Parties adopt the draft Decisions in Annex 1, and we concur with the comments and proposed amendments from the Scientific Council. WCS generally agrees with the established Programme of Work, and is currently working in close collaboration with Parties and local governments and communities to assess the existing impacts of climate change, particularly the vulnerability of both CMS-listed and non-listed species (as well as protected areas). We work to increase resilience by conserving large, intact, well-connected ecosystems, including through networks of area-based management measures, that provide climate refugia for vulnerable species.

WCS notes that the scope of this program of work is quite large, and climate finance is often not well suited to performing analyses to guide the implementation of large-scale projects along migration routes. WCS strongly urges Parties and non-Parties to increase funding for, and participation in, efforts to strengthen climate resilience at relevant scales and to include such activities in climate funding mechanisms. We concur with the recommendation of the Scientific Council that CMS engage more actively with these mechanisms to explore opportunities for cooperation.
26. Conservation Issues (Continued)

26.4 Cross-cutting Conservation Issues (Continued)

26.4.11 Infrastructure Development and Migratory Species [COP13/Doc.26.4.11]

WCS generally supports the draft decisions in Annex 1 to this document, including in particular the establishment of a multi-stakeholder working group under the Scientific Council to address issues associated with linear infrastructure. WCS notes that an assessment of measures taken to implement para. 2 of Reso. 7.2 (Rev.COP12) on Impact Assessment and Migratory Species will be valuable to take stock of efforts undertaken by CMS Parties to incorporate migratory species into impact assessments and associated planning decisions; such an assessment will help Parties develop concrete recommendations on how to move forward. We acknowledge that these conversations are ongoing across multiple intergovernmental and other policy fora; as such, WCS strongly supports a formal process with the technical bodies of CBD, Ramsar, the World Heritage Convention, CMS, and others, and other relevant intergovernmental organizations and partnerships, to develop updated, authoritative, coherent guidance on impact assessments for wildlife (which should include the unique vulnerability and challenges associated with migratory species). We therefore support draft Decision 13.AA, but would encourage this working group coordinate closely with other stakeholders.

WCS was pleased to contribute to the Guidelines for Addressing the Impact of Linear Infrastructure on Large Migratory Mammals in Central Asia, and to work closely with relevant range States and the CMS Secretariat on the Central Asian Mammals Migration and Linear Infrastructure Atlas. We note that this has already been a useful tool for Parties, and has been able to guide decisions on infrastructure that have helped maintain the integrity and connectivity of key habitat for species like the Saiga antelope.

This issue is highly relevant across many CMS Parties and geographies. We would be pleased to join a working group under the Scientific Council on linear infrastructure and review/develop options to mitigate the impacts of linear infrastructure on migratory species.
27. Amendment of the CMS Appendices

27.1 Proposals for Amendment of Appendices I and II of the Convention [COP13/Doc.27.1] [Comments from Parties] [Comments from Intergovernmental Organizations]

WCS hereby submits the following recommendations to the Parties regarding proposals to amend the CMS Appendices. We have not included recommendations for species we do not work on, or those that are found exclusively in countries where we do not work (although we may indeed recommend their adoption). We also are still analyzing some proposals and consulting our field experts, and may have updated recommendations to share with Parties during CoP12.

We also note that some of the proposals are for species that are not traditionally considered migratory, and WCS stresses that the focus of this Convention should remain on migratory species. However, we do recommend inclusion of those species on the Appendices (and adoption of those proposals) where the species otherwise qualifies, and inclusion on the CMS Appendices has potential to facilitate or enhance cooperation between range States (including transboundary cooperation), reduce threats to the species, and/or benefit the conservation of the species in the wild.

27.1.1 Proposal for the Inclusion of the Mainland Asian Elephant/Indian Elephant on Appendix I of the Convention [COP13/Doc.27.1] [SC Comments]

WCS strongly recommends that Parties adopt the proposal submitted by India to include the Mainland Asian Elephant/Indian Elephant (Elephas maximus indicus) on CMS Appendix I, and we are pleased that the Scientific Council has recommended its adoption. While some elephants are resident, a significant portion migrates regularly in annual migration cycles, covering long distances in search of food and shelter, across national boundaries. The Mainland Asian Elephant/Indian Elephant, which is included on CITES Appendix I, faces many threats including habitat loss and fragmentation, human-elephant conflict, and poaching and illegal trade. The inclusion of this species on CMS Appendix I would clearly benefit the conservation of this endangered species.
27. Amendment of the CMS Appendices (Continued)

27.1 Proposals for Amendment of Appendices I and II of the Convention (Continued)

27.1.2 Proposal for the Inclusion of the Jaguar on Appendix I and II of the Convention

[271/COP13/Doc.27.1.2] [SC Comments] [Additional comments from Costa Rica]

WCS greatly appreciates the proposal submitted by Costa Rica, Argentina, Bolivia, Paraguay, Peru, and Uruguay to include the Jaguar (*Panthera onca*) on CMS Appendices I and II, and strongly urges its adoption by Parties. We are pleased that the Scientific Council has recommended its adoption pending additional information. The inclusion of this species on Appendix I and II of CMS would clearly benefit the conservation of this emblematic and ecologically important migratory species.

The jaguar is an emblematic species of the Americas, due to both its importance in maintaining natural landscapes and ecosystem functionality, and because its presence can be a metric of conservation objectives attained. Jaguars are the apex predator across much of the Western Hemisphere, and have been an important element of indigenous cultures in the Americas for centuries. The Jaguar is the largest native feline in the Americas and a migratory, transboundary species that ranges from the U.S. to Argentina. The jaguar is now found in approximately 61% of its almost continuous pre-1900 range. It is important to note that within that overall range, Jaguar Conservation Units (JCUs), areas known or believed to contain at least 50 breeding individuals (Sanderson et al. 2002), collectively represent just 49.9% of present range. In that context, if all jaguar range was once one connected JCU, jaguars actually may now occur at approximately 30.5% of pre-1900 levels. The species is currently almost absent from the U.S. and restricted to the extreme northern limits of Argentina and has also been extirpated in more than 77% of its historic range in Central America. By relating jaguar densities to habitat, there is ample evidence that significant numbers of jaguars have been lost due to deforestation alone, in both the range States of Mesoamerica and the 9 Amazon countries. It is entirely reasonable to assert that despite some areas where jaguar populations are stable or even increasing, in the last 11 years the global population decreased by at least six percent.

Today, more than at any time in history, the jaguar is threatened by habitat loss, direct persecution, and declines in prey populations. Poaching for jaguar body parts is on the rise and hunting of prey species is, in many areas, unsustainable. Although the jaguar is categorized as Near Threatened on the IUCN Red List of Threatened species, we urge the Parties to consider that a large number of jaguar sub-populations are either Endangered (EN) or Critically Endangered (CR). The CMS Convention Text states that an Appendix I listing is warranted if the species has an endangered status “throughout all or a significant part of its range. According to one group of authors,” 33 out of 34 jaguar sub-populations qualify as Endangered or Critically Endangered using IUCN criteria. In addition, domestic assessments in 65% of Range States identify jaguars as Endangered. Coupled with the high deforestation rate across the jaguar’s range, and ample evidence that jaguar populations are transboundary, it is clear that the species qualifies for and would benefit from inclusion in CMS Appendices I and II.

---

27. Amendment of the CMS Appendices (Continued)

27.1  Proposals for Amendment of Appendices I and II of the Convention (Continued)

27.1.1 Proposal for the Inclusion of the Jaguar on Appendix I and II (Continued)

We would be pleased to share reports in the peer-reviewed literature with Parties of evidence of transboundary movements of jaguars, using both camera trap and telemetry data (e.g., between Argentina and Brazil; between Paraguay and Bolivia in the Chaco and Paraguay and Brazil in the Pantanal; and between Mexico and Guatemala in Selva Lacandona. There are also anecdotal observations and images of jaguars swimming across rivers that constitute international boundaries. Furthermore, the majority of Mesoamerican Jaguar Conservation Units are transboundary (Selva Maya straddling Mexico-Guatemala and Belize, La Moskitia straddling Honduras and Nicaragua, Indio-Maiz-Tortuguero straddling Nicaragua and Costa Rica, La Amistad straddling Costa Rica and Panama, and the Darien straddling Panama and Colombia). The largest jaguar conservation unit in the species’ range straddles nine countries (Brazil, Bolivia, Peru, Ecuador, Colombia, Venezuela, Guyana, Suriname, and French Guiana). Indeed, 45% of the strongholds for jaguar conservation are transboundary.

In March 2018, in an important step towards the goal of stabilizing and recovering jaguar populations throughout their range, a High-level Forum was held at UN Headquarters in New York. At the Forum, representatives from 14 jaguar range countries were joined by more than 50 experts from leading conservation organizations to jump start region-wide cooperation for jaguar conservation. This remarkable gathering of dozens of partners, including high-level government representatives, led to the landmark development of the Jaguar 2030 Conservation Roadmap for the Americas. The Roadmap lays further groundwork for a comprehensive strategy to ensure that jaguars do not fall into the downward spiral faced in recent years by other big cats, most notably the tiger. The Roadmap builds on previous range-wide priority-setting exercises that have identified core jaguar populations, concentrated within JCUs, as well as ‘Jaguar Corridors’ connecting these core populations and thereby allowing for dispersal and genetic exchange. The Roadmap lays out a set of complementary and mutually reinforcing Pathways—including priority actions and targets at regional, national, and landscape levels—that will converge on the Jaguar 2030 objective: To strengthen the Jaguar Corridor across the range countries by securing 30 priority jaguar landscapes by 2030, reducing jaguar-human conflict in human-dominated landscapes, and increasing security and connectivity of core protected landscapes, thus meeting globally significant biodiversity goals. Conservation at this scale is inherently transboundary, and many of the jaguars’ most important strongholds and passageways straddle international boundaries. Considering the rapid rates of deforestation, corresponding net range retraction and the ample evidence of jaguars’ lives straddling international boundaries, the inclusion of jaguars on CMS Appendices I and II is justified. Engagement at the CMS level with jaguar conservation would greatly benefit the laudable goals of the visionary government-led and endorsed Roadmap, and of all jaguar Range States.

We invite participants at CMS CoP13 to attend a side event entitled, “Advancing Jaguar Conservation: Listing Panthera onca on Appendices I and II of CMS,” co-hosted by the Governments of Costa Rica, Bolivia, Peru and Paraguay, WCS and the International Fund for Animal Welfare (IFAW), on 17 February at 12:45 in Room 2.

---

27. Amendment of the CMS Appendices (Continued)

27.1 Proposals for Amendment of Appendices I and II of the Convention (Continued)

27.1.3 Proposal for the Inclusion of the Urial on Appendix II of the Convention [COP13/Doc.27.1.3] [SC Comments]

WCS recommends that Parties adopt the proposal submitted by Tajikistan, Iran and Uzbekistan to include the Urial (*Ovis vignei*) on Appendix II of CMS, and we are pleased that the Scientific Council has recommended its adoption. Many Urial populations are transboundary, and the species is declining in many parts of its range. Threats to the Urial include poaching, competition with livestock, degradation and conversion of habitat, and human-wildlife conflict. Seasonal and irregular migrations, often across national borders, are important for Urials to enable access to suitable habitats. Inclusion on CMS Appendix II will facilitate bilateral and multilateral conservation across the species’ range, and will also facilitate its inclusion in the Central Asian Mammals Initiative.

27.1.4 Proposal for the Inclusion of the Great Indian Bustard on Appendix I of the Convention [COP13/Doc.27.1.4] [SC Comments]

WCS recommends that Parties adopt the proposal submitted by India to include the Great Indian Bustard (*Ardeotis nigriceps*) on CMS Appendix I, and we are pleased that the Scientific Council has recommended its adoption.

WCS works in close partnership with the Government of India in the state of Rajasthan on the conservation of the Great Indian Bustard. This species and its migratory behavior are threatened by multiple human activities, including the building of power-lines, as well as potential hunting in parts of its range, predation in nesting sites, and other factors. We urge Parties to CMS to collaborate on the conservation of this species, and to adopt this proposal to help stop any take in this species and to protect key habitats and migratory pathways.

We invite participants at CMS CoP13 to attend a side event entitled, “The Final Flight: Conserving Eurasia’s Iconic Bustard Species,” co-hosted by WCS India, the Eurasian Bustard Alliance (EBA) and The Corbett Foundation (TCF), on 20 February at 18:15 in Room 5.

27.1.5 Proposal for the Inclusion of the Bengal Florican on Appendix I of the Convention [COP13/Doc.27.1.5] [SC Comments]

WCS recommends that Parties adopt the proposal submitted by India to include the Bengal Florican (*Houbaropsis bengalensis bengalensis*) on CMS Appendix I. We note that this proposal includes only one of the subspecies of *H. bengalensis*, and we concur with the Scientific Council recommendation that it would be preferable if this proposal would include the other subspecies *Houbaropsis bengalensis blandini* (which WCS works to conserve in range States such as Cambodia). We recommend that Parties adopt the existing proposal at CoP13, and encourage an amendment to include all *Houbaropsis bengalensis* subspecies.
27. Amendment of the CMS Appendices (Continued)

27.1 Proposals for Amendment of Appendices I and II of the Convention (Continued)

27.1.8 Proposal for the Inclusion of the Oceanic Whitetip Shark on Appendix I of the Convention [COP13/Doc.27.1.8] [SC Comments]

WCS recommends that Parties adopt this proposal submitted by Brazil to include the Oceanic whitetip shark (*Carcharhinus longimanus*) on CMS Appendix I.

The proposal provides scientific justification in accordance with CMS listing criteria, and we draw attention to the fact that the IUCN Red List has recently re-assessed this species, and as of December 2019 the species is classified as Critically Endangered globally. WCS hopes that irrespective of any proposal updates from the proponent, this new publicly available scientific information, showing likely 98% population declines globally, clarifies the questions raised by the SC on the species’ status. The oceanic whitetip is also one of the most migratory of all shark and ray species, hence its highly migratory designation under the UNFSA, management via high seas RFMOs, and the species being a focus of numerous global satellite tagging studies due to its known migratory behavior.

We note that there has not been a successful CITES non-detriment finding issued for this species since it was included on CITES Appendix II in 2013, indicating that CITES Parties cannot establish sustainable levels of harvests, with many CITES Parties, and all four ‘tuna’ RFMO’s (ICCAT, IATTC, IOTC and WCPFC) prohibiting the retention and landing of the species, that is most frequently caught in high seas longline fisheries as bycatch, or secondary targeted catch.

All of these management measures, and the new Critically Endangered status align with a CMS Appendix I listing for this highly migratory pelagic shark.

27.1.9(a)&(b) Proposal for the Inclusion of the Smooth Hammerhead Shark (*Sphyrna zygaena*) on Appendix II of the Convention [COP13/Doc.27.1.9(a)] [COP13/Doc.27.1.9(b)] [SC Comments]

WCS is supportive of the two proposals from Brazil and the European Union and its Member States, although we note and support the broader scope of the proposal submitted by the European Union (27.1.9(b)). We therefore recommend that Parties adopt the proposal from the European Union to include all populations of the smooth hammerhead shark on CMS Appendix II, so ensuring that all three large hammerhead species, that are also listed on CITES Appendix II, are covered by CMS Appendix II.
27. Amendment of the CMS Appendices (Continued)

27.2 Guidelines for preparing and assessing proposals for the amendment CMS Appendices [COP13/Doc.27.2]

WCS recommends that Parties adopt the amendments to Reso. Conf. 3.1 (Rev. CoP12) and 11.33 (Rev. CoP12) as proposed by the Scientific Council in Annex 1 and 2 to this document, as well as the draft decisions in Annex 3 that would explore definitions for the terms ‘range state’ and ‘vagrant.’ An updated Resolution will streamline the Guidelines for listing species on the CMS Appendices.

WCS notes the comments of the Scientific Council on implementation of the Guidelines, and concurs that range State consultation is an essential step in the development and consideration of listing proposals. WCS notes that establishing a burdensome process could have unintended negative consequences, but is supportive of practical and informal measures to facilitate range State consultation, such as the assistance of the Secretariat.

27.4 Reservations with respect to Amendments to Appendices I and II of the Convention [COP13/Doc.27.4]

WCS appreciates the submission of this document by the European Union and its Member States, and recommends that Parties adopt the draft Resolution on Reservations. It is critical that CMS Parties follow the text of the Convention with respect to entering Reservations on new listings on the Appendices, which is also clear from the text of the Vienna Convention.
28. Concerted Actions

28.1 Progress on Implementation of Concerted Actions [COP13/Doc.28.1] [SC Comments]

WCS appreciates the efforts of CMS to follow-up on the implementation of Concerted (and historically, Cooperative) Actions, and welcomes the recommendations in this document. WCS recommends that Parties adopt the template for reporting on progress in Annex 1 of this document, and the amendments to formatting of Reso. Conf. 12.28 in Annex 2, and appreciates the endorsement of the Scientific Council.

WCS is pleased to see greater scrutiny of implementation efforts for Concerted Actions, including the development of guidelines as appended to Resolution Conf. 12.28. We note the proliferation of Concerted Actions over many years, and their overlap with CMS daughter agreements and species-specific initiatives. It is beneficial to have different tools, but we urge Parties to reflect on the confusion that such overlap causes in generating technical, financial, and political support for implementation. We therefore recommend deletion of outdated CAs, for which there has been no identification of conservation objectives and outcomes, and urge Parties to reflect on any existing agreements, initiatives and platforms when developing new proposals for CAs.

28.1.3 Report on the Implementation of the Concerted Action for the Atlantic Humpback Dolphin (Sousa teuszii) [COP13/Doc.28.1.3] [SC Comments]

WCS has provided leadership on the assessment and conservation of this species, and endeavors to provide technical and scientific support for implementation of this Concerted Action across the species’ range. We note with concern that funding has not been mobilized to pursue the actions included in the CA, and we urge Parties and intergovernmental organizations to recognize the scientific expertise and political will that stands ready for implementation of this CA if additional funding is made available.

There is still hope for this iconic species and strong, immediate action can reverse declines and protect it across West and Central Africa. WCS notes that Parties such as Senegal and Gabon have already taken concrete steps to conserve this species, and we would be pleased to discuss this further with any interested stakeholders.

To this point, we note the overlapping mandate of this CA with other CMS instruments, for example the CMS MoU on Western African Aquatic Mammals that has been in existence since 2008, which includes an action plan and recommendations that remain relevant. Thoughtful alignment of these instruments would allow for efficient use of human and financial resources, and we recommend that this conversation be instigated as soon as possible, including in the margins of CMS CoP13. We note that coordination and implementation of measures proposed on paper would benefit additional coastal/estuarine species, including sawfish, turtles, manatees and crocodiles.
28. Concerted Actions (Continued)

28.1 Progress on Implementation of Concerted Actions (Continued)


WCS notes that conservation work continues on the humpback whales of the Arabian Sea, particularly in countries such as Oman (where the bulk of the data have been collected over the last 20 years). However, we note with concern that Oman is not a Party to CMS and therefore there are critical gaps in alignment on efforts to conserve this species. Coordination with IWC and activities of the IUCN Cetacean Specialist Group can help with this population and others.

We commend the leadership, inside and outside of CMS, of India and other range States on the conservation of this population (which was recently added to India’s *Recovery Programme for Critically Endangered Species*). We urge range States (India, Pakistan, Oman) and intergovernmental organizations (e.g. IWC, CMS) which have led to significant conservation efforts for this population to bring together key stakeholders and chart a path forward across different countries and fora following CMS CoP13. WCS would be pleased to provide technical and scientific inputs to these discussions and stands ready to do so through existing and new channels should funding be identified to do so.

28.1.6 Report on the Implementation of the Concerted Action for the Mobulid Rays (Mobulidae) [COP13/Doc.28.1.6] [SC Comments]

WCS will continue in its commitments laid out in this concerted action to improve the domestic implementation of the CMS Appendix I listing for all mobulid rays. As noted in the implementation report, we continue to work closely with (non CMS Party) Indonesia on their domestic mobulid management, and will look to prioritize conservation action for these species wherever we work on sharks and rays.

28.2 New Proposals for Concerted Actions for the triennium 2021-2023 [COP13/Doc.28.2]

28.2.2 Proposal for a Concerted Action for the Asian Elephant (*Elephas maximus*), proposed for inclusion on Appendix I of the Convention [COP13/Doc.28.2.2] [SC Comments]

WCS recommends adoption of the proposal by India for a Concerted Action for the Asian Elephant (*Elephas maximus*), and we are pleased that the Scientific Council has recommended its adoption. WCS notes the broad scope of this proposal in terms of the range of the species and the variability in types of conservation interventions. Increasing cooperation among range States who are Parties to CMS could be very beneficial, and may provide additional opportunities to engage non-Parties on cooperative efforts.
28. Concerted Actions (Continued)

28.2 New Proposals for Concerted Actions for the triennium 2021-2023 (Continued)

28.2.3 Proposal for a Concerted Action for the Giraffe (*Giraffa camelopardalis*), already listed on Appendix II of the Convention [COP13/Doc.28.2.3] [SC Comments]

WCS recommends adoption of the proposal by Cameroon, Chad, Ethiopia, Kenya, Niger, Tanzania and Zimbabwe for a Concerted Action for the Giraffe (*Giraffa camelopardalis*), and we are pleased that the Scientific Council has recommended its adoption. We strongly agree that there may be opportunities to align implementation with activities under the ACI, particularly given that many representatives of range States will address both giraffes and carnivores. We urge cooperation in this regard.

28.2.4 Proposal for the Continuation of the Concerted Action for Sahelo-Saharan Megafauna listed on the Appendices of the Convention [COP13/Doc.28.2.4] [SC Comments]

WCS recommends adoption of the proposal by the CMS Secretariat to update/renew a Concerted Action for Sahelo-Saharan Megafauna, including the addition of the Red-fronted Gazelle (*Eudorcas rufifrons*), and Barbary Sheep (*Ammotragus lervia*), and we are pleased that the Scientific Council has recommended its adoption. The region is subject to tremendous security and development challenges, as profiled in paragraph 7 of Document 26.3.4, and anti-poaching or conservation efforts have historically received less international attention and support than those in other parts of Africa. WCS has an active and growing conservation program in the Sudano-Sahel region of Africa, and therefore strongly supports more active engagement of CMS Parties and the international community on wildlife conservation in the region.

28.2.5 Proposal for a Concerted Action for the Irrawaddy Dolphin (*Orcaella brevirostris*) already listed on Appendix I and II of the Convention [COP13/Doc.28.2.5] [SC Comments]

WCS appreciates the proposal by India to update a Concerted Action for the Irrawaddy Dolphin (*Orcaella brevirostris*), and we note that the Scientific Council has recommended its adoption. WCS recommends that Parties adopt this Concerted Action, if changes are made to identify priority actions that can significantly impact conservation outcomes. WCS recommends that this CA prioritize the following actions: (1) Establishing gillnet-free zones in priority habitats, with rigorous enforcement and monitoring to ensure that gillnet bans are effective; and (2) Prohibiting the construction of dams within the range of freshwater populations to ensure sufficient flow regimes and fish productivity in dolphin habitat downstream of existing dams. Focusing on these two activities will have the most demonstrable impacts on the conservation outlook for the species, likely more than other actions -- which may be important but are less urgent -- that are included in the proposed CA.
28. Concerted Actions (Continued)

28.2 New Proposals for Concerted Actions for the triennium 2021-2023 (Continued)

28.2.6 Proposal for a Concerted Action for the South Asian River Dolphin (*Platanista gangetica*) already listed on Appendix I and II of the Convention [COP13/Doc.28.2.6] [SC Comments]

WCS appreciates the proposal by India to update a Concerted Action for the South Asian River Dolphin (*Platanista gangetica*), and we note that the Scientific Council has recommended its adoption, “with scope revised to cover Ganges River Dolphin (*Platanista gangetica gangetica*) only.” This is because the Indus River Dolphin (*Platanista gangetica minor*) subspecies is not listed on the CMS Appendices.

WCS recommends that Parties adopt this Concerted Action, with changes made to more clearly identify priority actions that will significantly impact conservation outcomes. WCS concurs that managing water demand throughout their range is a critical issue, but notes with concern that bycatch may present a more immediate threat to this species – particularly the *P. g. gangetica* subspecies which is subject to intense fishing pressure throughout almost its entire range. WCS urges Parties to focus simultaneously on bycatch reduction and water development/demand/management issues, while prioritizing bycatch interventions for immediate implementation.

On population assessments, WCS also notes that the 3,500-4,000 count for *P.g. gangetica* is a minimum count, and not an estimated population size. There are thousands of kilometers of un-surveyed habitat within Bangladesh for this species and population assessments are not completely reliable. While further assessment could be useful to update these numbers (particularly in Bangladesh), priority should be on conservation action.

28.2.8 Proposal for a Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*), already listed on Appendix II of the Convention, the Largetooth Sawfish (*Pristis pristis*), already listed on Appendix I and II of the Convention and the Smalltooth Sawfish (*Pristis pectinata*), listed on Appendix I and II of the Convention [COP13/Doc.28.2.8] [SC Comments]

WCS recommends adoption of this proposal by Gabon to create a Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*) the Largetooth Sawfish (*Pristis pristis*), and Smalltooth Sawfish (*Pristis pectinata*), and we are pleased that the Scientific Council has recommended its adoption.

We concur with the Scientific Council that many interventions will be appropriate for the CA on the Atlantic humpback dolphin as well. Noting some alignment with required interventions on coastal/nearshore species under the West African Aquatic Mammals MoU and other CMS agreements and initiatives, we urge Parties to cooperate at a sub-regional level to prioritize interventions that will benefit all target species and to present such interventions to relevant funding mechanisms. WCS would be pleased to provide technical inputs to this discussion.
28. Concerted Actions (Continued)

28.2 New Proposals for Concerted Actions for the triennium 2021-2023 (Continued)

28.2.9 Proposal for a Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*) and the Bottlenose Wedgefish (*Rhynchobatus australiæ*) already listed on Appendix II of the Convention, and the Families Rhinobatidae and Glaucostegidae

WCS recommends that the Parties adopt this proposal by the IUCN Shark Specialist Group to create a Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*) and Bottlenose Wedgefish (*Rhynchobatus australiæ*), as part of a Concerted Action on the families Rhinobatidae, Rhinidae and Glaucostegidae. We recommend adoption of this proposal at CoP13, given the high conservation priority of these taxa, but, as with Document 28.2.8, note that there will be some alignment with required interventions on coastal/nearshore species under other CMS agreements and initiatives. We urge Parties to cooperate at a sub-regional level to prioritize interventions that will benefit all target species and to present such interventions to relevant funding mechanisms. WCS would be pleased to provide technical inputs to this discussion.

28.2.10 Proposal for a Concerted Action for the Great Indian Bustard (*Ardeotis nigriceps*), proposed for inclusion in CMS Appendix I

WCS recommends that Parties adopt this proposal by India to create a Concerted Action for the Great Indian Bustard (*Ardeotis nigriceps*), and we are pleased that the Scientific Council has recommended its adoption. We note that the Scientific Council has recommended that proposed interventions cover the range of this species, across multiple range States, and we therefore recommend a revision of this CA for CoP14.

28.2.11 Proposal for a Concerted Action for the Bengal Florican (*Houbaropsis bengalensis bengalensis*), proposed for inclusion in CMS Appendix I

WCS recommends that the Parties adopt the proposal by India to create a Concerted Action for the Bengal Florican (*Houbaropsis bengalensis bengalensis*), and we are pleased that the Scientific Council has recommended its adoption. We note that the proposal to include this species on the CMS Appendices includes only *Houbaropsis bengalensis bengalensis*, we concur with the Scientific Council recommendation that this proposal should include the other subspecies *Houbaropsis bengalensis blandini* (which WCS works to conserve in range States such as Cambodia). We recommend that Parties adopt this proposal, and encourage an amendment to the listing proposal to include all *Houbaropsis bengalensis* subspecies, and to reflect that within this proposed Concerted Action.
WCS works to save **wildlife** and **wild places** around the world.

To learn more about our work to conserve migratory species, please visit: [www.wcs.org](http://www.wcs.org)