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BORDERS FROM A BIRD'S-EYE VIEW: A CENTURY OF TRANSBORDER CONSERVATION FOR NORTH AMERICAN MIGRATORY BIRDS

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Since Canada and the United States signed the 1916 Migratory Bird Treaty, North America has seen a rich history of transborder initiatives to protect migratory birds. Ranging from international treaties to regional nongovernmental cooperative agreements, over twenty such initiatives have been adopted between Canada, the U.S., and Mexico. Below, I list these initiatives in five categories: 1) multilateral treaties and global initiatives, 2) Western Hemisphere initiatives, 3) North American initiatives, 4) Canada-U.S. treaties and initiatives, and 5) U.S.-Mexico treaties and initiatives.One might interpret this plethora of international conservation measures as indicative of either bureaucratic schizophrenia or "power in diversity"—although it is likely that both characterizations apply equally well. Given the inevitable confusion engendered by such a wealth of initiatives, this abstract offers an initial listing to assist conservationists in sorting out the world of transborder migratory bird conservation. The author is currently gathering materials for an historical examination of these myriad initiatives; any printed or verbal information regarding any of the initiatives would be welcome. Links to many of these initiatives can be found at http://fletcher.tufts.edu/biodiversity/transnorthamerica.html.

NORTH AMERICAN MIGRATORY BIRD CONSERVATION INITIATIVES

Multilateral Treaties And Initiatives

Convention on Wetlands of International Importance Especially as Waterfowl Habitat

- Originated in 1960s work by the International Union for Conservation of Nature (IUCN) on "Project MAR."
- First signed in 1971 and commonly known as the Ramsar Convention.
- Designates certain wetlands for inclusion in a "List of Wetlands of International Importance," of which today there are 67 in Mexico and 22 in the U.S.

Important Bird Areas

- Initiated in 1985 by the UK-based group BirdLife International.
- Involving national "partner organizations" in over 100 countries, the program has identified over 8000 IBAs in 178 countries.
- The U.S. national partner organization is the National Audubon Society. Mexico has two partner organizations: the Comisión Nacional para el Conocimiento y Uso de la Biodiversidad (CONABIO) and the Sección Mexicana del Consejo Internacional para la Preservación de las Aves (CIPAMEX).

Western Hemisphere Initiatives

Convention on Nature Protection and Wild Life Preservation in the Western Hemisphere

- Opened for signature in 1940 and entered into force in 1942; currently considered a "sleeping convention" (i.e., currently inactive).
- While the Convention is aimed at all forms of wildlife, the preamble places particular emphasis on migratory birds and the only reference to a particular group of species in the treaty's substantive articles is to migratory birds.

Western Hemisphere Shorebird Reserve Network (WHSRN)

- Scientists at the Canadian Wildlife Service first proposed an international "series of

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protected areas linking key sites" for shorebirds in 1982, and by 1985 a number of conservation organizations had established WHSRN.
- The network includes 64 specific sites of importance for shorebirds that are located in eight countries: Canada, U.S., Mexico, Panama, Suriname, Peru, Brazil, and Argentina.

Western Hemisphere Migratory Species Initiative (WHMSI)

- In 2003, representatives from 25 nations and over 40 international wildlife conservation groups and stakeholder representatives met at the first Western Hemisphere Migratory Species Conference in Chile, which resulted in the establishment of WHMSI.
- WHMSI describes itself as a network amongst governmental and civil society actors with the purpose of increasing cooperation and expanding constituencies and public support for all migratory species, not just birds.

Waterbird Conservation for the Americas (WCA)

- A voluntary partnership launched in 1998 to coordinate conservation efforts for both migratory and nonmigratory waterbirds.
- A focal point of WCA has been the development of a North American Waterbird Conservation Plan.

North American Initiatives

North American Flyway Councils

- The concept of North American migratory bird "flyways" was in use by 1936, and by the late 1940s the first "Flyway Committees" had been established.
- In 1951 the International Association of Game, Fish and Conservation Commissioners adopted a resolution calling for waterfowl "flyway councils."
- By 1952, a National Flyway Council as well as all four flyway-specific councils had been established.

North American Waterfowl Management Plan (NAWMP)

- Established in 1986 by the U.S. and Canada; Mexico joined in 1994.
- With an overarching goal of restoring waterfowl populations to levels of the 1970s, NAWMP has achieved a reputation as an effective model for international conservation and collaboration.
- A hallmark of NAWMP's operations has been "Joint Ventures," voluntary, non-regulatory, public-private partnerships involving conservation NGOs, businesses, and governments at the federal, state, provincial, and local levels.

U.S./Mexico/Canada Tripartite Agreement on the Conservation of Wetlands and their Migratory Birds

- Established in 1988 as a result of cooperation under NAWMP.
- Replaced in 1996 by the Canada/Mexico/United States Trilateral Committee for Wildlife and Ecosystem Conservation and Management.

Partners in Flight

- Origins date to 1989, when the Manomet Bird Observatory (now the Manomet Center for Conservation Sciences) convened a group of researchers who were concerned about declining populations of neotropical migratory birds.
- The National Fish and Wildlife Foundation sponsored a second meeting in 1990, out of which came the Neotropical Migratory Bird Conservation Program (NMBCP), an initiative that quickly adopted the more common name of Partners in Flight (PIF).
- The mission of PIF is to help species at risk and "keep common birds common" through voluntary partnerships.
- The PIF International Working Group has focused on increasing networking opportunities for the international community.

North American Agreement on Environmental Cooperation and the Commission on Environmental Cooperation

- Canada, the U.S., and Mexico signed the North American Free Trade Agreement (NAFTA) in 1992. The following year, the governments signed three "side agreements" on the environment, labor, and import surges in order to ensure that their respective legislative bodies would accept NAFTA. All four agreements came into force on 1 January 1994.
- The environmental agreement was formally entitled the North American Agreement on Environmental Cooperation (NAAEC), most commonly recognized through its

institutional body, the Commission on Environmental Cooperation (CEC).
- The CEC's involvement in migratory bird conservation has manifested itself in at least four distinct arenas:
  1. General objectives: of the NAAEC's ten principal environmental objectives listed in Article 1, the third calls for the Parties "to better conserve, protect, and enhance the environment, including wild flora and fauna."
  2. Secretariat reports: Article 13 of the NAAEC allows the CEC's Montreal-based Secretariat to submit reports on certain environmental issues. Two of the six reports released by the CEC Secretariat to date have concerned migratory birds.
  3. Citizen submissions: Individuals and NGOs may deliver "submissions" to the Secretariat in hopes that it will see fit to create a "factual record" regarding the case. At least two submissions have been made in regard to migratory birds.
  4. Promotion of IBAs and the North American Bird Conservation Initiative (NABCI): In 1996, the CEC initiated the "development of a North American strategy and action plan for the conservation of birds of North America and the promotion of a North American Network of Important Bird Areas." This in turn led to the establishment of North American Bird Conservation Initiative (NABCI see below) in 1999.

Canada/Mexico/US Trilateral Committee for Wildlife and Ecosystem Conservation and Management

- Established under a Memorandum of Understanding signed by the three federal wildlife services in Oaxaca, Mexico in 1996.
- "The Trilateral," as the committee is commonly called, is led by the directors of each country's principal wildlife agencies, viz., the Canadian Wildlife Service, the U.S. Fish and Wildlife Service (USFWS), and Secretaría de Medio Ambiente y Recursos Naturales (SEMARNAT).
- Work under the Trilateral is primarily conducted through a number of evolving "working tables," one of which is currently entitled the Migratory Birds and Wetlands Working Table, which played a central role in the establishment of NABCI (see below).

North American Bird Conservation Initiative (NABCI)

- In 1999, the CEC's "Council" (made up of the environment ministers of each country) formally established NABCI.
- NABCI has been developed as a network of networks, connecting the many international initiatives described in this chapter along with a myriad number of national-level conservation initiatives.
- Institutionally, NABCI is supposed to function through four principal steering committees: a Tri-National Steering Committee (TNSC), and then one in each country.
- One of the early accomplishments of NABCI was to map the continent into Bird Conservation Regions, of which 67 were identified in 2000.

Declaration of Intent for the Conservation of North American Birds and Their Habitat

- In 2005, the interior ministries of Canada, the U.S., and Mexico signed the Declaration.
- The Declaration calls for the conservation of "native North American birds throughout their ranges and habitats," with numerous specific objectives including: a focus on the "landscape level," the use of the "best available scientific and local knowledge," collaboration and communication, the development of human and institutional capacities, and the promotion of "sustainable land-use and land management practices, traditional and modern, most compatible with bird conservation."

U.S.-Canada Treaties And Initiatives

U.S.-Canada Convention for the Protection of Migratory Birds

- Signed 1916, entered into force 1918.
- Protected constitutionality of the 1913 Weeks-McLean Act, which called for the U.S. federal government to assume the right and responsibility to protect migratory birds.
- Considered the foundation of both bilateral and trilateral migratory bird conservation in North America.

U.S.-Mexico Treaties And Initiatives

U.S.-Mexico Convention for the Protection of Migratory Birds and Game Mammals

- Signed in 1936, the Convention calls for the two countries to avoid extinction through the "rational utilization of migratory birds for the purpose of sport as well as for food, commerce and industry."
- Established a list of migratory bird species to be protected by hunting laws and called for established closed seasons for birds as well as nests and eggs.

U.S.-Mexico Joint Committee for the Conservation of Wild Flora and Fauna.

- Established in 1975 between the USFWS and the Mexican Secretariat for Urban Development and Ecology.
- Between 1991 and 1995, the Joint Committee supported at least 41 projects related to migratory birds with over $300 000 in grant funding.
- Replaced by the Canada/Mexico/United States Trilateral Committee for Wildlife and Ecosystem Conservation and Management.

U.S.-Mexico Wildlife Without Borders Program

- Established in 1994 by the USFWS with cooperation from the Secretaria de Medio Ambiente, Recursos Naturales y Pesca.
- A small portion of the projects funded under the overall program have been focused on migratory bird conservation in Mexico.

KEY LITERATURE (ANNOTATED)

BOARDMAN, R. 2006. The International Politics of Bird Conservation: Biodiversity, Regionalism and Global Governance. Northampton, Massachusetts: Edward Elgar Publishing. [In five thematic chapters and three geography-based chapters, this single-authored volume is likely the most extensive treatment of migratory bird conservation from a global perspective. One extensive chapter covers North American efforts.]

CHESTER, C. C. 2006. Conservation across borders: Biodiversity in an interdependent world. Island Press. Washington, DC.: [This book focuses on efforts to protect transborder regions, looking at the issue through both a global perspective (Chapter 2) and specific North American case studies (Chapters 3 and 4). While the volume does not address migratory bird conservation efforts, it provides an extensive discussion of the challenges involved in transborder collaborative efforts.]

DORSEY, K. 1998. The dawn of conservation diplomacy: U.S.-Canadian wildlife protection treaties in the progressive era. University of Washington Press. Seattle, WA. [In this ground-breaking historical treatment of environmental diplomacy, Dorsey provides an extensive analysis of the 1916 U.S.-Canada Migratory Bird Treaty, the first formalized international effort in North America to protect migratory birds. Although Dorsey does not overstate the case, understanding the 1916 Treaty provides important insights into the subsequent century of transborder collaboration in North America.]

WILSON, J. 2003. The Commission for Environmental Cooperation and North American migratory bird conservation: the potential of the NAAEC citizen submission procedure. (North American Agreement on Environmental Cooperation). Journal of International Wildlife Law & Policy 6, no. 3: 205(27). [This article provides a helpful explanation of the complex relationship between NAFTA, the North American Agreement on Environmental Cooperation, the Commission on Environmental Cooperation, and migratory bird conservation.]