



# Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme



## REPORT OF THE ACTIVITY PLANNING MEETING OF THE SCIENTIFIC COUNCIL OF THE OF THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

*Bonn, Germany, 13 June 2009*

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### 1. OPENING REMARKS

1. John Mshelbwala opened the Meeting at 09:50. He welcomed participants to the first meeting of this nature of Members of the Scientific Council. He expressed his gratitude to the Secretariat for organising and hosting the meeting and for the members of the Council for coming. He also expressed his thanks to Marco Barbieri who had for many years been the driving force behind the Scientific Council within the Secretariat.

2. The purpose of the meeting was to chart the way forward for the work of the Council between the present time and the next full meeting due in 2010.

3. Robert Hepworth noted that this was an unprecedented meeting which would help give greater impetus to the Council's intersessional work.

### 2. ADOPTION OF THE AGENDA AND SCHEDULE

4. Laura Cerasi introduced the agenda and schedule. She gave an overview of the items on the agenda. There being no comments on either the agenda or the schedule, both were adopted as presented.

### 3. EXPERTISE OF SCIENTIFIC COUNCIL MEMBERS

5. Laura Cerasi introduced Document 2 and the draft Questionnaire attached as an Annex. The information on the expertise of the members of the Council would be entered into a database to help identify means of improving the working of the Council and the members' participation in it. The database had already been set up by the Secretariat.

6. Pierre Devillers said that the Questionnaire was essentially fine, although it could be edited to read less like a job application and more like an invitation to express interest in specific areas of work.

7. Carlo Custodio suggested amending the title of the section "Publications" to include reports which might not have been widely published. John O'Sullivan provided some further corrections in writing which the Secretariat agreed to incorporate in the revised draft.

The meeting endorsed the Questionnaire and requested that the Secretariat circulate it to the Council
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#### 4. SMALL GRANTS PROGRAMME

8. The statements by the Chairmen at Scientific Councils 14 and 15 had been reproduced in the Annex to Document 3. These statements expressed concerns about the revised arrangements for funding the Small Grants Programme, by which the Programme was financed by voluntary contributions rather than by reallocating surpluses from the Trust Fund.

9. Solutions appeared to be: either to carry on under the new system but increase fund raising efforts, or revert to the old system. COP9 had agreed to the creation of a P2 fundraising officer starting in 2010 whose principal tasks could include raising funds for the SGP. The list of priority projects would have to be kept up to date.

10. Pierre Devillers pointed to the fact that the Chairman's appeal for the SGP to be properly funded had fallen on deaf ears at the COP. He suggested that the Council be steadfast and present the COP with the unpleasant truth that without funding the Council could not do its work.

11. Robert Hepworth could see no obvious solution. The Convention was unlikely to generate huge surpluses and the economic climate was gloomy with Parties looking to reduce their commitments. The Convention has some scope to find additional resources through the recruitment of new Parties. The accession of the USA would provide a considerable windfall if they joined during this triennium.

12. The Programme Support Costs issue had been raised by Parties at COP8 and COP9 when they invited the Executive Director to consider ploughing back the 13% levied on voluntary contributions into conservation projects and supporting meetings. The Executive Secretary had written (22 January) to suggest that some of the US\$388,000 levied 2006-2008 should be allocated to the SGP (\$150,000) and to Agreements and initiatives such as AfroBats (\$100,000).

13. The Executive Secretary suggested that the Scientific Council and the Standing Committee should press on this issue. There was a precedent for a formal arrangement between an MEA and the Executive Director in the case of CITES. Pierre Devillers pointed out that the FFEM grant had been exempted from the 13% PSC overhead charge.

14. An allocation of €170,000 had been made in the core budget for the triennium for scientific work. Marco Barbieri indicated that those resources were needed for a number of purposes, including paying for consultants on specific issues, which would normally take up most of the budget. However, some resources could be made available for the SGP for each year of the triennium. Even modest funding as a stopgap measure would help keep the SGP alive while a better solution was found.

15. Pierre Devillers said that the Convention was still benefiting from the momentum achieved through some of the \$1.4 million spent on projects over the years, seed funding for pilot projects, which later developed into significant programmes. The Parties had decided to shift the onus onto voluntary contributions, resulting in a few donors bearing the lion's share of the burden. The economic climate probably meant that donor countries would not be as generous as before. Donors were also more selective in the projects they supported, so there was no guarantee that the projects of greatest priority for the Convention as a whole would be supported. The funding was haphazard, so it was impossible for the Council to manage the overall Programme.

16. Pierre Devillers suggested that Parties be invited to pledge contributions to a parallel voluntary fund for project work. These funds would be allocated to the general programme and not to earmarked projects. The suggested contributions could be calculated using the UN scale and they would be exempt from the 13% PSC which had proved to be a disincentive to make voluntary contributions in the past.

17. John O'Sullivan feared a repeat of the Parties preferring to run down surpluses rather than fund projects. He welcomed Pierre Devillers' proposal for a parallel fund. As this would both provide finance for the SGP and show other organs of the Convention that the issue was still a live one.

18. Robert Hepworth said that it was difficult to predict whether Parties would claw surpluses back or reallocate them. He also welcomed Pierre Devillers' suggestion, seeing the advantage that it would allow countries wishing to be generous to make funds available. The UN was reviewing its policy on overheads charging and might revise the percentage levied. One alternative was for an independent third party to administer the funds. Such a system would have to be accountable and transparent, but might benefit from fewer administrative obstacles.

19. Pierre Devillers referred to Article 169 arrangements, a virtual pot of money run by the EU for national research programmes. This was a clearing-house which linked donors with applicants. Marco Barbieri said that some donors preferred to donate direct. Roseline Beudels pointed out that France had directly funded GRASP to avoid incurring 13% overhead charges.

The Councillors present should prepare a paper for the Scientific Council in liaison with the Secretariat. The Secretariat would also draft a letter for the Chairman to send to the Executive Director following up the request to reallocate the 13% PSC to CMS projects.

## **5. INTERSESSIONAL WORK OF TAXONOMIC AND THEMATIC WORKING GROUPS**

20. The Secretariat circulated a table containing activities for each of the Working Groups arising from COP9 Resolutions and Recommendations, and decisions of the Council at its 15th session. It did not contain tasks assigned earlier.

21. Pierre Devillers recalled that the terrestrial mammals working group had said that it would set up protocols for the Sahelo-Saharan Antelopes and the Central Asian mammals. The deadline of summer 2009 would almost certainly not be met but the aim was to establish a single instrument covering these two species groups and possibly a third. This approach would have a better appeal to both the Russian Federation and the European Union. Corridors and site networks were of interest to Europe.

22. Roseline Beudels confirmed that the instrument for Sahelo-Saharan Antelopes would be progressed next year with a meeting tentatively scheduled in Libya. Marco Barbieri noted that the fact of pursuing a single instrument for Sahelo-Saharan Antelopes and Central Asian mammals was likely to have significant implications for the planning and agenda of this meeting. Roseline Beudels asked that a reference to assisting the Secretariat and the Council in pursuing the concerted action for Sahelo-Saharan megafauna be added to the list. This concerted action would

in due course cover all threatened migratory large mammals of the temperate and cold deserts, semi-deserts, steppes and associated mountains of the Sahelo-Saharan region.

23. John O’Sullivan asked that the wording of the second point in the Annex be clarified even though the text was taken directly from the Conference Resolution. The required level of detail in species reports needed to be explained. Often reports were based on anecdotal observations rather than intense research and the Convention should signal that more vigorous reporting rather than less vigorous reporting was needed.

24. Marco Barbieri suggested that the list of species envisaged for cooperative action might be revisited and some species deleted where the action had run its course and no further activities were planned. This would reduce the burdens from previous COPs. Pierre Devillers advised against spending too much time on cooperative actions, as these instruments had hardly been used and were usually seen as a preparatory step towards negotiating an MOU. Whether these instruments would be further developed would be taken up by the Future Shape Working Group.

25. The question of whether it would be worthwhile establishing an intranet page for the Council and its Working Groups was raised. It was agreed to wait to learn how well the similar facility envisaged for the Inter-sessional Working Group on the Future Shape of CMS operated. AEWA also ran a “work space” where information could be exchanged. Fears were expressed that such systems encouraged an avalanche of responses which were difficult to follow up, but the Council needed to investigate means of improving inter-sessional communication.

It was agreed to circulate the paper to all members of the Council. The covering letter should indicate the contact details of the WG Chairs and Council members should be encouraged to indicate the WGs in which they were interested in participating, given that membership of WGs was sometimes fluid

## **6. PREPARATION OF THE 16<sup>TH</sup> MEETING OF THE SCIENTIFIC COUNCIL**

### **6.1 Conservation Status of CMS Appendix I species**

26. Laura Cerasi introduced Document 5, explaining that the 14th meeting of the Scientific Council had begun to consider the format of a report of the status of Appendix I species based on single species fact sheets. So far only one draft sheet had been prepared (by William Perrin for *Platanista gangetica gangetica*).

27. Pierre Devillers thought that the draft provided by Dr Perrin was essentially exactly what the Council was looking for and urged other taxonomic working groups to follow suit. John O’Sullivan questioned whether it was necessary for other Working Groups to produce drafts. Marco Barbieri explained that the idea was to ensure that all species were treated in a similar way and it was therefore necessary for all taxonomic working groups to get a common understanding of the information to be provided, in terms of type and degree of detail. If everyone was content that the Perrin model did not need substantial change, then production of the fact sheet could commence. In view of the number of species, the sooner the work could start the better.

28. Pierre Devillers suggested that all working groups should produce at least one example sheet and the Secretariat should assess the amount of time needed to produce the entire set.

It was agreed that all Working Groups should produce at least one fact sheet before the 16<sup>th</sup> Meeting of the Scientific Council

## 6.2 Listing of CMS Appendix II Species

29. Laura Cerasi introduced Document 6 and referred to Information Documents 1-5. COP9, at the request of the Norwegian delegate recommended that the Scientific Council conduct a review of the criteria for listing species under Appendix II.

30. At the 11th Meeting of the Scientific Council, Barry Baker had presented a report on the implications for CMS of the listing criteria adopted by IUCN categories. These did not fully reflect the provisions of the Convention.

31. Pierre Devillers said that the criteria for listing under CMS Appendix II were quite clearly set out in the Convention text with some scope for interpretation, so that each case could be considered on merits. He cited the case of a proposal to add the Great cormorant (*Phalacrocorax carbo*) to Appendix II despite its increasing numbers to pre-empt calls for the species to be culled.

32. John Mshelbwala recalled that Norway's intervention had received some support. He felt that Parties might benefit from being reminded of what the text of the Convention stated.

33. Marco Barbieri explained that Appendix II listing was meant to lead to the conclusion of Agreements. It was sometimes erroneously thought that Appendix II listing was a prelude to Appendix I listing. There were cases where some bird species did meet the criteria for Appendix I listing, but for which a total ban on taking was considered inappropriate, so they were added to Appendix II instead. He therefore suggested that making the purpose of Appendix II clearer might be useful, especially in helping to avoid inappropriate proposals to add species.

34. Pierre Devillers added that attempts to clarify the criteria had been made in the past, with the introduction of coordinated actions, but this tool had not been utilised to its fullest potential. The Council might try to draft a ten-line guidance similar to the one used for Appendix I, drawing on the wording of the Convention text (Article IV paragraph 1<sup>1</sup>) but he doubted whether it would settle the issue once and for all.

35. Marco Barbieri thought that at the very least some attempt to explain the purpose of the Appendices should be made.

36. John O'Sullivan asked about the status of the Baker paper, as this seemed to have covered some of work in identifying certain near threatened species which were listed on Appendix II and not on Appendix I. Marco Barbieri explained that the Baker paper had been accepted as the basis of guidance by the Scientific Council but it had not been formally submitted to the COP so had not been endorsed.

It was agreed that the Chairman should table the issue at the next Council with input from all councillors present at the meeting

<sup>1</sup> Appendix II shall list migratory species which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement.

37. The listing of the cheetah on Appendix I at COP9 had also raised this issue and had led to the exclusion of the populations from three countries from the listing to avoid difficulties arising from the existence of small quotas in three southern African states for trade under CITES. The possibility of including the populations in the three countries under appendix II had been considered but had not been included in the revised draft of the listing proposal, as some countries had expected. COP10 would possibly have to revisit the issue.

### **6.3 Range States Classification**

38. Laura Cerasi introduced Document 7 and Information Documents 2 and 3. She explained that certain inconsistencies and discrepancies has come to light in the Range States List maintained by the Secretariat as required by Article VI paragraph 1 of the Convention<sup>2</sup>. Some Parties had notified the Secretariat that they were range states of species on the basis of isolated sightings. This potentially could involve a party in high cost activities with minimal conservation benefit.

39. Pierre Devillers said that European Union Member States were considered to be range states of species on the basis of incidental occurrences for the scope of the Habitats Directive. Spain was now considered to be in the range of a flamingo species on this basis. For clarity, the definitions in the Convention text might be stressed, where the meaning of range is qualified by the word “normally”.

40. Pierre Devillers also pointed out the importance of the “historic range” which had been addressed at COP5 in Nairobi in 1994, which had dealt with the reintroduction of the oryx. The historic range was the key element in determining the difference between introductions and re-introductions. Being acknowledged as part of the historic range potentially made parties eligible for funding through project participation. Species could still be considered migratory even if residual populations were resident in and restricted to a fraction of their former range. There was no set baseline to define historic range but timescales could go back 4,000-11,000 years depending on region and the effects of habitat and climatic changes. It was pointed out that the borders a species crossed were present day frontiers.

41. Marco Barbieri expressed support for the proposal to take the issue forward, especially as there were a number of questions to be addressed and many inconsistencies in the Convention’s range states list. The best means of how to deal with local extinctions should also be considered.

42. The wording of Article VI clearly left it to the discretion of the Parties to declare themselves range states for particular species, so the Secretariat had never challenged a Party’s claim to be a range state. The Secretariat primarily relied on the national reports submitted to COP to establish the list, although other sources (e.g. listings proposals) were also used. The Convention would be able to rely on the good sense of Parties not to make ludicrous claims for the species found within their territories.

It was proposed that a Working Group made up of all those present at this meeting be set up to draft a proposal for the 16<sup>th</sup> Meeting of the Scientific Council drawing on the COP5 definition. The wording of the Convention text, placing the onus on the Parties to provide information about the species for which they were range states, should be drawn to Parties’ attention.

<sup>2</sup> A list of the Range States of migratory species listed in Appendices I and II shall be kept up to date by the Secretariat using information it has received from the Parties.

#### **6.4 Taxonomy and Nomenclature of Bird Species listed in the CMS Appendices**

43. Laura Cerasi introduced Document 8, dealing with subject of the nomenclature of birds which was part of the broader discussion on the revision of standard references used by the Convention. The COP had asked that consideration be given to standardising the references used by CMS to achieve greater harmony with other MEAs, such as CITES. The document contained three annexes. The first Annex dealt with the possible repercussions for adopting Dickinson, E.C. (ed) (2003) in preference to Sibley, C.G. and Monroe, B.L. (1993) at the species levels. Annex II dealt with the different nomenclatural and taxonomic treatment of orders and families in Dickinson, Sibley & Monroe and Morony, J.J., Bock, W.J. & Farrand, J. (1975).

44. The third dealt specifically with albatross and petrel species, and compared the treatment of nomenclature by Dickinson, Sibley & Monroe and the reference adopted by ACAP. As the Parties to ACAP had adopted a different standard reference to CMS, consideration should be given to harmonising nomenclature within the CMS family.

45. Pierre Devillers stressed that taxonomy was an operational tool and harmonisation between the references used by different MEAS was not a priority. This had been the clear view of the terrestrial mammal taxonomic working group expressed at COP. Each MEA had its own history and should decide on its own which reference to use. There were advantages, especially for Parties having to draw up legislative instruments, if the taxonomy were consistent, but there was no reason for CMS to adopt a new reference simply to follow CITES' lead.

46. John O'Sullivan thanked the Secretariat for having prepared the document. He pointed out that there was rarely consensus on taxonomy and agreed that it was a tool. He did though suggest that CMS should adopt consistent rules on how to choose which reference. It appeared that for birds, Dickinson was now considered to be the most authoritative. That said, he pointed out that BirdLife and IUCN were still using Sibley & Monroe, and this reference was therefore the one used in drawing up the Red Lists.

47. With regard to albatross species, John O'Sullivan suggested that CMS should adopt the same taxonomy as ACAP which had put a considerable amount of work into deciding which reference to use.

48. Marco Barbieri asked how often the IUCN and BLI update their taxonomy, as he felt that a degree of stability was desirable. He agreed with Pierre Devillers that CMS should not change its standard references simply to align with practices in CITES, as each MEA had its own reasons for adopting the taxonomy it had. He did though think that Parties might prefer for a single system to be used, particularly in relation with the establishment of implementing legislation and regulations. He also noted that the issue of harmonization of taxonomy and nomenclature of annexes to conventions had received considerable attention by the Biodiversity Liaison Group (BLG) and at meetings of chairs of technical advisory bodies to biodiversity-related conventions.

49. Pierre Devillers thought that stability within the Convention rather than harmonisation among MEAs was more important. Taxonomy was a means to an end and not an end in itself. No one reference was perfect. He suggested that CMS should wait to see whether Dickinson or Sibley & Monroe established itself as the prime reference.

50. Carlo Custodio said that law enforcement officers dealing with CITES were not experts and relied on lists. It might be useful for them to have guidance on the different taxonomic references used by different MEAs.

51. John O’Sullivan pointed out that IUCN and BLI updated their threatened species lists annually, while taxonomy references changed less regularly or frequently. He would try to find out when the next revision of BLI’s taxonomic nomenclatorial reference was expected and assess what the implications for CMS would be.

52. Sergey Dereliev reported that the AEWA Technical Committee had also been charged with the task of examining the nomenclature of AEWA species, and was fully aware that CMS was conducting a similar exercise. AEWA depended on important input provided by other organisations, such as BLI and Wetlands International, so harmonisation with these organisations had distinct advantages. There were some discrepancies, with one species listed by AEWA not be reflected in BLI listings. He also felt that it was premature to make a firm decision at this stage. Generally, he thought that CMS and AEWA should adopt the same approach, unless there were strong reasons not to. He suggested adding another column to the table in the Secretariat’s paper to cover Wetlands International.

The meeting endorsed the work carried out so far by the Secretariat and requested that the work be continued so that the subject could be discussed at the next Scientific Council. John O’Sullivan would take the lead intersessionally and AEWA would participate.

## 6.5 Taxonomic Changes in Standard References

### 6.5.1 Policy regarding aggregational taxonomic changes in standard references

53. Pierre Devillers introduced the subject which had been raised at the COP. He explained the background and then proposed to make an informal suggestion on how to proceed.

54. To illustrate the issues, he cited the example of the adoption of the revised Wilson-Reeder references for terrestrial mammals. The Council and the Convention had established a clear method of dealing with appendix listings for species when the new taxonomical reference **split** one species into two or more. Changes in taxonomy or nomenclature did not change the taxonomic entity that is listed. A different problem arose when the revised reference **lumped** two or more species together in one new listing. If CMS had listed one of components of the new listing but not the other, the question arose how to deal with the new “lumped” reference. The Bukhara Deer provided an example of the problem, as CMS had listed the Central Asian subspecies but not the Chinese subspecies. The new reference no longer recognised two distinct subspecies, so the Convention had to decide how to deal with the Chinese populations of the renamed *Cervus elaphus yarkandensis* (previously *Cervus elaphus bactrianus*).

55. The COP had decided not to extend the Convention’s coverage and achieved this by a geographical limitation, citing only the Central Asian range states relevant to the old Bukhara listing.

56. Pierre Devillers pointed out that this might give the impression that the Convention was turning its back on a regional population of an endangered species. As a way to avoid such situation, he suggested that, where components of a lumped species had the same or worse conservation status as the original CMS listing, the new species should be deemed to be covered

in its entirety. However, there might be cases where the revised species reference greatly increased the populations which would be included in the CMS appendices. The meeting was asked for its views.

57. John Mshelbwala asked how often such occurrences were likely to arise and whether the Council should appoint a lead councillor to oversee taxonomy issues, to liaise with the chairmen of the taxonomic Working Groups. Pierre Devillers thought that appointing a specific councillor was probably not necessary, but a policy or set of guidelines were. The policy regarding splitting had served the Convention well for sixteen years without the need for review.

58. John O'Sullivan supported Pierre Devillers and suggested that a paper be drafted. He raised the political aspect of a lumping policy. The Bukhara Deer listing did not affect the Parties as the People's Republic of China, which hosted the other former subspecies was not a Party to the Convention. Other instances of lumping might however affect CMS Parties.

59. Pierre Devillers pointed to another advantage of adopting a lumping policy which was that the preparatory work for a revised listing proposal would be avoided. He also reiterated that revisions to taxonomic references were relatively infrequent, and the Convention's processes required the Scientific Council to inform the Conference of the Parties of proposed amendments.

60. Marco Barbieri thought that defining a policy for such cases was desirable. He noted that the ideal course of action would be for the Council to identify such cases in advance of the decision to change taxonomic references and any advice to the COP regarding the implications.

61. John Mshelbwala agreed that it would be helpful for a paper to be drafted but that the political implications needed to be explicitly set out. The ramifications of changes to the adoption of new references could be far-reaching and the Convention, now that it was forewarned, would be better placed to react appropriately.

Pierre Devillers agreed to work on a paper for the 16 <sup>th</sup> meeting of the Scientific Council.
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### **6.5.2 Taxonomy of *Saiga tatarica***

62. Robert Hepworth said that some confusion had arisen concerning the listing of the Saiga antelope in the light of taxonomic changes adopted.

63. Marco Barbieri explained that the proposal adopted by COP9 to list *Saiga tatarica* on Appendix II was made in the framework of the old reference (i.e. Wilson & Reeder 1993). The new standard (Wilson & Reeder 2005) agreed by COP9 recognised the split of *Saiga tatarica* sensu lato into two species *Saiga tatarica* and *Saiga borealis*. Although the Mongolian population was not migratory, it was included in the CMS listing as it fell under *Saiga borealis*. In accordance with the Convention's policy in cases of splits, both species were included on Appendix II in the version prepared by the Secretariat after COP9. All species of the genus *Saiga* are included in the CMS appendices. It was however noted that the taxonomic treatment of the species according to Wilson & Reeder 2005 was not used by most scientists and experts working on Saiga. Considering that previous COPs had agreed in some cases to deviate from the selected reference, the Secretariat decided to elaborate a document concerning the taxonomy of *Saiga tatarica* to be submitted to the Council with a view to considering the possibility of reverting to the previous taxonomic reference. The draft of this document was not ready for circulated at the time of the meeting.

64. Pierre Devillers agreed that all *Saiga tatarica* populations were covered. Although he took issue with the new reference, he felt that CMS should follow Wilson Reeder for the sake of simplicity, as it was easier to follow one reference without exceptions, even if this meant accepting the occasional oddity.

65. Marco Barbieri cited a small number of anomalies within the CMS approved taxonomies regarding cetaceans where there were strong grounds for deviating from the normal standard reference. Pierre Devillers stressed that these were special cases with exceptional strong justifications and should not be seen as precedents for deviating from standard references for other species groups. The Convention would run the risk of being deemed, by not rejecting them, to have endorsed all the questionable new taxonomies.

The Meeting agreed that there appeared to be no legal problem surrounding the CMS listing. Further consideration would be given within the Secretariat to whether the draft paper should be pursued.

## **6.6 Any other items for the agenda of the 16th Meeting of the Scientific Council**

66. Pierre Devillers suggested that the listing on Appendix II of the cheetah populations excluded at COP9 from Appendix I should be raised.

It was agreed that the agenda items to be considered at the 16<sup>th</sup> Meeting of the Scientific Council would be: the standard recurrent items; all items considered under Agenda item 6 of the present meeting, plus: cheetah (Appendix II listing of three populations) and the Small Grants Programme

## **6.7 Date and Venue of the 16th Meeting of the Scientific Council**

67. Marco Barbieri said that the default option would be the UN Campus in Bonn in the absence of any offers to host the meeting. The target date for the meeting was March-April 2010 [editorial note – Easter Sunday is 4 April 2010]. None of those present could identify any dates which were unsuitable, although it was noted some colleagues had difficulty attending meetings in March. Equally, no-one was able to suggest any particularly appropriate dates or other events with which to link the Council (cf the 14th Meeting of the Scientific Council and the Edinburgh flyways conference) to save or share costs.

68. Pierre Devillers would investigate whether the Belgian government might host the meeting as part of their EU Presidency.

69. It was agreed that the intersessional Scientific Council should last two days. Councillors had complained that two days had proved insufficient for the meeting prior to the COP, but this meeting had had to review the listings proposals. Marco Barbieri pointed out that the core CMS budget had an allocation of €30,000 for the Scientific Council. This sum was certainly not enough for a two-day meeting, so some voluntary contributions would be needed. Robert Hepworth was confident that there would be some budget surplus in 2009 because of vacant posts, only partly counteracted by consultancy staff. Pierre Devillers thought that tighter focus could reduce the time pressure on the meeting and scheduling just two days might increase the chances of persuading a Party to host.

The Secretariat to investigate suitable (and unsuitable) dates. The meeting thought that two days was the minimum duration and three would be ideal. Certainly for the meeting immediately before the COP, three days would be much preferable to two.

## **7. ANY OTHER BUSINESS**

70. Participants unanimously felt that the meeting had been useful. Some of those present said that they still hoped that it would be possible to hold more full meetings of the Council. Consideration needed to be given to the people to be invited to any future such meeting. It might be desirable to seek the participation of partner NGOs, which would not entail extra costs, in addition to the core Council membership of Chairman, Vice-Chairmen, Appointed Councillors and Taxonomic and Regional Working Groups.

71. Pierre Devillers agreed that the meeting could be opened to observers but stressed that the forum was informal. John Mshelbwala said that the title of the meeting indicated that it was not a decision making body.

72. Another matter taken under this agenda item was discussed in a closed session attended by the councillors. The report of this part of the meeting can be found at Annex III.

## **8. CLOSURE OF THE MEETING**

73. After the customary round of thanks to the organisers and participants, the Chair closed the meeting at 15:46.

**AGENDA OF THE MEETING**

1. Opening remarks
2. Adoption of the agenda
3. Expertise of Scientific Council Members
4. Small Grants Programme
5. Intersessional work of taxonomic and thematic Working Groups
6. Preparation of the 16<sup>th</sup> Meeting of the Scientific Council
  - Conservation status of CMS Appendix I Species
  - Listing of CMS Appendix II Species
  - Range State classification
  - Taxonomy and nomenclature of bird species listed in the CMS Appendices
  - Taxonomic changes in standard references
  - Any other items for the agenda of the 16th Meeting of the Scientific Council
  - Date and venue of the 16th Meeting of the Scientific Council
7. Any other business
8. Closure of the Meeting

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## UNEP/CMS Secretariat

### **UNEP/CMS Secretariat**

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### **Management of the CMS Secretariat**

Meeting in close session, the Councillors reviewed the recent events affecting the Secretariat and considered their impact on the present and future activities of the Scientific Council and on the capability of the Convention to meet the increasingly serious challenges faced by its implementation and the fulfilment of its objectives. They heard in particular the report of the Chairman, who represented the Council at the Extra-Ordinary Meeting of the CMS Standing Committee held in Geneva on 8<sup>th</sup> June.

The Councillors unanimously reiterated their full support and deep appreciation of the present Executive Secretary and his staff, and of the work they have accomplished in furthering the Convention and the cause of species conservation. They noted that, although it had unfortunately not been possible, due to very short notice, to properly consult the Council prior to the Standing Committee meeting, all the letters that had been addressed to the Chairman by individual councillors not present at the Scientific Council activity planning meeting, expressed the same full support, and that the Chairman had rightly conveyed that position to the Standing Committee.

The Councillors further expressed their conviction that successful implementation of the Convention and, in particular, the service of the Scientific Council and the support of the Concerted Actions which constitute the main tool of the Council, required a Secretariat with considerable competence and demonstrated experience in the matters that are the object of the Convention, wildlife conservation and natural heritage preservation.

While recognizing that the Conference of the Parties, as the decision making organ of the Convention, has the final responsibility for ensuring that this competence and this experience are achieved, the Councillors noted that the Scientific Council, as the advisory body that reviews, in particular, the conservation impact of policies and their compatibility with the objectives of the Convention, needs to be fully consulted in the process.

The Councillors expressed their concern that recent definitions of policy and positions taken in matters of management of the Secretariat are likely to affect the present efforts of the Convention, and its capability to insure continuity of service and support of long-term wide-ranging conservation actions due to the apparent lack of a succession plan.

They thus decided that, whatever the outcome of the current crisis, and in view of the now evident risk of its recurrence, the management of the Secretariat and the impact of this management on the concrete conservation efforts of the Convention needed to be discussed at the next full meeting of the Scientific Council.