



# CONVENTION ON MIGRATORY SPECIES

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TENTH MEETING OF THE  
CONFERENCE OF THE PARTIES  
Bergen, 20-25 November 2011  
Agenda Item 27

## CMS RESOLUTIONS AND RECOMMENDATIONS 1985-2008

*(Prepared by the CMS Secretariat)*

In the attached annex, the texts of all Resolutions and Recommendations adopted by all past Meetings of the Conference of the Parties to the Convention are reproduced. Below is a list of all Resolutions and recommendations adopted at each COP since COP1 in 1985.

<b>COP 1 (Oct. 1985)</b>	
Resolution 1.1	The Standing Committee of the Conference of the Parties
Resolution 1.2	Financial and Budgetary Matters
Resolution 1.3	Location of the Secretariat
Resolution 1.4	Composition and Functions of the Scientific Council
Resolution 1.5	Format of Proposals for Amendment of the Appendices
Resolution 1.6	Agreements
Resolution 1.7	Small Cetaceans
Resolution 1.8	Expression of Thanks to the Host Country
<b>COP 2 (Oct. 1988)</b>	
Resolution 2.1	Date and Venue of the Third Meeting of the Conference of the Parties to the Convention
Resolution 2.2	Guidelines for the Application of Certain Terms of the Convention
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Resolution 2.4	Financial and Budgetary Matters
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Resolution 2.7	Administration of Agreements
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Recommendation 4.1	Conservation and Management of Cormorants in African-Eurasian Region
Recommendation 4.2	Research on Migration in Small Cetaceans
Recommendation 4.3	Conservation Status of <i>Crex crex</i>
Recommendation 4.4	Proposed Agreement on the Houbara Bustard ( <i>Chlamydotis undulata</i> )
Recommendation 4.5	Concerted action for six Appendix I species of Sahelo-Saharan ungulates: <i>Addax nasomaculatus</i> , <i>Oryx dammah</i> , <i>Gazella dama</i> , <i>Gazella leptoceros</i> , <i>Gazella cuvieri</i> , <i>Gazella dorcas</i>
Recommendation 4.6	The role of non-Governmental Organizations in the Convention on Conservation of Migratory Species of Wild Animals

<b>COP 5 (April 1997)</b>	
Resolution 5.1	Concerted Actions for Appendix I Species
Resolution 5.2	Guidelines for the Harmonisation of Future Agreements
Resolution 5.3	Interpretation of Certain Terms of the Convention
Resolution 5.4	Strategy for the Future Development of the Convention
Resolution 5.5	Co-location of Agreement Secretariats
Resolution 5.6	Financial and Administrative Matters
Resolution 5.7	Guidelines for Acceptance of Financial Contributions
Resolution 5.8	Date, Venue and Funding of the 6th Meeting of the Conference of the Parties
Recommendation 5.1	Endorsement of Action Plans for Selected Appendix I and II Migratory Birds
Recommendation 5.2	Co-operative Actions for Appendix II Species
Recommendation 5.3	Development of an Action Plan for the Great Cormorant in the African-Eurasian Region
Recommendation 5.4	Progress on the Agreement on the Conservation and Management of the Houbara Bustard
Recommendation 5.5	Climate Change and its Implications for the Bonn Convention
Recommendation 5.6	Creation of a Working Group for the Conservation of Migratory Species in Latin-America and the Caribbean

<b>COP 6 (Nov. 1999)</b>	
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Resolution 6.2	By-Catch
Resolution 6.3	Southern Hemisphere Albatross Conservation

Resolution 6.4	Strategic Plan for the Convention on Migratory Species
Resolution 6.5	Information Management Plan and National Reporting
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Resolution 6.7	Institutional Arrangements: Scientific Council
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Recommendation 6.3	Further Action for Sahelo-Saharan Antelopes
Recommendation 6.4	Working Groups on the Houbara Bustard ( <i>Chlamydotis undulata</i> ) and Great Bustard ( <i>Otis tarda</i> )
Recommendation 6.5	Co-operative Action for the African Elephant ( <i>Loxodonta africana</i> ) in Western and Central Africa
Recommendation 6.6	Regional Coordination for Marine Turtles of the Indian Ocean and South-East Asia
Recommendation 6.7	Conservation of Marine Turtles in the Atlantic Coast of Africa, including Micronesia

<b>COP 7 (Sept. 2002)</b>	
Resolution 7.1	Concerted Actions for Appendix I Species
Resolution 7.2	Impact Assessment and Migratory Species
Resolution 7.3	Oil Pollution and Migratory Species
Resolution 7.4	Electrocution of Migratory Birds
Resolution 7.5	Wind Turbines and Migratory Species
Resolution 7.6	Implementation of the CMS Strategic Plan
Resolution 7.7	Implementation of Existing Agreements and Development of Future Agreements
Resolution 7.8	Implementation of the CMS Information Management Plan
Resolution 7.9	Cooperation with other Bodies and Processes
Resolution 7.10	Implications for CMS of the World Summit on Sustainable Development
Resolution 7.11	Financial and Administrative Matters
Resolution 7.12	Institutional Arrangements: Scientific Council
Resolution 7.13	Headquarters Agreement for, and Juridical Personality of, the Convention Secretariat
Resolution 7.14	Date, Venue and Funding of the Eighth Meeting of the Conference of the Parties
Resolution 7.15	Future Action on the Antarctic Minke, Bryde's and Pygmy Right Whales under the Convention on Migratory Species
Recommendation 7.1	Cooperative Actions for Appendix II Species
Recommendation 7.2	Implementation of Resolution 6.2 on By-Catch
Recommendation 7.3	Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa
Recommendation 7.4	Regional Coordination for Small Cetaceans and Dugongs of Southeast Asia and Adjacent Waters
Recommendation 7.5	Range State Agreement for Dugong ( <i>Dugong dugon</i> ) Conservation

Recommendation 7.6	Improving the Conservation Status of the Leatherback turtle ( <i>Dermochelys coriacea</i> )
Recommendation 7.7	America Pacific Flyway Programme

<b>COP 8 (Nov. 2005) <sup>1</sup></b>	
Resolution 8.1	Sustainable Use
Resolution 8.2	CMS Strategic Plan 2006-2011
Resolution 8.3	Financial and Administrative Matters and Terms of References for the Administration of the Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals
Resolution 8.5	Implementation of Existing Agreements and Development of Future Agreements
Resolution 8.7	Assessing the Contribution of CMS in Achieving the 2010 Biodiversity Target
Resolution 8.8	Outreach and Communications
Resolution 8.9	Review of GROMS (Global Register on Migratory Species)
Resolution 8.10	Implementation of the CMS Information Management System
Resolution 8.11	Cooperation with other Conventions
Recommendation 8.12	Improving the Conservation Status of Raptors and Owls in the African-Eurasian Region
Resolution 8.13	Climate Change and Migratory Species
Resolution 8.14	By-Catch
Recommendation 8.16	Migratory Sharks
Recommendation 8.17	Marine Turtles
Resolution 8.18	Integration of Migratory species into National Biodiversity Strategies and Action Plan
Resolution 8.20	Date, Venue and Funding of Meetings of the Conference of the Parties and of the Scientific Council
Resolution 8.21	Institutional Arrangements: Standing Committee and Scientific Council
Resolution 8.22	Adverse Human Induced Impacts on Cetaceans
Recommendation 8.23	Central Eurasian Aridland Mammals
Resolution 8.24	National Reports for the Eight and Ninth Meeting of the Conference of the Parties
Recommendation 8.26	Conservation of Grassland Bird Species and their Habitats in Southern South America
Resolution 8.27	Migratory Species and Highly Pathogenic Avian Influenza
Recommendation 8.28	Cooperative Actions for Appendix II Species
Resolution 8.29	Concerted Actions for Appendix I Species

<b>COP 9 (Dec. 2008)</b>	
Resolution 9.1	Concerted and Cooperative Actions
Resolution 9.2	Priorities for CMS Agreements
Resolution 9.3	CMS Information Priorities
Resolution 9.4	The Future of National Reports

1 While all COPs have adopted Resolutions, the first one to adopt Recommendations was COP4 in Nairobi in 1994. Since Recommendations were introduced, all COPs for Resolutions and Recommendations have had separate numbering systems with the exception of COP8 in Nairobi in 2005 where a common numbering system was used. Some of the sequences are incomplete where draft Resolutions or Recommendations were published or tabled but not adopted, and to avoid confusion the Resolutions and Recommendations adopted retained their original numbering.

Resolution 9.5	Outreach and Communication Issues
Resolution 9.6	Cooperation with other Bodies
Resolution 9.7	Climate Change Impacts on Migratory Species
Resolution 9.8	Responding to the Challenge of emerging and re-emerging diseases in Migratory Species, including Highly Pathogenic Avian Influenza H5N1
Resolution 9.9	Migratory Marine Species
Resolution 9.12	Capacity Building Strategy
Resolution 9.13	Intersessional Process Regarding the Future Shape of CMS
Resolution 9.13/Add	Terms of Reference for the Intersessional Working Group regarding the future shape of CMS, established according to Resolution UNEP/CMS/9.13
Resolution 9.14	Financial and Administrative Matters and Terms of Reference for the Administration of the Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals
Resolution 9.15	Composition and Organization of the Standing Committee
Resolution 9.17	Arrangements for Hosting the Ninth and Tenth Meetings of the Conference of the Parties
Resolution 9.18	By-Catch
Resolution 9.19	Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota
Resolution 9.20	The Saker Falcon ( <i>Falco cherrug</i> )
Recommendation 9.1	Central Eurasian Aridland Mammals
Recommendation 9.2	Sahelo-Saharan Megafauna
Recommendation 9.3	Tigers and other Asian Big Cats
Recommendation 9.4	Standardized Nomenclature for the CMS Appendices
Recommendation 9.5	Cooperative Action for the Elephant ( <i>Loxodonta africana</i> ) in Central Africa

## Resolution 1.1

(Repealed by Resolution 2.5, para 4)

### THE STANDING COMMITTEE OF THE CONFERENCE OF THE PARTIES

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

Considering the usefulness of a small permanent advisory committee for matters relating to the organization of meetings and for the continuous implementation of the Convention,

1. Decides to establish a Standing Committee of the Conference of the Parties, which, within the policy agreed by the Conference of the Parties, shall:

(a) Carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference of the Parties as may be necessary to execute the decisions of the Conference;

(b) Monitor, on behalf of the Parties, the execution of the secretariat's budget;

(c) Make recommendations, as appropriate, for consideration at the next meeting of the Conference of the Parties;

(d) Provide guidance and advice to the secretariat on the implementation of the Convention, on the preparation of meetings, and on any other matters brought to it by the secretariat;

(e) Represent the Conference of the Parties, vis á-vis the Government of the host country of the secretariat's headquarters, UNEP and other international organizations for consideration of matters relating to the Convention and its secretariat;

(f) Act as bureau at the meetings of the Conference of the Parties in accordance with the rules of procedure of the Conference of the Parties;

(g) Perform any other function as may be entrusted to it by the Conference of the Parties;  
and

(h) Submit at each ordinary meeting of the Conference of the Parties a report on its work since the previous ordinary meeting.

2. Determines the following principles for the composition of and voting procedures to be followed by the Standing Committee;

(a) The Committee shall consist of no more than seven Parties, who shall be nominated by the Conference of the Parties with due regard to geographical distribution. In nominating the members of the Committee, the Conference of the Parties shall ensure that the Committee includes a representative from the Depositary Government and the next host Party;

(b) If an extraordinary meeting or a special meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting;

(c) The Committee may invite observers to attend particular meetings or for particular items;

(d) The membership of the Committee shall be reviewed at each ordinary meeting of the Conference of the Parties, in accordance with the rules of procedure of the meeting. The term of office of the members nominated on a geographical basis shall expire at the close of the second ordinary meeting following that at which they have been nominated;<sup>1</sup>

(e) The Committee shall, by consensus, establish its own rules of procedure;

(f) The Secretary for the Committee shall be provided by the secretariat of the Convention.

3. Directs the secretariat to make provision in future budgets for the payment, upon request, of reasonable and justifiable travel expenses of nominated representatives from the group of the least developed countries and from the next host Party. Within the policy agreed by the Conference of the Parties, the secretariat:

(a) Shall make provision for payment of travel cost for any representatives from the group of the least developed countries to attend a maximum of one Standing Committee per calendar year;

(b) Shall refund travel expenses, upon request, to no more than one representative of a Party at any one meeting of the Standing Committee;

(c) May refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties or on behalf of the secretariat;

(d) May pay refunds in United States dollars;

(e) Shall receive claims for refunds, supported by receipts, which must be submitted to the secretariat within thirty calendar days of the completion of the travel; and

(f) Shall endeavour, to the extent possible, to obtain external funding for travel expenses.

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<sup>1</sup> As a transitory measure for one half of the members nominated on a geographical basis at the current first meeting of the Conference of the Parties, the terms of office shall expire at the close of the second regular meeting.

## Resolution 1.2

### FINANCIAL AND BUDGETARY MATTERS

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

Recalling article VII, paragraph 4, of the Convention which states that the Conference of the Parties shall:

"Establish and keep under review the financial regulations of this Convention, at each of its ordinary meetings, adopt the budget for the next financial period and agree a scale of contributions",

Noting with appreciation Decision 12/14, section IV, adopted by the Governing Council of the United Nations Environment Programme (UNEP) at its twelfth session in 1984,

Recognizing that the Parties to the Convention shall bear responsibility for the financing of the administration of the Convention and that, in accordance with the above-mentioned decision, the initial contribution of UNEP will cease by the end of 1987,

Acknowledging with appreciation the services of the provisional secretariat provided by UNEP and the support given by the Depositary Government with regard to the establishment of that provisional secretariat,

Noting the considerable number of Parties as well as organizations attending the meeting of the Conference of Parties as observers, and the resulting additional expenditure to be incurred,

1. Approves the budget for 1986-1988 attached as annex 1;
2. Agrees the scale of assessments for the contributions of Parties to the Convention is listed in annex 2 to this resolution;
3. Urges all Parties to pay their contributions in accordance with the above-mentioned scale of assessments at the beginning of the year to which they relate;
4. Invites States not parties to the Convention, and governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below;
5. Decides that the standard participation fee for all non-governmental organizations shall be fixed at \$US 100 (except as otherwise reduced by the Standing Committee as required) and urges such organizations to make a greater contribution if possible;
6. Requests the Executive Director of UNEP, with the approval of the Governing Council of UNEP, to seek the consent of the Secretary-General of the United Nations to the establishment of a Trust Fund for an initial period of three years;
7. Approves the terms of reference for the administration of the Trust Fund as set out in annex 3 to this resolution for the period 1986-1988.



## Annex 1

### BUDGET ESTIMATES

		Environment Fund				Trust Fund			
		w/m	1986	w/m	1987	w/m	1987	w/m	1988
10 PROJECT PERSONNEL COMPONENT									
1100	Project personnel								
1101	Sec-Gen/Co-ordinator (P-4)	12	60 000	12	61 000	12			62 000
1102	Programme Officer (P-3)		-		-	6	21 000	12	43 000
1199	Total		60 000		61 000		21 000		105 000
1200	Consultants (fee, travel, DSA)								
1201	Consultants		9 000		-		20 000		20 000
1299	Total		9 000		-		20 000		20 000
1300	<u>Administrative support</u>								
1301	Bilingual Secretary (G-3/G-4)	12	14 500	12	15 000		-	12	15 500
1302	Secretary (G-4)		-		-	12	15 500	12	16 000
1303	Translators (F/S)		-		-	6	10 000	10	20 000
1322	Temporary assistance/ overtime	6	8 500		-		-		3 000
1399	Total		23 000		15 000		25 500		54 500
1600	<u>Travel on official business</u>		5 000		5 000		2 500		12 500
1999	COMPONENT TOTAL		97 000		81 000		69 000		192 000
30 TRAINING COMPONENT									
3200	<u>Group training, meetings</u>								
3201	Standing Committee (1 p.a.)		-		-		15 000		15 000
3202	Scientific Council		-		-		20 000		25 000
3203	Conference of the Parties		-		-		-		100 000
3999	COMPONENT TOTAL		-		-		35 000		140 000
40 EQUIPMENT COMPONENT									
4100	Expendable equipment		2 500		2 500		2 500 <sup>1</sup>		5 000
4200	Non-expendable equipment		-		-		10 000		5 500
4999	COMPONENT TOTAL		2 500		2 500		12 500		7 500
MISCELLANEOUS COMPONENT									
5100	<u>Operation and Maintenance of equipment</u>								
5101	Rental and maintenance of equipment		3 500		3 500		-		1 000
5102	Rental and maintenance of photocopier		1 200		1 200		-		500
5103	Maintenance of premises		3 300		3 300		-		3 500
5199	Total		8 000		8 000		-		5 000

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<sup>1</sup> For the purchase of a word processing work station and a photocopier.

5200	<u>Reporting costs</u> <sup>2</sup>	15 000	15 000	-	15 000
5300	<u>Sundry</u>				
5301	Communications (telex, telephone, postage, pouch charges)	3 600	3 600	-	3 600
5302	Other	2 400	2 400	-	2 400
5399	Total	6 000	6 000	-	6 000
5999	COMPONENT TOTAL	29 000	29 000	-	26 000
	GRAND TOTAL	128 500	112 500	116 500	365 500

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<sup>2</sup> Proceedings, Conference of the Parties' documents, other reports and information publications including their translation, printing and distribution.

## Annex 2

### SCALE OF CONTRIBUTIONS TO THE TRUST FUND FOR 1986-1988<sup>1</sup>

Parties	A %	B %	C USD	D USD
Cameroon	00.01	0.047	222.00	100.00
Chile	00.07	0.336	1 601.00	534.00
Denmark	00.75	3.490	16 825.00	5 606.00
Egypt	00.07	0.326	1 601.00	534.00
Germany, Federal Republic of	08.54	25.000	120 525.00	40 162.00
Hungary	00.23	1.071	5 149.00	1 715.00
India	00.36	1.677	8 080.00	2 692.00
Ireland	00.18	0.838	4 040.00	1 347.00
Israel	00.23	1.071	5 149.00	1 715.00
Italy	03.74	17.422	84 000.00	27 991.00
Luxembourg	00.06	0.280	1 330.00	443.00
Netherlands	01.78	8.292	40 005.00	13 331.00
Niger	00.01	0.047	222.00	100.00
Norway	00.51	2.376	11 455.00	3 817.00
Portugal	00.18	0.838	4 040.00	1 347.00
Spain	01.93	8.991	43 331.00	14 439.00
Sweden	01.32	6.149	29 659.00	9 883.00
United Kingdom	4.67	21.755	104 866.00	34 944.00
European Economic Community <sup>2</sup>	-	-	-	-
<b>TOTAL</b>	<b>24.64</b>	<b>100.00</b>	<b>482 100.00</b>	<b>160 700.00</b>

Column A: United Nations scale of assessment (ST/ADM/SER.B/275 dated 21 December 1984)

<sup>1</sup> To be adjusted annually to take account of the ratification/accession of new Parties, and in the light of changes in the United Nations scale of assessment.

<sup>2</sup> EEC is not a member of the United Nations, and is therefore not assessed. It is not included in the contribution estimates. EEC has expressed its intention to contribute a specific lump sum to the Trust Fund, which consequently will be deducted from the total amount before applying the percentage rates.

- Column B.: Percentage rates based on United Nations scale of assessment, adjusted to the present number of Parties to the Convention, and taking into account the requirement that no individual contribution should exceed 25 per cent of the total
- Column C: Shares of Parties in total 1986-1988 budget estimate
- Column D: Annual contributions for each of the three years 1986-1988 taking into account the requirement that no Party should contribute less than US dollars 100.

### Annex 3

#### TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

1. A Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be established for an initial period of three years to provide financial support for the aim of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 1986, and ending 31 December 1988.
3. The administration of the Trust Fund shall be entrusted to the Secretary-General of the United Nations and, should he deem it necessary, to the Executive Director of the United Nations Environment Programme (UNEP).
4. The establishment and administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations. It is understood that these Rules provide that all expenditures from the Trust Fund shall incur a deduction according to the standard percentage factor approved for UNDP<sup>1</sup> to finance the administrative costs of the Trust Fund.
5. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 1988, the Executive Director of UNEP shall be so advised in writing immediately after the second meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
6. The financial resources of the Trust Fund for 1986-1988 shall be derived from:
  - (a) The contributions made by the Parties by reference to Annex 2 including contributions from any new Parties which are to be added to Annex 2.
  - (b) Contributions from States not parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
7. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. Contributions from States that become Parties after the beginning of the financial period shall be made on a pro-rata basis for the balance of the financial period. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 1986, 1987 and 1988. Contributions shall be paid into the following account:

Account No. 015-002756  
UNEP General Trust Funds Account for the Trust Fund for  
the Convention on the Conservation of Migratory Species of Wild Animals,  
Chemical Bank, United Nations Branch  
New York, N.Y. 10017, USA

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<sup>1</sup> See UN Secretary-General's Bulletin ST/SGB/146/Rev.1 "Establishment and management of Trust Funds".

8. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

9. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

10. The Trust Fund shall be subject to audit by the United Nations Internal Audit Service.

11. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

12. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph. The sum of the programme estimates shall equal the sum of the estimates described in the first sentence of this paragraph.

13. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretary-General of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium term plan as envisaged in Chapter III of Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium term plan will cover the years 1986 to 1991, inclusive, and will incorporate the budget for the 1986 to 1988 financial period.

14. The proposed budget and medium term plan, including all the necessary information, shall be dispatched by the secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.

15. The budget and medium term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.

16. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, he shall consult with the Secretary-General, who shall seek the advice of the Standing Committee as to its priorities for expenditure.

17. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

18. Upon the request of the Secretary-General of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first or second calendar year of a financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second or third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded unless this is specifically

sanctioned in writing by the Standing Committee.

19. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable the audited accounts for the financial period.

20. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretary-General of the Convention to the members of the Standing Committee.

21. The Secretary-General of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming quarter simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

22. These Terms of Reference shall be effective from the date of the establishment of the Fund which date shall be notified to all Parties.

### Resolution 1.3

#### LOCATION OF THE SECRETARIAT

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

Recalling Decision 12/14, section IV, adopted by the Governing Council of the United Nations Environment Programme at its twelfth session in 1984,

Taking into account that article IX, paragraph 2, of the Convention states that the Executive Director of the United Nations Environment Programme shall provide a secretariat,

Acknowledging with appreciation the support given by the Depositary Government with regard to the establishment of the provisional secretariat,

Recognizing that proximity to the Depositary Government facilitates the work of the secretariat and improves its operational efficiency,

Welcoming the offer of the Government of the Federal Republic of Germany to provide continuing support to the secretariat established in Bonn,

1. Invites the Executive Director of UNEP to negotiate with the Government of the Federal Republic of Germany all questions concerning the location of the secretariat; and
2. Decides to review the arrangements concerning the location of the secretariat at the next ordinary meeting of the Conference of the Parties, taking into account further developments with regard to other relevant conventions such as the Ramsar Convention on Wetlands of International Importance, especially as Waterfowl Habitat.



## Resolution 1.4

### COMPOSITION AND FUNCTIONS OF THE SCIENTIFIC COUNCIL

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

Taking into account that article VIII of the Convention calls for the establishment of a Scientific Council at the first meeting of the Conference of the Parties,

1. Decides to establish a Scientific Council of the Conference of the Parties;
2. Recommends that the Parties interpret the first sentence of article VIII, paragraph 2, to mean that their nominees should have scientific expertise relevant to the aims and objectives of the Convention;
3. Further recommends that the special qualifications of members of the Scientific Council should initially cover the following fields of expertise:
  - (a)
    - (i) migration biology
    - (ii) population ecology
    - (iii) habitat conservation
  - (b)
    - (i) aquatic mammals
    - (ii) terrestrial mammals
    - (iii) bats
    - (iv) aquatic reptiles
    - (v) birds
4. Determines the following principles for the composition and procedure of the Scientific Council:
  - (a) The number of members of the Scientific Council selected and appointed by the Conference of the Parties in accordance with the second sentence of article VIII, paragraph 2, of the Convention shall be not more than eight;
  - (b) The Scientific Council and its working groups may invite additional experts to take part in their work;
  - (c) The membership of the Scientific Council shall be reviewed at each ordinary meeting of the Conference of the Parties, in accordance with the rules of procedure of the meeting;
  - (d) The Secretary for the Scientific Council and its working groups shall be provided by the secretariat of the Convention;
5. Determines the following guidelines for the functioning of the Council:
  - (a) Whilst Parties would be expected to finance the expenses of their own nominees, those of the Conference nominees must be covered by the Convention budget as a high priority;
  - (b) For reasons of economy and efficiency, the Scientific Council should work in small groups dealing with particular problems. The full Council should normally meet only in connection with a meeting of the Conference of the Parties;
  - (c) Continuity between the groups and during the intervals between meetings of the

Conference should be provided by a scientific member of the secretariat;

6. Directs the Scientific Council to address the following questions and tasks, in order of priority:

(a) To assist in the development of indicative and exemplary agreements between Range States according to the Convention;

(b) To formulate guidelines for the application of such terms of the Convention as "endangered" and "migratory species";

(c) To review, in the light of these guidelines, the existing list of species on the appendices of the Convention;

(d) To recommend, in accordance with article VIII, paragraph 5 (c), of the Convention, species to be included in appendices I or II, such additions to be made according to a clear, defined set of principles;

(e) To develop a comprehensive and consistent candidate list of species which would benefit by future inclusion in appendices I and II, as they put forward;

(f) To provide information, channelled through the secretariat, to all Range States of particular species, with a view to encouraging all non-party Range States to become Parties to the Convention and to participate in its implementation.

## Resolution 1.5

### FORMAT OF PROPOSALS FOR AMENDMENT OF THE APPENDICES

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

Considering the need to ensure that the listing of migratory species on the appendices of the Convention must be based on the best scientific evidence available,

Recommends the following format for drawing up official proposals for the inclusion of individual species in appendices I or II of the Convention:

- A. PROPOSAL
- B. PROPONENT
- C. SUPPORTING STATEMENT
  - 1. Taxon
    - 1.1 Classis
    - 1.2 Ordo
    - 1.3 Familia
    - 1.4 Genus or Species resp. subspecies, including author and year
    - 1.5 Common name(s), when applicable
  - 2. Biological data
    - 2.1 Distribution (current and historical) - see also 5
    - 2.2 Population (estimates and trends)
    - 2.3 Habitat (short description and trends)
    - 2.4 Migrations (kinds of movement, distance, proportion of the population migrating.
  - 3. Threat data
    - 3.1 Direct threat of threat of the population (factors, intensity)
    - 3.2 Habitat destruction (quality of changes, quantity of loss)
    - 3.3 Indirect threat (e.g. reduction of breeding success by pesticide contamination)
    - 3.4 Threat connected especially with migrations
    - 3.5 National and international utilization
  - 4. Protection status and needs
    - 4.1 National protection status
    - 4.2 International protection status
    - 4.3 Additional protection needs;
  - 5. Range States
  - 6. Comments from Range States
  - 7. Additional remarks
  - 8. References

### Explanatory notes

A. Definition of the proposal (species, sub-species or higher taxon; whether the entire or only part of the population should be included; whether inclusion in appendix I or II or in both appendices is proposed)

B. Official name of the Contracting Party submitting the proposal

C. A brief selection of the most important scientific data which explain and substantiate the proposal; these data may be gathered from technical literature or from reports which have so far not been published (indication of source). The proposals should contain the following details:

1. Taxonomy: the relevant scientific names as well as the names in those languages in which the official Convention text was drawn up;

2. Biological data

2.1 Description of the range, including changes in historical times as well as division of the overall range into reproduction, migrating and wintering (resting) ranges; add a map, if necessary;

2.2 Short quantitative characterization of the population (number, sizes, quantitative data from test areas) and its changes, including the population trend (extent and rate);

2.3 Short ecological characterization of habitats which are used by one or more animal species; indication of the most important structures of habitats which are responsible for the survival of the species during migration and in its wintering (resting) areas;

2.4 Description of the character of regular migrations, indicating the geographical extent of the population movements and including information on whether the entire or only part (which?) of the population undertakes regular migrations.

3. Threat data: Listing of factors - broken down into four groups - which are responsible for the species being endangered or for its poor conservation status; as far as factors 1 to 3 are concerned, it must also be specified whether these factors are operating in breeding, migrating or resting areas.

4. Apart from the legal conservation status in the various Range States and from information on international conservation (under other Conventions), concrete conservation requirements (4.3) should be listed which must be met in order to improve the conservation status of the species. Apart from providing direct protection to the population, proposals from the field of biotope conservation should be listed and explained (if necessary).

5. Listing of States where the occurrence of species has been proved (indicating, perhaps, whether these are breeding, migrating or resting ranges).

6. It is necessary to consult, as far as possible, experts and/or nature conservation authorities of the other Range States before the proposal is submitted and to give a brief outline of their comments upon the proposal on this format. These data make it easier both for the Scientific Council and for the Conference of the Parties to take the necessary decisions.

## Resolution 1.6

### AGREEMENTS

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

Recognizing the importance of demonstrating the effectiveness of the Convention,

Aware of the particular need to conclude Agreements for appendix II species,

Instructs the secretariat to take appropriate measures to develop Agreements for the following species and groups of migratory animals:

- a. European species of Chiroptera;
  - b. Ciconia c. ciconia;
  - c. Western palearctic Anatidae;
  - d. North and Baltic Sea populations of Phocoena phocoena and Tursiops truncatus;
2. Recommends that process on these Agreements should be reviewed at meetings of the Standing Committee and Scientific Council, and reported on at the second meeting of the Conference of the Parties;
3. Further recommends that full account be taken of the record of discussions on the development of exemplary Agreements during the first meeting of the Conference of the Parties.

Resolution 1.7

SMALL CETACEANS

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

Noting the advice of the Scientific Committee that the small cetaceans be considered for inclusion in appendix II of the Convention at the forthcoming second meeting of the Conference of the Parties,

Recognizing that a working group on marine migratory animals during the present first meeting of the Conference of the Parties has drafted a paper on biological elements for an agreement on certain small cetaceans,

Directs the secretariat to set up, in consultation with the Scientific Council and appropriate national and international organizations, a working group on small cetaceans.

### Resolution 1.8

#### EXPRESSION OF THANKS TO THE HOST COUNTRY

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

Having held its first meeting in Bonn, at the invitation of the Government of the Federal Republic of Germany, from 21 to 26 October 1985,

Having adopted at this meeting a number of resolutions and decisions in furtherance of the implementation of the Convention,

1. Expresses its gratitude to the Government of the Federal Republic of Germany for having acted as host to the Conference and for having placed at the disposal of the Conference the premises and facilities for the meeting;
2. Wishes to express to the Government of the Federal Republic of Germany, to the Federal Minister of Food, Agriculture and Forestry and to the authorities of the city of Bonn its sincere appreciation for the welcome and generous hospitality shown to participants and for the efficiency of the services provided.

## Resolution 2.1

### DATE AND VENUE OF THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION

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

Recalling Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise",

1. Decides that the third meeting of the Conference of the Parties should take place at the latest in October 1991;
2. Invites Parties to offer to host that meeting and inform the Secretariat accordingly before the end of 1989;
3. Instructs the Standing Committee to decide on the most suitable venue from the offers received;
4. Decides that, should no suitable offers be received from Parties, the meeting shall be held at the United Nations Office at Geneva.

13 October 1988



## Resolution 2.2

### GUIDELINES FOR THE APPLICATION OF CERTAIN TERMS OF THE CONVENTION

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

Taking into account Article I, paragraph 1, of the Convention, in particular subparagraphs (a) and (e) thereof;

Recalling resolution 1.4 on the composition and functions of the Scientific Council, especially paragraph 6 (b) thereof which directs the Scientific Council "to formulate guidelines for the application of such terms of the Convention as 'endangered' and 'migratory species'";

Noting the Report of the Chairman of the Scientific Council of the first meeting of the Scientific Council of the Convention,<sup>1</sup> held on 10 October 1988 and especially paragraphs 12 to 14 thereof;

1. Adopts the following guidelines for the application of certain terms of the Convention interpreted in Article 1, paragraph 1:

- (a) In the interpretation of the term "migratory species" in Article 1, paragraph 1 (a):
  - (i) The word "cyclically" in the phrase "cyclically and predictably" relates to a cycle of any nature, such as astronomical (circadian, annual etc.), life or climatic, and of any frequency;
  - (ii) The word "predictably" in the phrase "cyclically and predictably" implies that a phenomenon can be anticipated to recur in a given set of circumstances, though not necessarily regularly in time;
- (b) In the interpretation of the term "endangered" in Article I, paragraph 1 (e), the term equates with the category "endangered" as defined in the threatened species categorization of the International Union for the Conservation of Nature and Natural Resources (1988 IUCN Red List of Threatened Animals).

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<sup>1</sup>CMS/Conf. 2.12.2 Annex

### Resolution 2.3

#### SMALL CETACEANS

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

Recalling resolution 1.7 on small cetaceans

Noting the Report of the Working Group on Small Cetaceans established in accordance with that resolution<sup>1</sup>, especially annex II thereof and its recurring references to pollution, accidental and deliberate catches, habitat changes and depletion of food supplies,

Further noting the Report of the Chairman on the first meeting of the Scientific Council<sup>2</sup>, especially paragraph 16 thereof which stresses the need to look at the conservation of migratory small cetacean species globally,

Noting finally the summary Report of Committee I<sup>3</sup>, especially paragraph 6 thereof, which notes that the function of the Working Group will be continued under the auspices of the Scientific Council and emphasizes the need to consider further the species listed in the aforementioned Annex II as Appendix II and AGREEMENT candidates,

1. Directs the Scientific Council to give priority to a global review of the conservation status of small cetaceans, including fresh water species, with a view to establishing the case for Parties to prepare proposals for additions to Appendix II of the Convention to be considered at the Third Meeting of the Conference of the Parties;

2. Instructs the Secretariat and the Standing Committee to take appropriate measures to envisage and facilitate AGREEMENTs between Range States for species identified by the Scientific Council.

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<sup>1</sup> CMS/Conf. 2.12.3.

<sup>2</sup> CMS/Conf.2.12.2/Annex.

<sup>3</sup> CMS/Conf.2/L.7, reproduced as Chapter III of the Proceedings.

## Resolution 2.4

### FINANCIAL AND BUDGETARY MATTERS

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

Recalling Article VII, paragraph 4, of the Convention, which states:

"The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference",

Acknowledging with appreciation the services of the financial and Secretariat support provided by the United Nations Environment Programme and the support given by the depositary Government,

Noting the considerable number of Parties as well as organizations attending the meeting of the Conference of Parties as observers and the resulting additional expenditure to Parties so incurred,

1. Confirms that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. Adopts the budget for 1989-1991 attached as annex I to this resolution;
3. Agrees the scale of contributions of Parties to the Convention as listed in annex II to this resolution;
4. Requests all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or in any case promptly by the beginning of the respective calendar year to which the contributions apply;
5. Takes note of the medium-term plan for 1989-1994<sup>1</sup>;
6. Invites States not parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below;
7. Decides that the standard participation fee for all non-governmental organizations shall be fixed at United States 150 dollars (except as otherwise reduced by the Standing Committee as required) and urges such organizations to make a greater contribution if possible;
8. Confirms the request of the Standing Committee to the Executive Director of the United Nations Environment Programme to extend the duration of : the Trust Fund to 31 December 1991;
9. Approves the terms of reference for the administration of the Trust Fund, as set out in annex III to the present resolution, for the period 1989-1991;
10. Requests the Standing Committee to consider other options and possibilities concerning the location of the Secretariat and to report on its work to the Third Meeting of the Conference of the Parties.

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<sup>1</sup> See Chapter IV, Report of Committee II, appendix.

# Annex 1

## BUDGET ADOPTED FOR 1989-1991

(Budget lines correspond to standard UNEP budget codes)

		<u>Estimated cost in United States dollar</u>					
PERSONNEL COMPONENT		<u>1989</u>		<u>1990</u>		<u>1991</u>	
		w/m		w/m		w/m	
1100	Project personnel						
1101	Co-ordinator (P-4)	12	88 000	12	85 000	12	96 800
1102	Programme Officer (P-3)	6	32 000	12	70 000	12	77 000
1199	Total		<u>120 000</u>		<u>155 000</u>		<u>173 800</u>
1200	<u>Consultants</u>		<u>25 000</u>		<u>26 500</u>		<u>27 000</u>
1299	Total		<u>25 000</u>		<u>26 500</u>		<u>27 000</u>
1300	<u>Administrative support</u>						
1301	Bilingual administrative/ Assistant/professional assistant (G-4/G-5)	12	39 600	12	43 560	12	48 000
1302	Secretary (G-3)		-	6	19 000	12	41 300
1303	Translators (F/S)		3 000		3 200		6 500
1322	Temporary assistance/ overtime	6	6 000	3	3 200	6	6 500
1323	Temporary assistance/ Conference						<u>120 000</u>
1399	Total		<u>48 600</u>		<u>68 960</u>		<u>222 300</u>
1600	<u>Travel on official business</u>						
1601	Secretariat		16 000		17 850		20 100
1602	Chairman Standing Committee		<u>3 000</u>		<u>4 000</u>		<u>4 000</u>
1699	Total		<u>19 000</u>		<u>21 850</u>		<u>24 100</u>
1999	COMPONENT TOTAL		<u>212 600</u>		<u>272 310</u>		<u>447 200</u>
MEETINGS COMPONENT							
3200	<u>Meetings</u>						
3201	Scientific Council		-		-		15 000
3202	Working groups (2 per annum)		10 000		11 000		12 000
3203	Standing Committee (1 per annum)		<u>10 000</u>		<u>11 000</u>		<u>12 000</u>
3999	COMPONENT TOTAL		<u>20 000</u>		<u>22 000</u>		<u>39 000</u>

## EQUIPMENT COMPONENT

4100	Expendable equipment	2 000	3 000	4 500
4200	Non-Expendable equipment <sup>1</sup>	7 000	2 000	2 000
4300	Premises rental <sup>2</sup>	-	-	-
4999	COMPONENT TOTAL	<u>9 000</u>	<u>5 000</u>	<u>6 500</u>

## MISCELLANEOUS COMPONENT

5100 Operation and Maintenance

5101	Computer	2 000	2 200	2 400
5102	Photocopier	2 000	300	550
5103	Other equipment	1 000	1 000	1 000
5104	Premises <sup>2</sup>	-	-	-
5199	Total	<u>5 000</u>	<u>3 500</u>	<u>3 950</u>

5200 Reporting costs

5201	Documents	16 000	11 100	20 000
5299	Total	<u>16 000</u>	<u>11 100</u>	<u>20 000</u>

5300 Sundry

5301	Communications	8 000	9 000	10 000
5302	Other	2 000	2 200	11 000
5999	COMPONENT TOTAL	<u>31 000</u>	<u>25 800</u>	<u>44 950</u>

TOTAL ALLOCATIONS FOR  
SECRETARIAT USE

	272 600	325 110	537 650
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6000	<u>UNEP costs</u>	<u>35 438</u>	<u>42 264</u>	<u>69 895</u>
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GRAND TOTAL	<u>308 038</u>	<u>367 374</u>	<u>607 545</u>
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Grand total for biennium: 1989-1991: 1 282 957.

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<sup>1</sup> Current photocopier rental contract expires in September 1989.

<sup>2</sup> Paid by the Government of the Federal Republic of Germany only if the Secretariat remains in the Federal Republic of Germany.

## Annex 2

### SCALE OF CONTRIBUTIONS TO THE TRUST FUND, 1989-1991

(Amount of contribution in United States dollars)

	United Nations percentage scale	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>Total</u>
Benin	0.01	150	159	267	576
Cameroon	0.01	150	159	267	576
Chile	0.07	920	1 114	1 873	3 907
Denmark	0.72	9 526	11 460	19 263	40 249
Egypt	0.07	926	1 114	1 872	3 912
Germany, Federal Republic of	8.26	77 010	91 844	151 886	320 740
Ghana	0.01	150	159	267	576
Hungary	0.22	2 911	3 502	5 886	12 299
India	0.35	4 631	5 571	9 365	19 567
Ireland	0.18	2 382	2 865	4 816	10 063
Israel	0.22	2 910	3 502	5 886	12 298
Italy	3.79	50 147	60 323	101 400	211 870
Luxembourg	0.05	662	796	1 338	2 796
Mali	0.01	150	159	267	576
Netherlands	1.74	23 023	27 694	46 553	97 270
Niger	0.01	150	159	267	576
Nigeria	0.19	2 518	3 024	5 083	10 625
Norway	0.54	7 145	8 595	14 447	30 187
Pakistan	0.06	795	955	1 605	3 355
Portugal	0.18	2 382	2 865	4 816	10 063
Senegal	0.01	150	159	267	576
Somalia	0.01	150	159	267	576
Spain	2.03	26 860	32 310	54 312	113 482
Sweden	1.25	16 539	19 895	33 443	69 877
Tunisia	0.03	397	478	805	1 680
United Kingdom	4.86	64 304	77 354	130 027	271 685
EEC	-	11 000	11 000	11 000	33 000
<b>Total</b>	<b><u>24.88</u></b>	<b><u>308 038</u></b>	<b><u>367 374</u></b>	<b><u>607 545</u></b>	<b><u>1 282 957</u></b>

### Annex 3

#### TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 1989, and ending 31 December 1991.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations. It is understood that these Rules provide that all expenditures from the Trust Fund shall incur a deduction according to the standard percentage factor approved for the United Nations Development Programme<sup>1</sup> to finance the administrative costs of the Trust Fund.
5. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 1991, the Executive Director of UNEP shall be so advised in writing immediately after the third meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
6. The financial resources of the Trust Fund for 1989-1991 shall be derived from:
  - (a) The contributions made by the Parties by reference to annex II, including contributions from any new Parties;
  - (b) Contributions from States not parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
7. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined pro rata based on the contribution of other States Parties on the same level on the United Nations scale of assessments, as it applies from time to time. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 1989, 1990 and 1991. Contributions shall be paid into the following account:

Account No. 015-002756  
UNEP Trust Funds Account for the Trust Fund for the  
Convention on the Conservation of Migratory Species

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<sup>1</sup> United Nations Secretary-General's Bulletin ST/SGB/146/Rev.1, "Establishment and management of trust funds".

of Wild Animals  
Chemical Bank, United Nations Branch  
New York, N.Y. 10017, USA

8. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.
9. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.
10. The Trust Fund shall be subject to audit by the United Nations Internal Audit Service.
11. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in United States dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.
12. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure and budget lines described in the first sentence of this paragraph.
13. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan shall cover the years 1992 to 1997, inclusive, and shall incorporate the budget for the financial period 1992-1994.
14. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.
15. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.
16. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, he shall consult with the Secretariat, which shall seek the advice of the Standing Committee as to its priorities for expenditure.
17. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.
18. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first or second calendar year of a financial period, the Executive Director



of UNEP may proceed to transfer any uncommitted balance of appropriations to the second or third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.

19. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.

20. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

21. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming quarter simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

22. The present terms of reference shall be effective from 1 January 1989 to 31 December 1991.

## Resolution 2.5

### THE STANDING COMMITTEE OF THE CONFERENCE OF THE PARTIES

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

Considering the experience of the present Standing Committee in matters of advice to the Secretariat and representation of the Parties between meetings of the Conference of the Parties,

Considering also that the Executive Director of the United Nations Environment Programme is responsible for the administration of the Secretariat,

Considering further the need for the Standing Committee to provide general direction to the Secretariat between meetings of the Conference of the Parties within the policy established by the Conference of the Parties,

1. Resolves to re-establish the Standing Committee of the Conference of the Parties and establish terms of reference as follows:

Within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

- (a) Provide general policy, operational and financial direction to the Secretariat concerning the implementation and the expansion of the Convention;
- (b) Carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary;
- (c) Provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings and on any other matters brought to it by the Secretariat in the exercise of its function;
- (d) Oversee, on behalf of the Parties, the development and execution of the budget of the Secretariat as derived from the Trust fund and other sources and also all aspects of fund-raising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and oversee expenditures of such fund-raising activities;
- (e) Represent the Conference of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, the United Nations Environment Programme and other international organizations for consideration of matters relating to the Convention and its Secretariat;
- (f) Submit at each ordinary meeting of the Conference of the Parties a report on its work since the previous ordinary meeting;
- (g) Make recommendations or draft resolutions, as appropriate, for consideration by the Conference of the Parties;

2. Determines the following principles for the composition of and voting procedures to be followed by the Standing Committee;

- (a) The Committee shall consist of no more than seven Parties, who shall be nominated by the Conference of the Parties with due regard to geographical distribution. In nominating the members of the Committee, the Conference of the Parties shall ensure that the Committee includes a

representative from the depositary Government and the next host Party;

(b) If an extraordinary meeting or a special meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting;

(c) The membership of the Committee shall be reviewed at each ordinary meeting of the Conference of the Parties, in accordance with the rules of procedure of the meeting. The term of office of the members nominated on a geographical basis shall expire at the close of the second ordinary meeting following that at which they have been nominated;

(d) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote;

(e) The Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote;

(f) The Secretariat shall inform all Parties of the date and venue of Standing Committee meetings;

(g) The Committee shall, by consensus, establish its own rules of procedure;

(h) The Secretary for the Committee shall be provided by the Secretariat of the Convention;

3. Requests the Secretariat to make provision in budgets for the payment, upon request, of reasonable and justifiable travel expenses of nominated representatives from the group of the developing countries and from the next host Party. Within the policy agreed by the Conference of the Parties, the Secretariat;

(a) Shall make provisions for payment of travel costs for any representatives from the group of the developing countries to attend a maximum of one Standing Committee per calendar year;

(b) Shall refund travel expenses, upon request, to no more than one representative of a Party at any one meeting of the Standing Committee;

(c) May refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties or on behalf of the Secretariat;

(d) May pay refunds in United States dollars;

(e) Shall receive claims for refunds, supported by receipts, which must be submitted to the Secretariat within thirty calendar days of the completion of the travel; and

(f) Shall endeavour, to the extent possible, to obtain external funding for travel expenses;

4. Decides that the resolution 1.1 is repealed.

14 October 1988

## Resolution 2.6

### IMPLEMENTATION OF ARTICLES IV AND V OF THE CONVENTION

#### The Conference of the Parties to the Convention for the Conservation of Migratory Species of Wild Animals.

Recognizing the importance attached to the implementation of the full scope of conservation measures envisaged by the Convention;

Convinced of the desirability of concluding AGREEMENTs in accordance with Article IV, paragraph 3, and Article V of the Convention in those cases where the conservation status of specific migratory species would benefit from such AGREEMENTs,

Having noted the intention expressed in the note verbale from the Government of the Federal Republic of Germany as depositary for the Convention dated 28 January 1982, which was circulated to the Parties, to bring the wording of Article IV, paragraph 4, into conformity with the negotiating documents by writing the word "agreements" in lower case letters,

Further noting the intention of the depositary to implement this correction in the text following the formal concurrence of the Parties to it,

1. Stresses the desirability of concluding AGREEMENTs in accordance with Article V of the Convention whenever such AGREEMENTs are needed because of the nature of the obligations to be undertaken by the Parties;

2. Recommends to Parties to implement where appropriate the corrected Article IV, paragraph 4, within the spirit of the convention through the use of instruments, other than AGREEMENTs in accordance with Article V, it being understood that these instruments may be established as a first step towards the conclusion of an AGREEMENT in accordance with Article V;

3. Suggests that such instruments whenever appropriate and feasible may take the shape of, for example, resolutions adopted by the Conference of the Parties on proposals submitted by the Party Range States or administrative agreements or memoranda of understanding. Article V, paragraph 2, of the Convention should apply also to such instruments.

14 October 1988

## Resolution 2.7

### ADMINISTRATION OF AGREEMENTS

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

Taking into account the need for efficient administrative arrangements for agreements under Article IV of the Convention, to be interpreted herein as AGREEMENTs under paragraph 3 and agreements under paragraph 4 of that Article.

Recognizing that such agreements shall be open to all Range States,

#### Determines:

(a) That the arrangements shall have regard to the most efficient, economical and appropriate administration and co-ordination and, therefore, that the parties to the agreement may agree that the administration should be undertaken by a party to it, or other national or international organization or by the Secretariat of the Convention. In making these arrangements parties to the agreement shall consider the need for the flexibility to make appropriate changes at a later date to further the objectives of the Convention;

(b) That all Range States that are parties to an agreement should be prepared to contribute a share of such costs of administering that agreement as may arise and as shall be agreed by the parties to the agreement;

(c) That the financial contributions from the parties to an agreement may be paid direct to the party or other organization administering the agreement or through the Trust Fund for the Convention, as the parties to the agreement shall decide;

(d) That the party or other organization undertaking the administration of an agreement shall keep the Secretariat of the Convention fully informed on the conduct of the agreement and make regular reports to the meetings of the Parties to the Convention;

(e) That before it is determined that the administration of an agreement shall be undertaken by the Secretariat to the Convention the consent of the Standing Committee to the Convention shall be sought.

14 October 1988

### Resolution 3.1

#### LISTING OF SPECIES IN THE APPENDICES OF THE CONVENTION

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

Recalling that Resolution 1.4 from its first meeting directed the Scientific Council to formulate guidelines on terms used in the Convention and to review the species listed in its Appendices,

Noting with thanks that the Council has now reported to the Conference of the Parties on these matters and has made a number of recommendations to it,

1. Agrees that, in applying the guideline for interpretation of the term "endangered" adopted in Resolution 2.2 from the second meeting of the Conference of the Parties, the following general principles should apply:

- (a) The restriction of the listing of species in Appendix I to those which are "endangered" applies to the consideration of future proposals, but not necessarily retrospectively to species already listed;
- (b) Bearing in mind that Article III, paragraph (3) (b) of the Convention provides that a migratory species may be removed from Appendix I when it is determined that the species is not likely to become endangered again because of loss of protection due to its removal from Appendix I, species categorized by the World Conservation Union (IUCN) as "endangered" (E), "vulnerable" (V) or "insufficiently known" (K\*) should be retained in Appendix I, together with any rare species breeding at a limited number of inherently vulnerable sites;

2. Agrees that further additions to the Appendices of the Convention should be limited to species or lower taxa and that the migratory species covered by higher taxa listings already in Appendix II need only be identified when AGREEMENTs were being prepared;

3. Adopts the guideline that a State should be considered a "Range State" for a migratory species when a significant proportion of a geographically separate population of that species occasionally occurs in its territory;

4. Requests the Depositary, when up-dating the Appendices, to correct names for the following species to reflect current standard nomenclature as follows:

#### Appendix I

#### MAMMALIA

##### CETACEA

##### Balaenidae

Delete	<u>Eubalaena glacialis</u> (s.l.)
Insert	<u>Eubalaena glacialis</u>
	<u>Eubalaena australis</u>

##### ARTIODACTYLA

	Camelidae
Delete	<u>Lama vicugna</u> * (except Peruvian populations)
Insert	<u>Vicugna vicugna</u> * (except Peruvian populations)

## Appendix II

### MAMMALIA

#### CETACEA

	Delphinidae
Delete	<u>Globicephala melaena</u> (only North and Baltic Sea populations)
Insert	<u>Globicephala melas</u> (only North and Baltic Sea populations)

and to footnote the revised Appendices as appropriate to indicate the former listing;

5. Requests Parties preparing proposals for addition of a species to Appendix I to consider whether that species should also be listed in Appendix II;
6. Urges any Party proposing the addition to Appendix II of a species for which it is a Range State to initiate negotiations with other Range States towards an AGREEMENT for that species;
7. Urges Parties to submit proposals in accordance with Article XI of the Convention for consideration by the fourth meeting of the Conference of the Parties for the listing in Appendix II of those species already listed in Appendix I of the Convention which would benefit from such listing and, in the meantime, to take appropriate measures to develop AGREEMENTs for such species;
8. Encourages Parties to consider submitting proposals for the listing of species from regions of the world currently under-represented in the Appendices and to assist developing country Parties to prepare such proposals.

## Resolution 3.2

### RESOLUTION ON APPENDIX I SPECIES

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

Recalling that, pursuant to Article VII of the Convention, the Conference of the Parties may review and assess the conservation status of migratory species and the progress made towards their conservation,

Appreciating the importance of having access to and sharing current information on the endangered species listed in Appendix I, for the purpose of recommending actions to benefit those species,

Recognizing the relevance of reports prepared by the Parties, pursuant to Article VI of the Convention, on measures they are taking to implement its provisions,

1. Decides to establish a formal review process, at each meeting of the Conference of the Parties, for a selected number of species listed in Appendix I, with a view to recommending initiatives to benefit those species;
2. Directs the Secretariat to co-ordinate the preparation of review reports for species identified by the Conference, incorporating the information included in the annex to this Resolution; the Secretariat shall be assisted in this task by the Scientific Council and other bodies, as may be necessary;
3. Urges Parties to co-operate fully in providing the information needed to compile the species review reports;
4. Instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention, where possible through existing instruments of bilateral or multilateral co-operation;
5. Requests the Secretariat to draw to the attention of Parties matters of importance to the conservation of species listed in the Convention appendices, including those arising from the preparation of the review reports, either at meetings of the Conference of the Parties or, if appropriate, intersessionally.



## *Annex*

### *Information for inclusion in species review reports*

1. Taxonomy
  - 1.1 Specific taxonomy
  - 1.2 Common name (s)
2. Biological data
  - 2.1 Distribution (current and historical)
  - 2.2 Habitat
  - 2.3 Population estimates and trends
  - 2.4 Migratory patterns
3. Conservation status, by Party
4. Actual and potential threats
  - 4.1 Habitat degradation/loss
  - 4.2 Exploitation: direct and incidental (including flag vessels, where applicable)
  - 4.3 Other threats
5. Legislation
  - 5.1 International
  - 5.2 National
6. Conservation measures, by Party
  - 6.1 Prohibition of taking, including any exceptions (grounds for exception, duration, analysis of effects)
  - 6.2 Conservation/restoration of habitat
  - 6.3 Mitigation of impediments to migration
  - 6.4 Regulation of other detrimental factors
  - 6.5 Further measures
7. Research activities
  - 7.1 Governmental
  - 7.2 Non-governmental
8. Needs and recommended actions
  - 8.1 Legislative
  - 8.2 Conservation measures
  - 8.3 Research and monitoring
  - 8.4 Other
9. Additional remarks
10. References

### Resolution 3.3

#### SMALL CETACEANS

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

Acknowledging that the Scientific Council's report on the global review of the conservation status of small cetaceans provides a detailed basis for conservation measures to be included in agreements for the species and populations identified for listing in Appendix II,

Recalling that Resolution 2.3 adopted by the second meeting of the Conference of the Parties instructed the Secretariat and Standing Committee to envisage and facilitate agreements between Range States for such species,

Noting that under the auspices of the Convention on the conservation of European Wildlife and Natural Habitats a technical report and draft agreement concerning small cetaceans in the Mediterranean and Black Seas and contiguous waters prepared by Greenpeace International has already been discussed with the secretariats of the Convention for the Protection of the Mediterranean Sea Against Pollution and this Convention and with IUCN - the World Conservation Union,

Noting that the draft legal instrument on the conservation of small cetaceans of the Mediterranean and the Black Seas and contiguous waters prepared by Greenpeace International could be used as a basis for an agreement under the Convention, to be implemented in co-operation with the Convention for the Protection of the Mediterranean Sea Against Pollution and in consultation with the Convention on the Conservation of European Wildlife and Natural Habitats,

1. Urges Parties and non-Parties to the Convention which are Range States for the species and populations of small cetaceans listed by the Conference in Appendix II of the Convention, to give priority to concluding agreements for their conservation;
2. Urges Range States to collaborate, under the sponsorship of a Party Range State, with a view to concluding under the Convention an agreement for the Conservation of Small Cetaceans of the Mediterranean and Black Seas;
3. Directs the Secretariat to assist Parties in these endeavours.

### Resolution 3.4

#### FUNDING AND ROLE OF THE SCIENTIFIC COUNCIL

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

Recalling that, pursuant to Article VIII of the Convention, the first meeting of the Conference of the Parties, through Resolution 1.4, established a Scientific Council and directed the Council to address a number of questions,

Noting with appreciation that the Council has now responded to the Conference of the Parties on those questions,

Bearing in mind that Article VIII, paragraph 5, of the Convention provides that the functions of the Scientific Council may include recommending research and the co-ordination of research on migratory species and evaluating the results of such research,

Aware that since 1985 funding has been included in the budget adopted by the Conference of the Parties to cover travel expenses for travel undertaken by the Chairman of the Standing Committee on behalf of the Conference of the Parties or on behalf of the Secretariat,

Further aware that in 1985 the Conference of the Parties directed the Secretariat to provide for payment of travel costs for representatives from least developed countries and in 1988 for representatives from developing countries to attend meetings of the Standing Committee,

1. Agrees that Scientific Councillors appointed by the Conference of the Parties shall be entitled to be observers at meetings of the Conference of the Parties;
2. Determines the following guidelines for the funding of the Council:
  - (a) the expenses of the members appointed by the Conference of the Parties in relation to attendance at meetings of the Council and its working groups must be met from the Convention budget as a high priority;
  - (b) Parties are expected to finance the expenses of their own nominees, except in case of
    - (i) the Chairman, in relation to travel expenses for travel undertaken as requested by the Conference of the Parties, the Scientific Council, or the Secretariat; and
    - (ii) members from developing countries, in relation to travel expenses for travel to meetings of the Scientific Council and, in particular, relevant working groups

when, on request, such expenses must be met as far as possible from the Convention budget.
3. Directs the Scientific Council:
  - (a) to recommend specific conservation measures for species listed in Appendix I, in order to enhance implementation of Convention Article III, paragraph 4;

- (b) to recommend conservation and management measures to be included in AGREEMENTs for species listed in or recommended for listing in Appendix II;
- (c) in preparing recommendations with regard to subparagraph (b) above, to give priority in the first instance to sirenians, albatrosses and to migratory land-based mammals in the Sahelo-Saharan region, the Arabian peninsula and southern Asia;
- (d) to keep under review, as the necessity arises, the existing list of species in the Appendices;
- (e) to provide advice on further species to be added to the Appendices, giving particular attention to neotropical species;
- (f) to identify and recommend any areas of research required to ascertain the conservation status of migratory species which are listed in the Appendices or are candidates for such listing;
- (g) to undertake a preliminary review, with case studies, of the impact of artificial barriers to migration.

### Resolution 3.5

#### IMPLEMENTATION OF ARTICLE IV, PARAGRAPH 4, OF THE CONVENTION CONCERNING agreements

The third meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals, hereafter referred to as the Convention,

Considering Resolutions 2.6 and 2.7 of the second meeting of the Conference of the Parties;

Recognizing that, based on experience since the second meeting of the Conference of the Parties, further guidance and clarification with respect to agreements concluded pursuant to Article IV, paragraph 4, is desirable;

1. Understands that Article I, paragraph 1 (j) refers to AGREEMENT(s) concluded in accordance with the basic principles governing such instruments as included in Article IV, paragraph 3, and Article V;
2. Agrees to apply mutatis mutandis the principles of Article IV, paragraph 5, Article VII, paragraph 5(d), and Article IX, paragraphs 4(b) and (h), to instruments concluded under Article IV, paragraph 4, of the Convention;
3. Agrees that while it should generally be the goal for agreements concluded under Article IV, paragraph 4, to cover the whole of a range of the migratory species and be open to accession by all Range States, this is not necessary if this would adversely affect the conclusion or implementation of such an agreement under the Convention; and
4. Recognizes that while in some cases such agreements may be established as a first step towards conclusion of AGREEMENTs under Article IV, paragraph 3, in other cases this may not be appropriate.

### Resolution 3.6

#### FINANCIAL AND BUDGETARY MATTERS

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

Recalling Article VII, paragraph 4, of the Convention which states:

"The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference",

Recognizing the importance of all Parties being able to participate in the implementation of the Convention and related activities;

Aware that many Parties, particularly developing countries, may not have the financial means to send representatives to meetings of bodies established under the Convention;

Recognizing that solicitation of external sources of funding, by the Secretariat on behalf of developing country representatives, is not a long-term solution to the problem, given the Secretariat's limited resources;

Noting the considerable number of Parties as well as organizations attending the meeting of the Conference of Parties as observers, and the resulting additional expenditure to Parties so incurred;

1. Confirms that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. Adopts the budget for 1992-1994 attached as annex 1 to this resolution;
3. Agrees to the scale of contributions of Parties to the Convention as listed in annex 2 to this resolution and to the application of that scale pro rata to new Parties;
4. Requests all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or in any case promptly by the beginning of the respective calendar year to which the contributions apply;
5. Takes note of the medium-term plan for 1992-1994 attached as annex 3 to this resolution;
6. Instructs the Secretariat to commission as a priority a study of the most effective means of ensuring and funding the participation of developing countries in and implementation of the Convention;
7. Decides that the results of that study should be submitted to the Standing Committee at the earliest opportunity and that the Standing Committee should decide upon its recommendations thereon;
8. Determines that the Standing Committee may allocate resources from budget line 2201, Contracts with supporting organizations, to fund proposals arising from the study and may request UNEP to transfer resources to budget line 3204, Developing country participants at meetings, to provide travel funds;

9. Urges all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the convention throughout the triennium;

# Annex 1

## BUDGET ADOPTED FOR 1992-1994

(Budget lines correspond to standard UNEP budget codes)

		<u>Estimated cost in United States dollars</u>					
PERSONNEL COMPONENT		<u>1992</u>		<u>1993</u>		<u>1994</u>	
		w/m		w/m		w/m	
1100	<u>Project personnel</u>						
	1101 Co-ordinator (P-5)	12	110 000	12	115 000	12	125 000
	1102 Programme Officer (P-3)	6	85 000	12	90 000	12	90 000
1199	Total		<u>195 000</u>		<u>205 000</u>		<u>215 000</u>
1200	<u>Consultants</u>		55 000		60 000		30 000
1299	Total		<u>55 000</u>		<u>60 000</u>		<u>30 000</u>
1300	<u>Administrative support</u>						
	1301 Administrative assistant (G-5)	12	40 000	12	42 000	12	44 000
	1302 Secretary (G-3)		30 000	6	32 000	12	34 000
	1321 Temporary assistance/ overtime		7 000		7 500		8 000
	1322 Temporary assistance/ Conference						120 000
1399	Total		<u>77 000</u>		<u>81 500</u>		<u>206 000</u>
1600	<u>Travel on official business</u>						
	1601 General		27 500		30 000		25 000
	1602 Conference						15 000
1699	Total		<u>27 500</u>		<u>30 000</u>		<u>40 000</u>
1999	COMPONENT TOTAL		<u>354 500</u>		<u>376 500</u>		<u>491 000</u>
SUB-CONTRACT COMPONENT							
2100	<u>Sub-contracts</u>						
	2101 Contracts with supporting organisations <sup>1</sup>		64 000		70 000		78 000
2199	Total		<u>64 000</u>		<u>70 000</u>		<u>78 000</u>
2999	COMPONENT TOTAL		<u>64 000</u>		<u>70 000</u>		<u>78 000</u>
MEETINGS COMPONENT							

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<sup>1</sup> Support for developing countries, including travel, to be determined by the Standing Committee.



3200	<u>Meetings</u>			
3201	Scientific Council	5 000	6 000	27 000
3202	Working groups (up to 3 per annum)	25 000	26 000	19 000
3203	Standing Committee	15 000	16 000	17 000
3999	COMPONENT TOTAL	<u>45 000</u>	<u>48 000</u>	<u>63 000</u>
EQUIPMENT COMPONENT				
4100	Expendable equipment	3 000	3 500	4 000
4200	Non-expendable equipment	4 000	4 500	5 000
4300	Premises rental <sup>2</sup>	5 000	-	-
4999	COMPONENT TOTAL	<u>12 000</u>	<u>8 000</u>	<u>9 000</u>
MISCELLANEOUS COMPONENT				
5100	<u>Operation and Maintenance</u>			
5101	Computer	2 500	2 600	2 700
5102	Photocopier	2 000	2 500	3 000
5103	Other equipment	1 000	1 000	1 000
5104	Premises <sup>2</sup>	-	-	-
5199	Total	<u>5 500</u>	<u>6 100</u>	<u>6 700</u>
5200	<u>Reporting costs</u>			
5201	Documents	3 000	4 000	6 000
5299	Total	<u>3 000</u>	<u>4 000</u>	<u>6 000</u>
5300	<u>Sundry</u>			
5301	Communications	25 000	27 000	30 000
5302	Other	1 000	1 000	2 000
5399	Total	<u>26 000</u>	<u>28 000</u>	<u>32 000</u>
5999	COMPONENT TOTAL	<u>34 500</u>	<u>38 100</u>	<u>44 700</u>
TOTAL ALLOCATIONS FOR SECRETARIAT USE		510 000	540 600	685 700
6000	<u>UNEP costs</u>	<u>66 300</u>	<u>70 278</u>	<u>89 141</u>
GRAND TOTAL		<u>576 300</u>	<u>610 878</u>	<u>774 841</u>
<u>Grand total for triennium: 1992-1994:</u>		<u>1 962 019</u>		

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<sup>2</sup> Paid by the Government of the Federal Republic of Germany only if the Secretariat remains in the Federal Republic of Germany.

## Annex 2

### SCALE OF CONTRIBUTIONS TO THE TRUST FUND<sup>1</sup>

#### ANNUAL CONTRIBUTION (US\$)

<b>PARTY</b>	<b>UN SCALE (%)</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>
Argentina	0.66	9 893	10 498	13 367
Australia	1.57	23 516	24 955	31 776
Belgium	1.17	17 524	18 596	23 679
Benin	0.01	170	180	229
Burkina Faso	0.01	170	180	229
Cameroon	0.01	170	180	229
Chile	0.08	1 187	1 260	1 604
Denmark	0.69	10 345	10 978	13 978
Egypt	0.07	1 017	1 080	1 375
Finland	0.51	7 631	8 098	10 312
France	6.25	93 727	99 460	126 645
Germany	9.36	140 364	148 950	189 662
Ghana	0.01	170	180	229
Hungary	0.21	3 166	3 359	4 278
India	0.37	5 540	5 879	7 486
Ireland	0.18	2 713	2 879	3 666
Israel	0.21	3 166	3 359	4 278
Italy	3.99	59 809	63 467	80 815
Luxembourg	0.06	904	960	1 222
Mali	0.01	170	180	229
Netherlands	1.65	24 703	26 215	33 380
Niger	0.01	170	180	229
Nigeria	0.20	2 996	3 179	4 048
Norway	0.55	8 253	8 758	11 152
Pakistan	0.06	904	960	1 222
Panama	0.02	283	300	382
Portugal	0.18	2 713	2 879	3 666
Saudi Arabia	1.02	15 263	16 197	20 624
Senegal	0.01	170	180	229
Somalia	0.01	170	180	229
South Africa	0.45	6 727	7 138	9 090
Spain	1.95	29 226	31 014	39 491
Sri Lanka	0.01	170	180	229
Sweden	1.21	18 146	19 256	24 519
Tunisia	0.03	452	480	611
United Kingdom	4.86	72 867	77 324	98 459
Uruguay	0.04	565	600	764
Zaire	0.01	170	180	229
EEC <sup>2</sup>	---	11 000	11 000	11 000

<sup>1</sup> *Note from the Secretariat:* the scale of contributions was revised after the meeting of the Conference of the Parties, taking into account the accessions of Argentina and South Africa before the beginning of the financial period (1 January 1992).

<sup>2</sup> Voluntary contribution fixed by the EEC.

TOTAL	37.70	576 300	610 878	774 841
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## Annex 3

MEDIUM-TERM PLAN 1992-1997  
(in United States dollars)

Budget line	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>
1100 Project personnel	195 000	205 000	215 000	210 000	220 000	230 000
1200 Consultants	55 000	60 000	30 000	65 000	70 000	40 000
1300 Administrative support	77 000	81 500	156 000	85 000	90 000	170 000
1600 Travel on official business	27 500	30 000	40 000	35 000	40 000	50 000
2100 Sub-contracts	64 000	70 000	78 000	88 000	100 000	120 000
3200 Meetings	45 000	48 000	63 000	58 000	68 000	93 000
4000 Equipment (Stationery, machines, premises)	12 000	8 000	9 000	10 000	11 000	12 000
5100 Operation and maintenance (premises, machines)	5 500	6 100	6 700	7 500	8 200	9 000
5200 Reporting costs	3 000	4 000	6 000	6 000	7 000	9 000
5300 Sundry (freight and communications)	26 000	28 000	32 000	31 000	33 000	37 000
6000 UNEP admin. costs	66 300	70 278	89 141	77 415	84 136	100 100
Total	<u>576 300</u>	<u>610 878</u>	<u>774 841</u>	<u>672 915</u>	<u>731 336</u>	<u>870 100</u>
Total for triennium:		1 962 019			2 274 351	

## Annex 4

### TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 1992, and ending 31 December 1994.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations. It is understood that these Rules provide that all expenditures from the Trust Fund shall incur a deduction according to the standard percentage factor approved for the United Nations Development Programme to finance the administrative costs of the Trust Fund.<sup>1</sup>
5. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 1994 the Executive Director of UNEP shall be so advised in writing immediately after the fourth meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
6. The financial resources of the Trust Fund for 1992-1994 shall be derived from:
  - a) The contributions made by the Parties by reference to annex II, including contributions from any new Parties;
  - b) Further contributions from Parties and contributions from States not parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
7. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined pro-rata based on the contribution of other States Parties on the same level on the U.N. scale of assessment, as it applies from time to time. However if the contribution of a new Party determined on this basis would be more than 25 per cent of the budget for the financial year of joining (or pro rata for a part-year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual installments. The contributions shall be due on 1 January 1992, 1993 and 1994. Contributions shall be paid into the following account:

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<sup>1</sup>United Nations Secretary-General's Bulletin ST/SGB/146/Rev.1, "Establishment and management of trust funds".

Account No. 015-002756  
UNEP Trust Funds Account for the Trust Fund  
for the Convention on the Conservation of Migratory  
Species of Wild Animals,  
Chemical Bank, United Nations Branch  
New York, N.Y. 10017, USA

8. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.
9. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.
10. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.
11. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.
12. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.
13. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 1995 to 2000, inclusive, and shall incorporate the budget for the financial period 1995-1997.
14. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.
15. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.
16. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, he shall consult with the Secretariat, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
17. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of the contributions.
18. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing

Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first or second calendar year of a financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second or third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.

19. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.

20. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

21. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming quarter simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

22. The present terms of reference shall be effective from 1 January 1992 to 31 December 1994.

### Resolution 3.7

#### Membership of the Standing Committee

The Conference of the Parties to the Convention,

Noting that composition of the membership of the Standing Committee was established by Resolution 2.5 adopted at the second meeting of the Conference of the Parties (Geneva, 1988), which provides, inter alia, for Parties to be elected with due regard to geographical distribution,

Recognizing that members, for whatever reason, may not be able to attend meetings of the Standing Committee and that such absences may reduce the capacity of the Standing Committee to carry out its assigned tasks,

Amends Resolution 2.5, paragraph 2(a) as follows:

"The membership of the Standing Committee shall consist of:

- (i) One Party elected from each of the five major geographic regions, consisting of Africa, America and the Caribbean, Asia, Europe, Oceania;
- (ii) The Depository Government;
- (iii) The next host Party; and
- (iv) One Party elected as an alternate member from each of the five regions described in subparagraph (i) to attend the meetings as the regional member in the absence of the member of the region to which it belongs;"



### Resolution 3.8

#### DATE, VENUE AND FUNDING OF THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION

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

Recalling Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise",

1. Decides that the fourth meeting of the Conference of the Parties should take place at the latest in September 1994;
2. Invites Parties to offer to host that meeting and inform the Secretariat accordingly before the end of 1992;
3. Invites Parties, States not parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to make voluntary contributions to the Trust Fund to convene the fourth meeting of the Conference of the Parties in a developing country;
4. Instructs the Standing Committee to decide:
  - (a) on the most suitable venue from the offers received; or
  - (b) should no suitable offers be received from Parties, that the meeting shall be held preferably at the United Nations Environment Programme headquarters at Nairobi, otherwise at the United Nations Office at Geneva.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.1

### PARTY REPORTS

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Recalling* Article VI, paragraph 3, of the Convention calls upon Parties that are Range States of migratory species listed in Appendices I and II to inform the Conference of the Parties on their implementation of the Convention,

*Noting* the importance for such reports to be submitted at least six months before any given meeting of the Conference of the Parties, to allow the Secretariat to prepare a meaningful synthesis,

*Aware* that many Parties to the Convention have never submitted national reports or have not submitted information in sufficient detail,

*Recognizing* that a standard format for national reports would provide a useful structure for organizing the information received, and would facilitate its incorporation in a comprehensive database,

1. *Urges* all Parties to submit to the Secretariat comprehensive national reports on their implementation of the Convention following the agreed formats annexed to this resolution;
2. *Encourages* national focal points and their Scientific Councillor counterparts to liaise on the preparation of national reports before they are submitted to the Secretariat through official channels;
3. *Requests* the Secretariat to send a reminder to Parties well in advance of the deadline for submission of reports, six months before the meeting of the Conference of the Parties; and
4. *Directs* the Secretariat to compile the information received from Parties in a database, to be updated intersessionally with any new information that may be made available by Parties.

## Annex

### A. *Format A*

#### OUTLINE FOR INITIAL COMPREHENSIVE REPORT BY PARTIES ON ACCESSION TO THE CONVENTION

##### I. General information, including:

- Name of Party
- Date of the report
- Period covered by the report
- Date of entry into force of the Convention for the Party
- Territory to which the Convention applies, including dependent territories
- Reservations:
  - Under Article XIV: in respect of species already listed in the Appendices
  - Under Article XI: with regard to amendment of the Appendices
- Appointment to the Scientific Council: name; address; and telephone, telefax and telex numbers
- Designated focal point: name; address; and telephone, telefax and telex numbers
- Membership of the Standing Committee (if appropriate)

##### II. Implementation of the Convention

###### 1. Legislation<sup>1</sup> through which the Convention is implemented, including:

- Sources of law
- Competent authorities

###### 2. Species listed in Appendix I:

- (a) Species for which the Party, including its dependent territories, is a Range State and information on flag vessels which are engaged outside national boundaries in taking these migratory species;
- (b) Population size and trends for species; if appropriate, relevant data on previous and present level;
- (c) Measures taken in accordance with Article III(4), including conservation/restoration of habitats, amelioration of impediments to migration and factors endangering species;

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<sup>1</sup> Title, number, date of adoption of the law

(d) Measures taken in accordance with Article III(5), taking of animals, including:

- Prohibition of taking (national legislation)<sup>2</sup>;
- Exceptions (grounds for exceptions, period of exceptions, legislation and statistics).

3. Species listed in Appendix II:

- (a) AGREEMENTS/agreements to which the State is a Party or Signatory in accordance with Articles IV(3) and IV(4); including date of signature, ratification, etc;
- (b) Progress made by the Party in efforts to develop and conclude new AGREEMENTS/agreements;
- (c) Additional measures taken to conserve migratory species listed in Appendix II (within or outside the framework of CMS AGREEMENTS/agreements).

4. Any further action taken by the Party as a result of resolutions adopted by the Conference of the Parties.

III. List of national activities relating to species listed in Appendices I and II and to other migratory species (Article II(3a)):

- (a) Surveys;
- (b) Monitoring;
- (c) Research.

IV. Any other comments.

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<sup>2</sup> Details and description of legislation

*B. Format B*

OUTLINE FOR UPDATING REPORTS BY PARTIES TO EACH MEETING  
OF THE CONFERENCE OF THE PARTIES

I. General information

- Name of Party
- Date of the report
- Changes regarding:
  - Inclusion/exclusion of dependent territories;
  - Reservations;
  - Appointment to the Scientific Council;
  - Designated focal point;
  - Membership of the Standing Committee, if appropriate.

II. Measures taken to implement decisions of the previous meeting of the Conference of the Parties

1. Concerning species added to Appendix I:

- (a) Species for which the Party, including its dependent territories, is a Range State and information on flag vessels which are engaged outside national boundaries in taking these migratory species;
- (b) Population size and trends for species; if appropriate, relevant data on previous and present level;
- (c) Measures taken in accordance with Article III(4), including conservation/restoration of habitats, amelioration of impediments to migration and factors endangering the species;
- (d) Measures taken in accordance with Article III(5), taking of animals, including:
  - Prohibition of taking (legislation);
  - Exceptions (grounds for exceptions, period of exceptions, legislation, statistics).

2. Concerning species added to Appendix II:

Steps taken to develop and conclude AGREEMENTS under Article IV(3) and agreements under Article IV(4).

3. Actions taken to implement other resolutions of the Conference of the Parties.
- III. Other changes with respect to the implementation of the Convention
  1. Changes regarding national legislation and competent authorities.
  2. Concerning species listed in Appendix I\*:
    - (a) Changes regarding status as "Range State";
    - (b) Measures which have been taken in accordance with Article III(4) since the last report;
    - (c) Exceptions made with respect to Article III (5) since the last report.
  3. Concerning species listed in Appendix II\*:
    - (a) Membership in AGREEMENTS/agreements: Articles IV(3) and IV(4);
    - (b) Progress in developing and concluding new draft AGREEMENTS/agreements;
    - (c) Update of additional measures to conserve migratory species listed in Appendix II.
  4. Any further new action taken by the Party as a result of resolutions of the Conference of the Parties.
- IV. Updated list of national activities relating to species listed in Appendices I and II and to other migratory species (Article II(3a)):
  - (a) Surveys,
  - (b) Monitoring,
  - (c) Research.
- V. Any other comments.

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\* Note by the Secretariat: These sections request the provision of new or updated information concerning species already listed in the Appendices at the time the previous report was prepared.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.2

### APPENDIX I SPECIES

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Recalling* Resolution 3.2 (Geneva, 1991) regarding Appendix I species,

*Recognizing* that Resolution 3.2 decided inter alia that at each meeting of the Conference of the Parties a formal review process be established for a selected number of species listed in Appendix I,

*Recalling* further that Resolution 3.2 instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention,

*Noting* the recommendation of the fourth meeting of the Scientific Council (Bonn, 1993) that *Monachus monachus*, *Gazella dama*, *Chloephaga rubicideps*, and *Grus leucogeranus* be the subject of concerted actions for the 1995-1997 triennium,

*Noting* further the recommendation of the fourth meeting of the Scientific Council that subject to their inclusion in Appendix I, *Otis tarda*, *Oryx dammah*, *Chlamydotis undulata* (entire population) and *Oxyura leucocephala* also be the subject of concerted actions,

*Recommends* that the concerted actions and preparation of review reports envisaged within the framework of Resolution 3.2 be carried out for the above-mentioned species during the 1995-1997 triennium, and that the Conference of the Parties review the results at its next meeting.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.3

### GUIDELINES FOR THE HARMONIZATION OF FUTURE AGREEMENTS

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Acknowledging* that the expert report "Elements for the formulation of guidelines for the harmonization of future Agreements" submitted by the IUCN-Environmental Law Centre is a comprehensive report which contains useful advice for the formulation of Guidelines,

*Recognizing* that the report needs to be examined by the Parties,

1. *Instructs* the Standing Committee

(a) To undertake, assisted by the Secretariat, the consultant and an open working group of the Parties, a review of the report; and

(b) To submit to the fifth meeting of the Conference of the Parties a proposal to be adopted;

2. *Recommends* that the elements of the above-mentioned report already be taken into consideration in the development of Agreements under the Convention.





# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.4

### STRATEGY FOR THE FUTURE DEVELOPMENT OF THE CONVENTION

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Noting* that Article VII, paragraph 5, of the Convention requires the Conference of the Parties to review the implementation of the Convention, and, in particular, to decide on any additional measure that should be taken to implement its objectives,

*Recalling* that, at its third meeting, the Conference of the Parties agreed that the Standing Committee should, as a priority, prepare a strategy for the future development of the Convention to be put before the Parties,

*Appreciative* of the efforts made by the Standing Committee and the Secretariat in preparing the Strategy for the Future Development of the Convention circulated to the Conference as document UNEP/CMS/Conf.4.11,

*Conscious* of the need to establish clear priorities to guide the work of the Scientific Council, the Standing Committee, the Secretariat and individual Parties in implementing the Convention,

1. *Accepts* the Strategy for the Future Development of the Convention subject to any factual amendments submitted by Parties by 31 August 1994 and those substantive amendments agreed by the Conference of the Parties at its fourth meeting;
2. *Decides* that the objectives and activities listed in the annex to the present resolution shall be the first priorities of the Convention for the triennium 1995-1997;
3. *Requests* the Parties and the institutions of the Convention to follow the Strategy and priorities as far as possible;
4. *Also requests* the Executive Director of the United Nations Environment Programme to take full account of the Strategy and priorities in determining the support to be provided for the Convention by UNEP;
5. *Instructs* the Secretariat to redraft the Strategy in accordance with the decisions taken by the Conference and to publish it by 31 October 1994;
6. *Also instructs* the Standing Committee and the Secretariat to update the Strategy and present a revised version for consideration by the Conference of the Parties at its fifth meeting.

## **Annex**

### **PRIORITIES**

1. CMS should establish a partnership with the secretariat of the Convention on Biological Diversity, with other post-UNCED bodies and with existing wildlife conventions. The CMS Secretariat should have a senior focal point for liaison with these bodies.

Main action : Secretariat

2. UNEP and the Standing Committee, with the active support of the Secretariat and Parties, should take the lead in initiating high-level political discussions to persuade potential Parties to join the Convention. On the basis of advice from the Scientific Council and the Secretariat, the Standing Committee should identify a target list of non-Party States on which recruitment efforts should be concentrated and report progress to the Conference of the Parties at its next meeting. The advice about each target State should, if necessary, be supplemented by the use of outside consultants.

Main action : UNEP, Parties, Standing Committee, Secretariat

3. The Secretariat should prepare and update information material, including brochures, posters, videos, mobile displays, a Convention Directory, and regular bulletins. Such material should be used both to promote implementation in existing Party States and to promote the Convention to potential new Parties. Individual Parties should be encouraged to produce information materials for national or regional audiences, with financial assistance for this purpose provided from the core budget in case of need.

Main Action : Secretariat, Parties

4. A consultancy should investigate the options for providing support other than direct financial assistance to countries which may require it to join or implement the Convention. The report should be submitted to the Standing Committee.

Main Action : Secretariat

5. The Secretariat should work together with each new Party to discuss implementation of the Convention.

Main Action : Secretariat

6. The Scientific Council should identify species (or populations) for which concerted action by Range States is a high priority.

Main Action : Scientific Council

7. The Scientific Council should review Appendix II of the Convention to assess the potential for new Agreements and to consider whether any additional species should be added to the Appendix.

Main Action : Scientific Council

8. Further migratory species should be proposed for listing on Appendix I if they are endangered, and for listing on Appendix II if they would significantly benefit from an Agreement. Assistance should be made available, if needed, to developing countries wishing to submit proposals;

Main Action : Parties, Scientific Council, Secretariat

9. The Scientific Council should continue to commission reviews of selected Appendix I species identified by the Conference of the Parties in order to provide a sound basis for conservation actions. The Council should report to the Conference of the Parties with recommendations for any further measures to be taken by Parties with respect to the species concerned.

Main Action : Scientific Council

10. The Standing Committee shall appoint a consultancy under line 1200 of the Trust Fund budget to assist developing countries to prepare more comprehensive proposals for submission to the Global Environment Facility (GEF) and to support small scale pilot projects. The Scientific Council should advise the Standing Committee as appropriate on the selection and geographical distribution of such projects. The maximum support available via consultancy support for any single project would normally not exceed \$ 15,000 without the express authority of the Chairman of the Standing Committee. The total resources allocated in the triennium 1995-1997 for this activity will be \$ 130,000. This amount may be increased if there is any voluntary contribution for this activity to a certain project.

Main Action : Secretariat, Standing Committee

11. The Conference of the Parties should continue to make provision in the core budget to assist developing countries with expenditures related to CMS meetings.

Main Action : COP, Secretariat

12. All Parties should be encouraged to submit reports well before each meeting of the Conference of the Parties (COP). An analysis of reports submitted by Parties should be prepared before each meeting. The Secretariat should request more detailed information from Parties if reports are insufficient. All information received should continue to be stored in a computer database. The Secretariat should, subject to availability of resources, compile scientific data on migratory species from other sources and may include this in their overview report, provided that this has been properly verified and the Party States given the opportunity to comment in advance of its inclusion.

Main Action : Parties, Secretariat

13. The Secretariat should act primarily as a catalyst for the elaboration of new Agreements rather than providing ongoing support to existing ones; its capacity to facilitate the development of new Agreements should be strengthened.

Main Action : Secretariat, Standing Committee, UNEP

14. Parties should be urged to take the lead in developing and/or sponsoring Agreements and to host interim secretariats; sponsors should specify clearly to the Standing Committee how they intend to proceed in this regard. Developed Party States, whether or not they are Range States, should be urged to sponsor initiatives of developing countries.

Main Action : Parties to Agreements

15. Agreements should continue to be developed as legally binding instruments. Recommendations and memoranda of understanding should be used where necessary to conserve species through non-binding instruments linked to the Convention.

Main Action : Parties, Secretariat

16. Future Agreements should incorporate the "precautionary principle" and should also provide for the sustainable use of species where this is consistent with their conservation.

Main Action : Parties to Agreements

17. Secretariats for individual Agreements should be financed entirely by their Parties, except when the membership is such that financial support from the Convention is essential in the early stages of development.

Main Action : Parties Agreements, Secretariat, Standing Committee

18. Parties to Agreements should be invited to consider consolidating secretariat functions for one or more Agreements in regional centres which would facilitate links to the CMS Secretariat.

Main Action : Parties to Article IV Agreements

19. The Parties to the Agreement on the Conservation of Bats in Europe, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and other European Agreements under the Convention should be invited to consolidate secretariat functions in a special Agreements Unit co-located with the Secretariat of the Convention.

Main Action : Parties to European Agreements

20. Additional measures should be taken to encourage Parties to pay their contributions to the Trust Fund. In particular, annual invoices should be sent to all Parties by the end of the preceding year to which they apply; outstanding contributions prior to 1991 and totalling up to \$5000 should be forgiven by the Standing Committee on condition that the Parties take steps to pay all subsequent subscriptions; the rules of procedure should be amended to remove voting rights from Parties which are three years behind with their subscriptions at the time of the Conference of the Parties; and Parties which are two years behind with their subscriptions should be ineligible for the assistance under Priority 10 above.

Main Action : Secretariat, Standing Committee

21. The personnel of the Secretariat should be augmented within the extent of available financial resources to improve delivery of services in relation to technical and scientific matters, and developmental and organizational activities; the geographic and linguistic balance within the Secretariat must be improved in order to strengthen its capacity in regions not adequately represented.

Main Action : UNEP

22. Meetings of the Conference of the Parties should be held at intervals of roughly 2 ½ to 3 years; and Parties should be encouraged to host them in order to raise the profile of CMS in other regions.

Main Action : Secretariat

23. Standing Committee members should actively promote CMS in their respective regions. Meetings of the Committee will have simultaneous interpretation in English, French and Spanish. The Chairs of the Standing Committee and Scientific Council should have reciprocal observer status at their respective meetings.

Main Action : Standing Committee, Secretariat

24. The Scientific Council may meet in mid-term between meetings of the Conference of the Parties, in addition to meeting before the Conference of the Parties. Simultaneous interpretation will be provided whenever possible. Parties should have the option of appointing an alternate representative to the Council.

Main Action : Scientific Council, Secretariat

25. Specialized non-governmental organizations should be encouraged to play a more active role in the Convention, particularly by providing scientific advice, assisting in promotional activities and implementing projects for migratory species. The Secretariat should hold at least one intersessional meeting with NGOs, and individual Parties should also consult and, where appropriate, make use of NGOs in implementing the convention.

Main Action : NGOs, Secretariat, Parties



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.5

### ARRANGEMENTS FOR THE SCIENTIFIC COUNCIL

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Notes* that Article VIII of the Convention describes the position and tasks of the Scientific Council. It shall, inter alia:

1. provide scientific advice to the Conference of the Parties, to the Secretariat, and, if approved by the Conference of the Parties, to any body set up under the Convention or an Agreement or to any Party;
2. recommend and coordinate research in order to ascertain the conservation status of migratory species, evaluate the results of such research and report to the Conference of the Parties on the conservation status of species and ways to improve it;
3. make recommendations to the Conference of the Parties on species to be included in Appendices I and II, and recommendations as to specific conservation and management measures to be included in Agreements on migratory species; and
4. recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention, in particular with regard to the habitats of migratory species;

*Aware* that, since 1985, funding has been included in the budget adopted by the Conference of the Parties to cover travel expenses for travel undertaken by the Chair of the Standing Committee on behalf of the Conference of the Parties or on behalf of the Secretariat,

*Further aware* that in 1985 the Conference of the Parties directed the Secretariat to provide for payment of travel costs for representatives from least developed countries and in 1988 for representatives from developing countries and in 1991 for the expenses of the experts appointed by the Conference of the Parties in relation to attendance at meetings of the Scientific Council,

*Determines* that the expenses for the attendance of the Chairman of the Scientific Council at meetings of the Standing Committee shall be met from the Convention budget;

*Directs* the Scientific Council to meet at least once mid-term between meetings of the Conference of the Parties;

*Further directs* the Scientific Council to undertake the following additional tasks:

- keeping under review the composition of Appendices I and II of the Convention;
- advising on measures for the conservation of Appendix I species and their priorities;
- advising on the development of existing Agreements and on priorities for development of new Agreements with its mandate for the 1995 - 97 triennium;
- advising on selecting and monitoring small-scale pilot projects which will promote the implementation of the Convention;

*Invites* the Parties to nominate a permanent alternate Scientific Councillor authorized to participate in meetings of the Scientific Council if the regular Scientific Councillor cannot attend;

*Takes note* of the decision of the fifth meeting of the Scientific Council to create a post of Vice-Chair to assist the Chair in its duties; and

*Advises* that the Chairman of the Standing Committee be invited to attend the meetings of the Scientific Council as an observer, with expenses paid from the Trust Fund (when they cannot be met by his or her own country), provided the cost of participation does not exceed US\$ 1,000.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.6

### FINANCIAL AND BUDGETARY MATTERS

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Recalling* Article VII, paragraph 4, of the Convention which states:

"The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference",

*Acknowledging* with appreciation the financial and other support provided by the United Nations Environment Programme, the depositary Government, and the Parties to the Convention,

*Recognizing* the need to strengthen the capacity of the Secretariat of the Convention to enable it to better serve the Parties in all regions,

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities,

*Noting* the considerable number of Parties as well as organizations attending the meeting of the Conference of the Parties as observers, and the resulting additional expenditure to Parties so incurred,

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the budget for 1995-1997 attached as annex 1 to this resolution;
3. *Agrees* to the scale of contributions of Parties to the Convention as listed in annex 2 to this resolution and to the application of that scale *pro rata* to new Parties;
4. *Requests* all Parties to pay their contributions promptly as far as possible but in any case not later than the end of the year to which they relate;
5. *Takes note* of the medium-term plan for 1995-2000 attached as annex 3 to this resolution and of the priorities agreed in Resolution 4.4;
6. *Determines* that the Standing Committee may allocate resources from budget line 1200 "Consultants" to assist developing country Parties in accordance with priority 10 of the



Convention, as set out in the annex to Resolution 4.4;

7. *Urges* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the Convention throughout the triennium;

8. *Invites* States not parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;

9. *Decides* that the standard participation fee for all non-governmental organizations shall be fixed at 200 United States dollars (except as otherwise reduced by the Standing Committee in particular cases) and urges such organizations to make a greater contribution if possible;

10. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 1997;

11. *Approves* the terms of reference for the administration of the Trust Fund as set out in annex 4 to the present resolution, for the period 1995-1997.

# Annex 1

## BUDGET ESTIMATES FOR 1995-1997

(Budget lines correspond to standard UNEP budget codes)

<u>dollars</u>	<u>Estimated cost in United States</u>			
	w/m	1995 w/m	1996 w/m	1997 w/m
10 PERSONNEL COMPONENT				
1100 <u>Professional Staff</u>				
1101 Co-ordinator (P-5)	12	112000	12	115000
12 118000				
1102 Deputy Co-ordinator (P-4)	12	85000	12	87000
12 89000				
1103 Programme Officer (P-3)	12	100000	12	80000
12 82000				
1104 Programme Officer (P-3)	6	60000	12	80000
12 82000				
1105 Administrative Officer (P-2/3)	12	90000	12	75000
12 77000				
1199 Total		447000		437000
448000				
1200 <u>Consultants</u>				
1201 Translators (external)		12000		14000
18000				
1220 Other consultants a/		70000		78000
85000				
1299 Total		82000		92000
103000				
1300 <u>Administrative support</u>				
1301 Senior Administrative Assistant (G-4/5)	12	47000	12	48000
12 49000				
1302 Finance Assistant/Secretary (G-3/4)	12	35000	12	36000
12 37000				
1303 Secretary (G-3)	12	28000	12	29000
12 30000				
1304 Secretary (G-3)	6	14000	12	29000
12 30000				
1305 Clerk: half-time (G-2)	12	10000	12	10500
12 11000				
1321 Temporary assistance		2000		3000
5000				
1322 Temporary assistance/Conference				250000
1399 Total		136000		155500
412000				
1600 <u>Travel on official business</u>				
1601 General		55000		60000
50000				
1602 Conference				20000
1699 Total		55000		60000
70000				
1999 COMPONENT TOTAL		720000		744500
1033000				
30 MEETINGS COMPONENT				
3300 <u>Meetings</u>				
3301 Scientific Council		35000		3000
39000				
3302 Working groups		18000		20000
22000				
3303 Standing Committee		15000		16000
17000				
3404 Developing country participants (at meetings)			15000	15000
25000				
3199 Total		83000		54000
103000				
3999 COMPONENT TOTAL		83000		54000
103000				
40 EQUIPMENT COMPONENT AND PREMISES COMPONENT				
4100 <u>Expendable equipment</u>				



## Convention on the Conservation of Migratory Species of Wild Animals



4101	Miscellaneous office supplies	5000	6000
	7000		
4199	Total	5000	6000
	7000		
4200	<u>Non-expendable equipment</u>		
4201	Office equipment	15000	6000
	7000		
4299	Total	15000	6000
	7000		
4300	<u>Premises (rent)</u>		
4301	Rental of offices b/	0	0
	0		
4399	Total	0	0
	0		
4999	COMPONENT TOTAL	20000	12000
	14000		

## 50 MISCELLANEOUS COMPONENT

5100	<u>Operation and Maintenance</u>		
5101	Computers	2000	2000
	2000		
5102	Photocopier	6000	7000
	8000		
5103	Other equipment	500	500
	500		
5104	Premises b/	0	0
	0		
5199	Total	8500	9500
	10500		
5200	<u>Reporting costs</u>		
5201	Document production	8000	9000
	10000		
5202	Information materials	8000	9000
	10000		
5203	Acquisition of reference material	500	500
	500		
5299	Total	16500	18500
	20500		
5300	<u>Sundry</u>		
5301	Communications (telephone, fax, postage)	40000	43000
	48000		
5303	Other/Contingency	5000	5000
	5000		
5399	Total	45000	48000
	53000		
5400	<u>Hospitality</u>		
5401	Hospitality	3000	3000
	3000		
5499	Total	3000	3000
	3000		
5999	COMPONENT TOTAL	73000	79000
	87000		
TOTAL ALLOCATIONS FOR SECRETARIAT USE		896000	889500
	1237000		
SOURCE OF FUNDING:			
TRUST FUND		806000	814500
	1123000		
SOURCE OF FUNDING TO BE DETERMINED		100000	85000
	125000		
6000	UNEP costs (applied to Trust Fund only)	104780	105885
	145990		
TOTAL TO BE FUNDED BY THE PARTIES		910780	920385
	1268990		
LESS USD 400 000 TO BE WITHDRAWN FROM TRUST FUND		100000	100000
	200000		
IN ORDER TO REDUCE OVERALL CONTRIBUTIONS			
ACTUAL COST TO PARTIES		810780	820385
	1068990		
GRAND TOTAL FOR TRIENNIUM 1995-1997:		2700155	
ADDITIONAL AMOUNT TO BE WITHDRAWN FROM TRUST FUND TO FINANCE CONSULTANCIES a/		500000	

a/ Approval of conservation projects in developing countries to be determined by the Standing Committee

b/ Paid by the German Government only if the Secretariat remains in Germany

\* Note by the Secretariat: the line "SOURCE OF FUNDING TO BE DETERMINED" provides for a contingency, related to the recruitment of new administrative staff, of US\$ 10 000 in the years 1995 and 1996, and US\$ 11 000 in 1997.

## Annex 2 / Annexe 2 / Anexo 2

### SCALE OF CONTRIBUTIONS TO THE TRUST FUND BAREME DES CONTRIBUTIONS POUR LE FONDS D'AFFECTATION SPECIALE ESCALA DE CONTRIBUCIONES PARA EL FONDO FIDUCIARIO

PARTY/ PARTIE/ PARTE TOTAL	UN SCALE (%) BAREME N.U. ESCALA ONU		ANNUAL CONTRIBUTION (USD)/ CONTRIBUTION ANNUELLE/ CONTRIBUCION ANUAL		
			1995	1996	1997
ARGENTINA/ ARGENTINE	0.57	11957	12103	15886	39945
AUSTRALIA/ AUSTRALIE	1.51	31675	32062	42083	105819
BELGIUM/ BELGIQUE/ BELGICA	1.06	22235	22507	29542	74284
BENIN	0.01	210	212	279	701
BURKINA FASO	0.01	210	212	279	701
CAMEROON/ CAMEROUN/ CAMERUN	0.01	210	212	279	701
CHILE/ CHILI	0.08	1678	1699	2230	5606
CZECH REPUBLIC/ REP. TCHEQUE/ REP. CHECA	0.42	8810	8918	11705	
29433					
DENMARK/ DENEMARK/ DINAMARCA	0.65	13635	13801	18115	45551
EGYPT/ EGYPTO/ EGIPTO	0.07	1468	1486	1951	4906
FINLAND/ FINLANDE/ FINLANDIA	0.57	11957	12103	15886	39945
FRANCE/ FRANCIA	6.00	125859	127397	167217	420473
GERMANY/ ALLEMAGNE/ ALEMANIA	8.93	187320	189610	248874	625804
GHANA	0.01	210	212	279	701
GUINEA/ GUINEE	0.01	210	212	279	701
HUNGARY/ HONGRIE/ HUNGRIA	0.18	3776	3822	5017	12614
INDIA/ INDE	0.36	7552	7644	10033	25228
IRELAND/ IRLANDE/ IRLANDA	0.18	3776	3822	5017	12614
ISRAEL	0.23	4825	4884	6410	16118
ITALY/ ITALIE/ ITALIA	4.29	89989	91089	119560	300638
LUXEMBOURG/ LUXEMBURGO	0.06	1259	1274	1672	4205
MALI	0.01	210	212	279	701
MONACO	0.01	210	212	279	701
MOROCCO/ MAROC/ MARRUECOS	0.03	629	637	836	2102
NETHERLANDS/ PAYS-BAS/ PAISES BAJOS	1.50	31465	31849	41804	105118
NIGER	0.01	210	212	279	701
NIGERIA	0.20	4195	4247	5574	14016
NORWAY/ NORVEGE/ NORUEGA	0.55	11537	11678	15328	38543
PAKISTAN	0.06	1259	1274	1672	4205
PANAMA	0.02	420	425	557	1402
PHILIPPINES/ PHILIPINAS	0.07	1468	1486	1951	4906
PORTUGAL	0.20	4195	4247	5574	14016
SAUDI ARABIA/ ARABIE SAOUDITE/ ARABIA SAUDITA	0.96	20137	20384		
26755					
67276					
SENEGAL	0.01	210	212	279	701
SOMALIA/ SOMALIE	0.01	210	212	279	701
SOUTH AFRICA/ AFRIQUE DU SUD/ SUD AFRICA	0.41	8600	8705	11426	
28732					
SPAIN/ ESPAGNE/ ESPANA	1.98	41533	42041	55182	138756
SRI LANKA	0.01	210	212	279	701
SWEDEN/ SUEDE/ SUECIA	1.11	23284	23569	30935	77788
TUNISIA/ TUNISIE/ TUNEZ	0.03	629	637	836	2102
UNITED KINGDOM/ ROYAUME-UNI/ REINO UNIDO	5.02	105302	106589	139905	
351796					
URUGUAY	0.04	839	849	1115	2803
ZAIRE	0.01	210	212	279	701
EC/ CE 1/	---	25000	25000	25000	75000
TOTAL TO BE FUNDED BY THE PARTIES (AFTER DEDUCTION OF AMOUNT WITHDRAWN FROM TRUST FUND) 2/	37.46	810780	820385	1068990	
ACTUAL BUDGET/ BUDGET ACTUEL/ PRESUPUESTO ACTUAL		910780	920385	1268990	

1/ Contribution fixed by the European Community  
1/ Contribution fixée par la Communauté Européenne  
1/ Contribución fijada por la Comunidad Europea

2/ Total contributions in 1995, 1996 and 1997 are reduced by USD 100 000, 100 000 and 200 000 respectively, by drawing instead on the funds accumulated in the CMS Trust Fund.

2/ Les contribution totales en 1995, 1996 et 1997 sont reduites par 100.000, 100.000 et 200.000 dollars des Etats-Unis respectivement, en puisant dans les réserves accumulées dans le Fonds d'affectation spéciale de la CMS.

2/ En 1995, 1996 y 1997 el total de las contribuciones se disminuirá en 100.000, 100.000 y 200.000 dólares de E.E.U.U., respectivamente; para ello se recurrirá a las reservas acumuladas en el Fondo Fiduciario de la CMS.

## Annex 3

### MEDIUM-TERM PLAN 1995-2000

United States dollars

Budget line <u>2000</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>
1100 Professional Staff 495000	447000	437000	448000	485000	480000
1200 Consultants 130000	82000	92000	103000	110000	120000
1300 Administrative support 400000	136000	155500	412000	170000	180000
1600 Travel on official business 90000	55000	60000	70000	75000	80000
3200 Meetings 110000	83000	54000	103000	90000	65000
4000 Equipment (stationary, 22000 machines, premises)	20000	12000	14000	18000	20000
5100 Operation and maintenance 14000 (premises, machines)	8500	9500	10500	12000	13000
5200 Reporting costs 22000	16500	18500	20500	18000	19000
5300 Sundry (communications) 70000	45000	48000	53000	55000	60000
5400 Hospitality 4000	3000	3000	3000	4000	4000
6000 UNEP administration costs 176410	104780	105885	145990	134810	135330
TOTAL <u>533410</u>	<u>1000780</u>	<u>995385</u>	<u>1382990</u>	<u>1171810</u>	<u>1176330</u>

1

N.B. Amounts include some budget lines for which funding source has not been determined and do not take into account USD 400 000 withdrawn from Trust Fund in order to reduce contributions.

## Annex 4

### TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 1995, and ending 31 December 1997.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 1997, the Executive Director of UNEP shall be so advised in writing immediately after the fifth meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 1995-1997 shall be derived from :
  - (a) The contributions made by the Parties by reference to annex 2, including contributions from any new Parties;
  - (b) Further contributions from Parties and contributions from States not parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined *pro rata* based on the contribution of other States Parties on the same level on the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis would be more than 25 per cent of the budget, the contribution of that Party shall be 25 per cent of the budget for the financial year of joining (or *pro rata* for a part-year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 1995, 1996 and 1997. Contributions shall be paid into the following account:

Account No. 015-002756  
UNEP Trust Funds Account  
Chemical Bank, United Nations Branch  
New York, N.Y. 10017, USA

9. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

12. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

13. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.

14. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 1998-2003, inclusive, and shall incorporate the budget for the financial period 1998-2000.

15. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.

16. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.

17. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, who shall seek the advice of the Standing Committee as to its priorities for expenditure.

18. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

19. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to



another. At the end of the first or second calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second or third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded, unless this is specifically sanctioned in writing by the Standing Committee.

20. At the end of each calendar year of the financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.

21. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

22. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

23. The present terms of reference shall be effective from 1 January 1995 to 31 December 1997.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 4.7

### DATE, VENUE AND FUNDING OF THE NEXT MEETING OF THE CONFERENCE OF THE PARTIES

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise",

*Noting* that the meeting of the Conference of the Parties has not been hosted by a Party since 1985,

*Appreciating* the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world,

*Recalling further* the resolution on assistance to developing countries adopted in association with the Final Act of the conference to conclude the Convention (Bonn, 1979),

1. *Decides* that the fifth meeting of the Conference of the Parties should take place some time between January and June 1997;

2. *Invites* Parties to offer to host the meeting and to inform the Secretariat accordingly before the end of 1995;

3. *Invites* Parties, States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to make voluntary contributions to the Trust Fund to enable the fifth meeting of the Conference of the Parties to be convened in a developing country;

4. *Instructs* the Standing Committee:

(a) to decide on the most suitable venue from the offers received; or,

(b) should no suitable offers be received from Parties, to decide after consultations with the United Nations Environment Programme on the most appropriate alternative venue.



# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 4.1

### CONSERVATION AND MANAGEMENT OF CORMORANTS IN THE AFRICAN-EURASIAN REGION

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Pursuant to* Article VII, paragraph 5, of the Bonn Convention, which provides that the Conference of Parties at its meetings may make recommendations for improving the conservation status of migratory species,

*Noting* that the species Pygmy cormorant is included in the list of specially protected wild fauna species (Appendix II) and the other species of cormorants in the list of protected wild fauna species (Appendix III) in the Convention on the Conservation of European Wildlife and Natural Habitats (Berne Convention),

*Noting* the proposals to include the Pygmy cormorant and the Socotra cormorant in Appendix II of the Convention on the Conservation of Migratory Species of Wild Animals,

*Noting* also the draft Agreement on the Conservation of African-Eurasian Migratory Waterbirds,

*Aware* that the draft Agreement covers, *inter alia*, migratory species of cormorants,

*Also aware* that the Management Plan of the draft Agreement underlines the desirability of preparing species conservation plans for species of waterbirds which frequently come into conflict with human interests,

*Acknowledging* that, in the African-Eurasian region:

(a) The small population of the globally threatened species Pygmy cormorant (*Phalacrocorax pygmaeus*) is decreasing;

(b) The population trend of the species Socotra cormorant (*Phalacrocorax nigrogularis*) is unknown;

(c) The population trend of the Great cormorant subspecies *Phalacrocorax carbo carbo* is presumed overall to be increasing;

(d) The population trend of the Great cormorant subspecies *Phalacrocorax carbo sinensis* is increasing strongly in both numbers and range;

*Acknowledging* also that:

- (a) Cormorants breed in dense colonies and are specially vulnerable during the breeding season;
- (b) That different cormorant species and populations may utilize the same breeding and wintering sites;
- (c) Persecution of *Phalacrocorax carbo sinensis* and *Phalacrocorax carbo carbo* in its breeding colonies continues in some countries;
- (d) The increases in the populations of *Phalacrocorax carbo carbo* and *Phalacrocorax carbo sinensis* have brought conflicts with human interests, especially in fish-farming areas, coastal inland water and river systems;
- (e) In some countries these increases are in conflict with human activities in fish-pond areas that contribute to the management and the conservation of habitats of waterbirds,

*Aware* that many Range States have developed national legislative and administrative provisions to protect wild birds, including regularly occurring species of migratory birds and their habitats,

*Further aware* that, within the European Community, national provisions relating to the protection of wild birds are required to implement EEC Directive 79/409 on the conservation of wild birds, that, for member States of the European Community, other national provisions in the same field are required to be consistent with the principles set out in that Directive and that article 9 of the Directive permits derogations from the requirement that member States of the Community should prohibit the deliberate killing or capture of wild birds, where there is no other satisfactory solution, in order to prevent serious damage to fisheries and certain other interests,

1. *Recommends* Parties and non-Parties to the Convention that are Range States for migratory species of cormorants to take appropriate steps to:

- (a) Improve and protect the conservation status of the Pygmy cormorant;
- (b) Improve and protect the conservation status of the Socotra cormorant;
- (c) Maintain a favourable conservation status of the Great cormorant subspecies *carbo carbo* and *carbo sinensis*;
- (d) Monitor cormorant populations in breeding, moulting, staging and wintering areas;
- (e) Commission research on:
  - (i) The assessment of damage caused by cormorants to fishing interests;
  - (ii) The effectiveness of scaring techniques and the development of other techniques to protect fisheries;
  - (iii) Ornithological, ecological, limnological and fishery data to get a better understanding of the ecological network in which cormorants live;
  - (iv) Genetic analysis in order to confirm the existence of the two sub-species and the

different populations of Great cormorant and to define the current range;

(f) Increase the awareness of the public and special interest groups, including fisheries interest, to cormorant conservation issue;

(g) Secure that cormorants may only be killed under controlled conditions;

(h) Exchange information under the sponsorship of a Party Range State on the action taken under subparagraphs (e)(iv), (v), (vi) and (vii) above. A working group should be established to report to the CMS Scientific Council. After the adoption of the African-Eurasian Waterbird Agreement, a working group of that Agreement should be established under the Technical Committee;

2. *Encourages* Parties and non-Parties to the Convention that are Range States to follow the attached Guidelines for Conservation and Management of the Great cormorant;

3. *Encourages* under sponsorship of a Party Range State or other Range States to consider and co-operate in the preparation of international species conservation plans for migrating species of cormorants in accordance with the principles of the draft Agreement on the Conservation of African-Eurasian Migratory Waterbirds, taking also into consideration the guidelines attached to the present recommendation;

4. *Directs* the Secretariat to assist Parties that are Range States in these endeavours.

## Appendix

### GUIDELINES FOR THE CONSERVATION AND MANAGEMENT OF THE GREAT CORMORANT

#### 1. *Background*

The general increases in population of the Great cormorant have caused a number of conflicts with human activities. Many fishermen report that this species causes damage especially in fish-farming areas, but also in other inland waters along the coast. These conflicts with human activities result in demands for joint guidelines on the handling of the conflicts.

There are two subspecies of the Great cormorant normally recognized in Europe. The nominate subspecies *carbo* has an estimated total population of at least 45,000 pairs with an increasing trend, and the subspecies *sinensis* an estimated total population of at least 150,000 pairs with a strongly increasing trend (1992 estimates). Increases are also apparent in the winter quarters.

These increases are thought to be mainly due to legal protection of the species and increased food availability due to eutrophication of water bodies.

The Great cormorant breeds in dense colonies and is widespread during the non-breeding period. These features make it especially vulnerable during the breeding season. The species needs undisturbed breeding sites and possibilities to permit site shifting.

The Great cormorant is reported to cause conflicts with fishery and forestry activities. Conflicts with other interests, including nature conservation, have also been reported.

The Great cormorant is protected in most of the Range States. In all western, central and northern European countries there is currently no hunting season, except in Sweden, Norway and Switzerland.

The legislation of most Range States, including all States members of the European Community allows the control of the species, where it causes serious damage to specified interests and where there are no other satisfactory solutions. Many different methods of control are used, and there is a need for exchange of knowledge, for coordination and elaboration of common guidelines.

#### 2. *Principles*

The Range States will endeavour to maintain a favourable conservation status for the Great cormorant.

- (a) Where appropriate, a conservation and management plan or policy should be developed. The plan and subsequent changes in the plan should be communicated to the Secretariat for distribution to the Range States.
- (b) A number of breeding colonies adequate to maintain a favourable conservation status should be fully protected in each of the countries where the Great cormorant has or establishes breeding colonies.
- (c) The Range States should undertake regular monitoring of Great cormorant populations during the breeding and/or non-breeding season.
- (d) Control of the species may be allowed where serious damage to specified interests can be

verified, and where there are no other satisfactory solutions.

- (e) Serious damage, however, should be alleviated primarily by appropriate management of the human activities concerned, including, among others, a policy of support to fish-farming where it is favourable to fauna, flora and habitats, adaptation of fishing methods and gear, and scaring techniques.
- (f) Intervention within the breeding colonies, if it appears necessary, may only be authorized in particular cases where it can be scientifically demonstrated that it will not have a significant negative impact on the conservation status of cormorants as mentioned in the opening paragraph and in points (a) and (b) above, and only under strict supervision and in accordance with the principles laid down in point (d) above. Control methods should respect good ethical principles.
- (g) Once a year, the extent of controls and the methods used should be communicated to the Secretariat for distribution to the Range States.
- (h) Efforts should be made to increase international exchange of information concerning damage to fisheries, including both the assessment of damage and the alleviation of problems. The Range States recognize the activities of the EIFAC working group and the IWRB Cormorant Research Group. These organizations may provide platforms for mutual exchange of scientific information.



# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 4.2

### RESEARCH ON MIGRATION IN SMALL CETACEANS

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Noting*, as resolved by the Conference of the Parties at its third meeting (Resolution 3.3, 1991), that the Bonn Convention and certain existing and contemplated regional international Agreements under its auspices include small cetaceans,

*Recalling* that 27 species of small cetaceans are included in Appendix II of the Convention, and

*Recognizing* that the migratory behavior of most small cetaceans in most regions is scientifically very poorly known, making the nature and scope of international conservation problems difficult to determine, and making regional and international co-operation difficult to achieve,

*Recommends:*

- (a) that the Parties to the Bonn Convention carry out scientific studies to investigate and describe the migrations of small species in their waters, giving priority to species and populations of threatened or uncertain status;
- (b) that those Parties having the technical expertise and resources necessary for such studies advise and assist other Parties and other Range States (through appropriate mechanisms such as memoranda of understanding) to plan and carry out needed studies including, for example, sighting surveys conducted over seasons and years, tagging, use of natural marks, conventional radio-tracking or satellite-based radio-tracking and genetic studies of stock identity; and
- (c) that the Parties concerned report to the next meeting of the Conference of the Parties on measures taken in response to the present recommendation.





# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 4.3

### CONSERVATION STATUS OF *Crex crex*

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Noting* that the Scientific Council at its fifth meeting (Nairobi, June 1994) strongly recommended that *Crex crex* be included on Appendix II on the basis of its migratory habits and highly unfavourable conservation status, due to rapid declines in population status throughout its range,

*Recognizing* that Article X, paragraph 3, of the Bonn Convention requires, *inter alia*, that the text of any amendment and the reasons for it shall be communicated to the Secretariat at least 150 days before the meeting at which it is to be considered,

*Noting* that *Crex crex* is fully protected in a number of countries throughout its range, and is also listed on Appendix II of the Berne Convention on the Conservation of European Wildlife and Natural Habitats,

1. *Confirms* the Scientific Council's conclusion that this species has an unfavorable conservation status;
2. *Recommends* that *Crex crex* be considered for listing in Appendix II at the time of the fifth meeting of the Conference of the Parties, provided that it continues to meet the relevant criteria;
3. *Urges* that in the interim period this species be accorded measures consistent with a species of unfavourable conservation status that would be appropriate for a species which has already been listed on Appendix II; and
4. *Recommends* that Range States identify breeding habitats and promote agricultural management practices sympathetic to the conservation of *Crex crex* in those areas.



# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 4.4

### PROPOSED AGREEMENT ON THE HOUBARA BUSTARD (*Chlamydotis undulata*)

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Aware that *Chlamydotis undulata* is listed on Appendix II of the Convention (Asian populations) and also on Appendix I of the Convention (Northwest African populations),*

*Noting the reference in document UNEP/CMS/Conf.4.8 (Review of Article IV Agreements concluded or under development) to a possible Agreement on this species having been under discussion for several years, with a draft text being under discussion internally by the Government of the Kingdom of Saudi Arabia,*

*Noting the Party report of the Kingdom of Saudi Arabia to the present meeting of the Conference of the Parties,*

*Further noting the contributions to the plenary session on 7 June 1994 from the delegations of the Kingdom of Saudi Arabia, Pakistan, Tunisia, and the observer from BirdLife International on this matter,*

*Taking account of the recommendation contained in the report of the fifth meeting of the Scientific Council (document UNEP/CMS/Conf.4.5.4) that a concerted action plan should be developed for the entire population of this species,*

1. *Requests that the Government of the Kingdom of Saudi Arabia complete as soon as practicable internal formal approval for its current draft of an Agreement concerning *Chlamydotis undulata*;*

2. *Further requests that this draft Agreement then be forwarded to the Secretariat and the Range States concerned for their consideration and amendment. The Range States will return the modified/accepted text to the Secretariat for collation and the Secretariat will circulate further observations to the Range States;*

3. *Urges all Range States to complete the studies with respect to the population, status and distribution of the species as already requested under item 26 of the report of the fourth meeting of the Scientific Council, held in Bonn in May 1993, and to report on the same to the Secretariat by March 1995;*

4. *Suggests that a meeting of Range States of the species, hosted by one or more of the Range States with the assistance of the Secretariat and appropriate experts, should be convened by the end of March 1995 to develop a conservation action plan for the species.*



# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 4.5

### CONCERTED ACTION FOR SIX APPENDIX I SPECIES OF SAHELO-SAHARAN UNGULATES: *Addax nasomaculatus*, *Oryx dammah*, *Gazella dama*, *Gazella leptoceros*, *Gazella cuvieri*, *Gazella dorcas*

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Considering* that the six above-mentioned species are included in Appendix I of the Convention,

*Taking into account* Resolution 3.2, paragraph 4, adopted by the Conference of the Parties at its third meeting,

1. *Takes note* of the proposed Action Plan prepared by the Scientific Council for a concerted action on the Sahelo-Saharan ungulates (UNEP/CMS/Inf.4.5, annex 4);
2. *Encourages* the Parties to participate in the revision and finalization of the Action Plan;
3. *Encourages* the Parties to implement the Action Plan upon finalization; and
4. *Requests* the Secretariat and the Scientific Council to provide the necessary support to the concerted action.



# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 4.6

### THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN THE CONVENTION ON CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

Adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994)

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

*Recalling* that Article IX of the Convention provides for assistance from and liaison with, *inter alia*, suitable non-governmental bodies technically qualified in the protection, conservation and management of wild animals, and international organizations concerned with migratory species;

*Aware* that these organizations have continued to make important technical, promotional and financial contributions to the implementation of the Convention, and to support the Convention Secretariat;

*Further aware* that national environmental non-governmental organizations can represent influential movements in society and that - through their expertise - they can play an active role in the conservation of migratory species of wild animals;

*Conscious* that the Convention on Biological Diversity signed at Rio de Janeiro in 1992 stresses the importance of and the need to promote co-operation among States and intergovernmental organizations and the non-governmental sector for the conservation of biological diversity and the sustainable use of its components;

*Taking account* of the Strategy for the Future Development of the Bonn Convention (accepted under Resolution 4.4);

1. *Recommends* that Parties strongly support and give particular attention to the development and functioning of national and international non-governmental organizations which aim for conservation of migratory species of wild animals.
2. *Encourages* Parties to consult non-governmental organizations, provide them with relevant information and offer them ample opportunities to contribute to the formulation and implementation of governmental policy on migratory species conservation;
3. *Recommends* that Parties to Agreements concluded under the Convention invite appropriate representatives of non-governmental organizations to participate in meetings held to discuss the development or implementation of such Agreements;
4. *Requests* the Secretariat to organize periodic briefing sessions with non-governmental organizations, in order to involve them more fully in the activities of the Convention and to solicit their support.

## RESOLUTION 5.1

### CONCERTED ACTIONS FOR APPENDIX I SPECIES

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Recalling* Resolution 3.2 (Geneva, 1991) regarding Appendix I species;

*Recognising* that Resolution 3.2 decided *inter alia* that at each meeting of the Conference of the Parties a formal review process be established for a selected number of species listed in Appendix I;

*Recalling* further that Resolution 3.2, as updated by Resolution 4.2 (Nairobi, 1994), instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention;

*Noting* the recommendation of the seventh meeting of the Scientific Council that *Falco naumanni*, *Phoenicoparrus andinus*, *Phoenicoparrus jamesi* and *Anser erythropus* should be the subject of concerted actions, subject to their inclusion in Appendix I, as should *Gorilla gorilla beringei*, already listed in Appendix I;

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

1. *Resolves* that the concerted actions and preparation of review reports envisaged within the framework of Resolution 3.2 be carried out for all of the above-mentioned species, as well as for *Pontoporia blainvillei* and for *Hippocamelus bisulcus*, during the 1998-2000 triennium, and that the Conference of the Parties review the results at its next meeting;
2. *Resolves* further, in keeping with the Council's recommendation, that concerted actions should be carried out for *Ciconia boyciana*, subject to the condition that at least one of that species' Range States has become a Party to the Convention; and
3. *Endorses* the recommendation of the seventh meeting of the Scientific Council that activities for species already listed in Resolution 4.2 should be continued for a further triennium (1998-2000).

## RESOLUTION 5.2

### GUIDELINES FOR THE HARMONISATION OF FUTURE AGREEMENTS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Recalling* that Resolution 4.3 (Nairobi, 1994) instructed the Standing Committee to submit a proposal to the fifth meeting of the Conference of the Parties regarding Guidelines for the Harmonisation of Future Agreements;

*Welcoming* the circulation of draft *Guidelines on the Harmonisation of Agreements concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)*, April 1997, submitted by the Secretariat;

*Recognising* that these 'Guidelines' are a valuable compendium of Agreement practices which will enable parties to make considered choices in framing future Agreements;

*Acknowledging* that treaty practice is subject to some variance between Parties, that some flexibility is desirable and that the range and type of possible Agreements, the best and most achievable means of conservation and management under the framework of the CMS, and other circumstances may not render a single form of Agreement optimal for all cases;

*Recognising* the non-binding legal nature of international guidelines and that these *Guidelines on the Harmonisation of Agreements concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals* only described existing provisions, resolutions and existing Agreements;

*Desiring* to harmonise, as far as possible, the form of Agreements and to avoid unnecessary and unintended divergence in form and effect, with its consequent uncertainty;

*Recognising* that the 'Guidelines' need to be examined further by Parties and progressively refined; and

*Noting* the importance of the first summary of Parties' comments produced by the Secretariat;

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

*Instructs* the Secretariat:

- a. to distribute copies of the 'Guidelines' together with this resolution to Parties for their further consideration;
- b. to produce, with the assistance of a consultant and an open working group of the Parties, a comprehensive summary of all comments for timely distribution to Parties seeking further views; and
- c. to produce an updated draft of the 'Guidelines', taking account of comments received from Parties, for submission to the sixth meeting of the Conference of the Parties.

## RESOLUTION 5.3

### INTERPRETATION OF CERTAIN TERMS OF THE CONVENTION

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Noting* that the Scientific Council reached consensus on a definition of “endangered”, which would achieve maximum compatibility with the IUCN “Categories of Threat”, whilst still keeping within the definition given in Article I, paragraph 1 (e), of the Convention text; and

*Considering* that the Standing Committee concluded that the Council’s recommendation regarding the term “endangered” should be submitted to the fifth meeting of the Conference of the Parties for its consideration;

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

1. *Decides* to interpret the term “endangered” in Article I, paragraph 1(e), of the Convention, as meaning “facing a very high risk of extinction in the wild in the near future”; and
2. *Shall be guided*, in assessing the endangered status for the purposes of listing in Appendix I, by the findings of the 40th Meeting of the IUCN Council or by an independent assessment by the Scientific Council based on the best available data.

## RESOLUTION 5.4

### STRATEGY FOR THE FUTURE DEVELOPMENT OF THE CONVENTION

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Noting* that Article VII, paragraph 5, of the Convention requires the Conference of the Parties to review the implementation of the Convention and, in particular, to decide on any additional measure that should be taken to implement its objectives;

*Recalling* that, at its fourth meeting, the Conference of the Parties adopted, in principle, the *Strategy for the Future Development of the Convention* (documents UNEP/CMS/Conf. 4.11 and UNEP/CMS/Res.4.4);

*Noting* the efforts made by the Parties and the Secretariat, under the guidance of the Standing Committee and the Scientific Council, to implement the Convention's priorities, as embodied in the *Strategy*, during the triennium 1994-1997;

*Conscious* of the need to review priorities set out in the *Strategy* in order to ensure that they correspond to the most pressing requirements which the Convention needs to address;

*Conscious* also of the need to maintain clear priorities for the guidance of the work of the Standing Committee, the Scientific Council, the Secretariat and individual Parties in implementing the Convention; and

*Considering* the usefulness of having available a comprehensive document outlining the Convention's strategic plan for the short- to medium-term;

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

1. *Decides* that, pending a comprehensive review of the *Strategy for the Future Development of the Convention* prior to the sixth meeting of the Conference of the Parties, the objectives and activities listed in the annex to the present resolution shall be the first priorities of the Convention for the triennium 1998-2000, according to the following categories:

<u>High Priority</u>	Objectives 1.1, 2.1, 2.2, 2.3, 2.4, 3.1, 3.3, 5.1, 5.2, 5.3, 7.1, 7.2 and 7.3
<u>Medium Priority</u>	Objectives 1.2, 3.2, 4.1, 4.2, and 6.1
<u>Ongoing</u>	Objectives 8.1, 8.2, and 8.3

In so doing, the Conference of the Parties considers the key priorities for the success of the Convention to be:

- Recruitment of new members, and assisting new and existing members;
- Promotion of the Convention and its objectives;
- Concerted action for Appendix I species;
- Development of and assistance to regional Agreements; and
- Scientific work to keep the CMS Appendices under review.



2. *Requests* the Parties and all the institutions of the Convention actively to pursue these and priorities as far as possible;
3. *Also requests* the Executive Director of the United Nations Environment Programme to take full account of the *Strategy* and priorities in determining the support to be provided for the Convention by UNEP; and
4. *Instructs* the Standing Committee and the Secretariat to report to the Conference of the Parties on the progress in implementation of the objectives and activities, and to present a revised version of the *Strategy* to the Conference of the Parties at its sixth meeting.

## OBJECTIVES AND ACTION POINTS FOR THE 1998-2000 TRIENNIUM

### OBJECTIVE 1: ENHANCE MEMBERSHIP IN CMS THROUGH TARGETED PROMOTION OF THE CONVENTION'S AIMS

- 1.1 Parties, UNEP and the Standing Committee, with the active support of the Secretariat, should intensify efforts to persuade potential Parties to join the Convention and related Agreements. First priority should be given, but efforts not necessarily limited, to the key countries for which "country profiles" have been already been developed according to biological criteria:  
(*Parties, UNEP, Standing Committee, Secretariat*)
- 1.2 The Secretariat should expedite preparation and updating of information material, including brochures, posters, videos, mobile displays, a Convention Directory, and regular bulletins. Parties are encouraged to provide technical assistance and funds if the core budget does not suffice. Such material should be used both to promote awareness and implementation of CMS in existing Party States and to promote the Convention to potential new Parties. Individual Parties should produce information materials for national or regional audiences. Consideration should be given to undertaking a major information campaign, in concert with non-governmental organizations, well in advance of the Convention's 20<sup>th</sup> anniversary in 1999.  
(*Secretariat, Parties, NGOs*)

### OBJECTIVE 2: INTENSIFY CONSERVATION INITIATIVES IN REGIONS UNDER REPRESENTED IN CMS

- 2.1 The Convention's presence in Africa and Asia-Oceania should be strengthened with a view to encouraging regional co-operation for migratory species conservation. As in the case of Latin America, where the appointment of a Programme Officer from the region has helped to stimulate regional initiatives, Parties should be encouraged to second personnel to CMS in order to facilitate governmental and non-governmental contacts and to improve programme delivery within Africa and Asia-Oceania. The Secretariat should be more pro-active in its efforts to promote conservation initiatives in co-operation with regional bodies.  
(*Parties, Secretariat*)
- 2.2 In Africa, the emphasis should be on supporting activities that are just getting off the ground, such as the recently concluded African-Eurasian Waterbird Agreement, as well as preliminary work on marine turtles and cetaceans in coastal waters.  
(*Parties, Secretariat*)
- 2.3 In Asia-Oceania, CMS should continue to support and provide input to the *Asia-Pacific Migratory Waterbird Conservation Strategy (1996-2000)*, which may lead in the future to a more formal multilateral agreement among States of the region, and to take an active role in the development of a conservation initiative for migratory waterbirds of the Central Asian-Indian flyway. In addition, CMS should play a more prominent role in regional co-operation for marine turtle conservation, where other bodies are not already active, and should continue to support essential research on cetaceans.  
(*Parties, Secretariat*)

- 2.4 The Convention shall contribute to ensure that advances achieved in the neotropics by way of the CMS South American workshop (Proceedings, Valdivia, Chile, 1-3 December 1996) and whose conclusions were recognized and endorsed by the seventh meeting of the Scientific Council are followed up, and recommends that this type of meeting should also be organized for other regions of the world.  
(*Parties, Secretariat*)

#### OBJECTIVE 3: FACILITATE AND IMPROVE IMPLEMENTATION OF THE CONVENTION

- 3.1 The Secretariat should work together with each new Party, as soon as possible after their accession to CMS, to advise, answer queries and offer suggestions as regards implementation of the Convention. It should, through a consultancy, develop guidelines on legislation and implementation and other useful material, in order to give guidance to new Parties on CMS and its associated Agreements.  
(*Secretariat, individual Parties*)
- 3.2 Parties as well as non-Party States, including regional economic integration organisations, should provide sufficient funds for the implementation of the Convention and of Agreements concluded under its auspices, both domestically and for transboundary co-operation and concerted action. Developed countries should channel adequate funds to projects for the implementation of CMS and Agreements in developing countries and countries in economic transition. Also, they should encourage non-governmental organisations to target their project work, *inter alia*, towards the implementation of CMS and Agreements.  
(*Parties, non-Parties, NGOs*)
- 3.3 All Parties should be encouraged to submit reports on their implementation of CMS well before each meeting of the Conference of the Parties (COP). An analysis of reports submitted by Parties should be prepared before each meeting. The Secretariat should engage a specialised organisation on a permanent basis to review and evaluate the reports and to prepare a comprehensive report for the COP on the status and population trends for the relevant species, and conservation measures undertaken by the Parties and non-Party Range States, using also information from other sources.

A proposal should be developed and submitted to the COP6, as well as to the Meetings of the Parties of the Agreements concluded under CMS, to harmonise the various reports with a view to a) making those reports more substantial, b) providing the COP with appropriate information on the implementation of the Convention and c) making an input to the Convention on Biological Diversity with respect to the conservation of migratory species.  
(*Parties, Secretariat*)

#### OBJECTIVE 4: DEVELOP AGREEMENTS ACCORDING TO REGIONAL PRIORITIES

- 4.1 Activities to lay basis for the identification and development of new Agreements should be continued and intensified, as far as resources are available. Parties, including regional economic integration organisations, should take the lead in developing and/or sponsoring Agreements and in hosting interim secretariats; sponsors should specify clearly to the Standing Committee how they intend to proceed in this regard. Developed Party States, whether or not they are Range States, should be encouraged to facilitate initiatives of developing countries by providing technical, scientific and financial assistance on request. The Secretariat's capacity to assist in the development of new Agreements should be strengthened.  
(*COP, Parties, Scientific Council, Secretariat*)
- 4.2 Support to existing Agreements (including Memoranda of Understanding) should be provided by the Secretariat to the extent these activities contribute significantly to the conservation of the species concerned and help to raise the profile of the Convention.  
(*Secretariat*)

## OBJECTIVE 5: PRIORITIZE CONSERVATION ACTIONS FOR MIGRATORY SPECIES

- 5.1 Priority should continue to be given to actions for Appendix I species (or populations). The Scientific Council should recommend to the Conference of the Parties or Standing Committee, as appropriate, concerted measures to be taken by Parties in respect of selected species. The Secretariat, in consultation with the Scientific Council, should promote the development of cost-effective projects, in particular those intended to have a direct benefit for Appendix I species.  
*(Scientific Council, Secretariat)*
- 5.2 In the case of critically endangered species listed in Appendix I, Parties should designate protected areas, in close co-operation with other Range States and taking into account commitments under other international instruments, so that a network of critical sites is established throughout the migration route of the species concerned.  
*(Parties)*
- 5.3 The CMS Appendices should be reviewed and improved continually in order to assure their scientific integrity and value for conservation purposes.  
*(Scientific Council)*

## OBJECTIVE 6: MOBILIZE FINANCIAL RESOURCES FOR CONSERVATION INITIATIVES

- 6.1 The Secretariat, with the assistance of the Standing Committee, should develop closer relations with multilateral agencies operating on a global and/or regional level that provide development assistance for projects which: a) may affect migratory species covered by CMS or b) could include migratory species as a component of a broader conservation strategy.  
*(Secretariat, Standing Committee)*

## OBJECTIVE 7: RATIONALIZE INSTITUTIONAL ARRANGEMENTS

- 7.1 Secretariats for individual Agreements should be financed entirely by their Parties, except when the membership is such that financial support from the Convention is essential in the early stages of development. In addition, Parties to the respective Agreements should provide substantial voluntary support to facilitate the administration and effective implementation of the Agreement.  
*(Parties to Agreements, Secretariat, Standing Committee)*
- 7.2 In keeping with the model adopted for Europe, Parties to Agreements developed in other regions should consider consolidating secretariat functions for one or more Agreements in regional centres which would facilitate links to the CMS Secretariat and, where appropriate, to existing organisations specialised in the conservation of migratory species.  
*(Parties to Agreements)*
- 7.3 The personnel of the Secretariat should be augmented as far as financial resources permit to improve delivery of services in relation to technical and scientific matters, developmental and organizational activities, and liaison with other biodiversity-related conventions and organisations. The geographic and linguistic balance within the Secretariat should be improved in order to strengthen its capacity in regions not adequately represented. Regional officers for Africa and Asia should be recruited through secondment. Parties should assign to the Secretariat, at their own cost for periods of at least one year, personnel capable of undertaking specialized tasks that would otherwise not be possible to carry out.  
*(Parties, Secretariat, UNEP)*

## OBJECTIVE 8: STRENGTHEN INSTITUTIONAL LINKAGES

8.1 CMS should strengthen or establish new partnerships with the institutions of the Convention on Biological Diversity, and with other biodiversity-related conventions, regional agreements and programmes *inter alia* by:

- (a) implementing the MoU concluded between the secretariats of CBD and CMS (*Secretariat, Parties*);
- (b) intensifying communication and consultations with other conventions and institutions, relevant for, *inter alia*, the conservation of migratory species (*Secretariat*);
- (c) intensifying, as a priority, the linkages with CBD and GEF in order to implement the relevant decisions of the Conference of the Parties to CBD, as well as developing pilot projects which demonstrate (i) the complementarity of CMS in the implementation of CBD and (i) the basic need to fill the gap in the funding mechanism of GEF for biodiversity-related projects;
- (d) nominating a focal point from both the Standing Committee and the Scientific Council to communicate with the respective bodies of the institutions mentioned above, to participate in their meetings and to report back to the CMS bodies (*Standing Committee, Scientific Council*); and

For this reason, it is proposed that the COP provide for the establishment of a Programme Officer post to assist with the Secretariat's liaison with CBD, other biodiversity-related conventions and post-UNCED organisations (e.g. the CSD, UNFCCC, and Desertification Convention) and with other UN organisations, in a broader sense, in matters of common concern – where until now there has been minimal interaction.

8.2 The Standing Committee should negotiate with UNEP (through its Governing Council) on support for the implementation of CMS (as already promised in 1994) and the inclusion of some of the strategy action points in its programme of work. UNEP should also actively support the recruitment of new Parties and the establishment of partnerships with the institutions mentioned above. (*Parties, Standing Committee, Secretariat*).

8.3 Specialized non-governmental organizations should be encouraged to play a more active role in the Convention, particularly by providing scientific advice, assisting in promotional activities and implementing projects for migratory species. The Secretariat should hold at least one intersessional meeting with NGOs, and individual Parties should also consult and, where appropriate, make use of NGOs in implementing the Convention. (*NGOs, Secretariat, Parties*)

## RESOLUTION 5.5

### CO-LOCATION OF AGREEMENT SECRETARIATS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Recalling* the action points 17, 18 and 19 contained in Resolution 4.4, adopted by the fourth Meeting of the Conference of the Parties (Nairobi, June 1994), which read as follows:

“17. Secretariats for individual Agreements should be financed entirely by their Parties, except when the membership is such that financial support from the Convention is essential in the early stages of development.

18. Parties to Agreement should be invited to consider consolidating secretariat functions for one or more Agreements in regional centres which would facilitate links to the CMS Secretariat.

19. The Parties to the Agreement on the Conservation of Bats in Europe, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and other European Agreements under the Convention should be invited to consolidate secretariat functions in a special Agreements Unit co-located with the Secretariat of the Convention.”

*Confirming* that the question of the location of the secretariat for any particular Agreement, and of all other relevant questions, is a matter to be determined solely by a decision of the Meeting of the Parties to that Agreement;

*Expecting* that mutual benefit will be derived from the co-location of the Secretariat of the Convention with Agreement secretariats through cost savings and the pooling of resources and by strengthening the organisational and administrative potentials and increasing the efficiency of the secretariats, in implementing the aims of the Agreements;

*Guided* by a common will to maintain the mutually independent and autonomous functioning of each secretariat according to the instructions of their relevant bodies;

*Acknowledging* the Final Act of the Negotiating Meeting on the adoption of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (The Hague, 12 to 16 June 1996) provides in Article VI, paragraph 7 (6), that "at its first session, the Meeting of the Parties shall establish an Agreement Secretariat within the Convention Secretariat";

*Acknowledging* the decision of the First Session of the Meeting of the Parties to the Agreement on the Conservation of Bats in Europe (Bristol 18-20 July 1995), to establish a permanent secretariat in co-location with the Convention Secretariat;

*Acknowledging* that the resolution of the First Meeting of the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (Stockholm, 26-28 September 1994) provides that "the permanent secretariat be established at the Sea Mammal Research Unit in the United Kingdom, and remain there for the triennium; and that this arrangement be reviewed at the next ordinary Meeting of the Parties, taking into account Resolution 4.4 of the Conference of the Parties to the Convention (Nairobi, 7-11 June 1994) as well as further development with regard to other agreements";

*Acknowledging* that the Final Act of the Negotiating Meeting on the adoption of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (Monaco, 19 to 24 November 1996) provides in Article IV that, "subject to the approval of the Conference of the Parties to the Convention, an Agreement secretariat shall be established within the Secretariat of the Convention"; and

*Appreciating* that the Host Government has made excellent facilities available to the Convention Secretariat, the other Agreement secretariats as well, and has allocated increased financial means to the Convention budget as of 1997;

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

1. *Approves* the establishment of an Agreements Unit within the Convention Secretariat on the basis of the attached Terms of Reference;
2. *Is willing* to establish on the basis of the attached Terms of Reference a Common Administrative Unit for the UNEP/CMS Secretariat and the Agreements Unit and to contribute to the financial means needed for these arrangements within the limits of the existing budget;
3. *Requests* UNEP to provide the financial means for an Administrative and Fund Programme Management Officer for this Common Administrative Unit;
4. *Also requests* UNEP, in accordance with Resolution 4.4 to approve the consolidation of Secretariat functions of the Convention and the Agreements on the basis of the Terms of Reference attached hereto;
5. *Confirms* the invitation made at the fourth meeting of the Conference of the Parties (Nairobi, 1994) for the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas (ASCOBANS) to relocate their secretariat with the Secretariat of the Convention;
6. *Recommends* that the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas and to the Agreement on the Conservation of Bats in Europe request the Executive Director of the United Nations Environment Programme to become the secretariat;
7. *Invites* the Contracting Parties of ASCOBANS and EUROBATS, as well as ACCOBAMS and AEWA, to consider, in accordance with their procedures, the offer to consolidate secretariat functions in the Agreements Unit at their own expense and in line with the Terms of Reference attached hereto;
8. *Invites*, in accordance with Resolution 4.4, contracting Parties to future Agreements to consider co-location of their Agreement secretariats with the UNEP/CMS Secretariat;
9. *Commissions* the Standing Committee to develop, where necessary, further terms of reference for the co-location and integration of Agreement Secretariats, and to submit them to the administrative/scientific bodies of the Agreements; and
10. *Invites* the Meetings of the Parties which accept the invitation under paragraph 7, above, to empower their administrative/scientific bodies to negotiate any further terms of reference for co-location and integration, as may be needed.

## TERMS OF REFERENCE FOR SECRETARIAT ARRANGEMENTS

For the Establishment of the Agreements Unit the following terms of reference will apply:

1. The Agreements Unit will comprise personnel according to the budgets of the respective Agreements.
2. The Professional Staff members will report to the Co-ordinator for internal administrative matters, as well as temporal co-ordination of the work programme and communication with UNEP.
3. Staff members of the Agreements Unit will function independently and will report to their respective Agreements. When the need arises, reciprocal staff assistance might be accommodated for short periods of time as authorized by the Co-ordinator.
4. Apart from the cost of the Administrative and Fund Management Officer, which is borne by UNEP, the cost of personnel for common administrative support and of common secretarial services will be funded on a cost-sharing basis by budgets of the Convention and the Agreements.
5. Recruitment of all staff members will be carried out by the United Nations Environment Programme on the basis of job descriptions prepared under the direction of the Co-ordinator. UNEP will be responsible for ensuring classification of all posts. The advertisement for any executive officer post for a given Agreement, as well as the subsequent appointment of a candidate, will normally be limited to the Contracting Parties to the Agreement concerned. Secondment of staff members from Governments should be encouraged, subject to mutually acceptable arrangements between UNEP and the Government concerned.
6. Primary screening of candidates for all posts will be conducted by a panel of three, selected by the Co-ordinator in accordance with set recruitment procedures and consisting of staff including officers and from United Nations agencies in Bonn. Preliminary screening of general service staff applications and interviews will be organized by the responsible executive officer(s), in consultation with senior UNEP/CMS staff. Current staff of the respective Agreements will be eligible to compete for the available posts. Recommendations of short-listed candidates for professional and general service staff posts will be submitted to UNEP through the Co-ordinator.

### Financial arrangements

7. Parties to each Agreement will request the Executive Director of UNEP to establish separate Trust Funds for each Agreement. A separate budget will continue to be adopted for each Agreement and for the Convention, by the respective Meeting of the Parties (MOP) or Conference of the Parties (COP), as appropriate.
8. The operating costs of the secretariats (e.g. telephone usage, postage, photocopying, special printing cost, etc.) will be computed and budgeted separately for each of the constituent Agreements. Where it is impracticable to compute actual costs separately (e.g. for common office supplies), the Agreements are expected to agree a contributing figure to the overall costs for these items.



### Trust Fund contributions

9. Contributions from Parties will continue to be calculated separately for each Agreement and for the parent Convention, and paid annually according to the UN scale of assessment. However, a rationalized system will be developed allowing Parties to the Convention and to one or more of the Agreements concerned to pay subscriptions in a single instalment, giving clear instructions as to how the funds are to be allocated. Requests for payment will continue to be sent by UNEP in the form of an invoice, detailing the contributions to be made towards the Convention and any applicable Agreements. UNEP will administer one or more trust funds which will supply CMS and each of the Agreements concerned, according to contributions received and the overall budgets by the respective MOPs/COP.

10. Every effort should be made by the Parties to ensure adequate and timely contributions. Nevertheless, in the event of insufficient funds for salaries of Agreements Unit staff, the Executive Director of UNEP will be authorized, through a provision in the terms of reference of the CMS Trust Fund, to make special provision to cover these salaries on a re-imbursable basis from the CMS Trust Fund if its resources allowed. UNEP will liaise with the UNEP/CMS Secretariat on such temporary transfers of funds from the parent Convention to any Agreement. Any such movements, however temporary, will be communicated to the respective Standing/Advisory Committee of the Convention and Agreement(s) concerned, and reported upon at the next session of the Meeting/Conference of the Parties.

## RESOLUTION 5.6\*

### FINANCIAL AND ADMINISTRATIVE MATTERS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

*Recalling* Article VII, paragraph 4, of the Convention which states:

"The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference";

*Acknowledging* with appreciation the financial and other support provided by the United Nations Environment Programme, the depositary Government, and the Parties to the Convention;

*Appreciating* especially the announcement of the depositary Government that they will allocate annually the sum of DEM 100,000 as an additional voluntary contribution to the Trust Fund, to cover special measures and projects aimed at the improvement of the implementation of the Convention and the effectiveness of its Secretariat, designation of the measures to be decided by the Standing Committee on the basis of proposals of the Secretariat and, as appropriate, the advice of the Scientific Council, and to be approved by the Conference of the Parties at its subsequent meeting;

*Recognizing* the need to strengthen the capacity of the Secretariat of the Convention to enable it to better serve the Parties in all regions;

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities;

*Noting* the considerable number of Parties as well as organizations attending the meeting of the Conference of the Parties as observers, and the resulting additional expenditure to Parties so incurred;

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

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the budget for 1998-2000 attached as Annex 1 to this resolution;
3. *Agrees* to the scale of contributions of Parties to the Convention as listed in Annex 2 to this resolution and to the application of that scale *pro rata* to new Parties;
4. *Requests* all Parties to pay their contributions promptly as far as possible but in any case not later than the end of the year to which they relate;
5. *Takes note* of the medium-term plan for 1998-2003 attached as Annex 3 to this resolution and of the priorities agreed in Resolution 5.4;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 5.8.

6. *Urges* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the Convention throughout the triennium;
7. *Invites* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;
8. *Decides* that the standard participation fee for all non-governmental organizations shall be fixed at USD 100 and urges such organizations to make a greater contribution if possible;
9. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 2000; and
10. *Approves* the terms of reference for the administration of the Trust Fund as set out in Annex 4 to the present resolution, for the period 1998-2000.

## BUDGET ESTIMATES FOR 1998-2000

(Budget lines correspond to standard UNEP budget codes)

	Estimated cost in United States dollars			
	1998	1999	2000	Total
<b>10 Personnel Component</b>				
1100 Professional Staff				
1101 Executive Secretary (P5/D1)	127,500	130,000	132,500	390,000
1102 Deputy Executive Secretary (P4/P5)	94,000	96,000	98,000	288,000
1103 Programme (Information) Officer (P3/P4)	80,000	82,500	85,000	247,500
1104 Programme (Technical) Officer (P3/P4)	122,000	124,000	126,000	372,000
1105 Administrative Officer (P3) - UNEP *	0	0	0	0
1107 Regional Officer - Africa (P3) - secondment	0	0	0	0
1108 Regional Officer - Asia (P3) - secondment	0	0	0	0
1199 Total	423,500	432,500	441,500	1,297,500
1200 Consultants				
1201 Translators	20,000	35,000	20,000	75,000
1220 Consultancies - other	60,000	65,000	70,000	195,000
1299 Total	80,000	100,000	90,000	270,000
1300 Administrative support				
1301 Administrative Assistant (G4/G5)	46,000	47,000	48,000	141,000
1302 Finance Assistant (G4/G5)	46,000	47,000	48,000	141,000
1303 Database Clerk/Secretary (G3/G4)	41,000	42,000	43,000	126,000
1304 Information Assistant/Secretary (G3/G4)	43,000	44,000	45,000	132,000
1305 Secretary (G3/G4)	41,000	42,000	43,000	126,000
1306 Clerk (G2/G3)	36,000	37,000	38,000	111,000
1321 Temporary Assistance / Overtime	7,000	18,000	9,000	34,000
1322 Conference Servicing Costs	0	150,000	0	150,000
1399 Total	260,000	427,000	274,000	961,000
1600 Travel on official business				
1601 General	75,000	70,000	80,000	225,000
1602 Conference	0	20,000	0	20,000
1699 Total	75,000	90,000	80,000	245,000
1999 Component Total	838,500	1,049,500	885,500	2,773,500

<b>20 Projects Component</b>				
2100 Projects				
2101 Conservation projects	142,000	142,000	142,000	426,000
Implementation measures supported by host 2102 country	58,000	58,000	58,000	174,000
2103 Subcontract with WCMC	30,000			30,000
2199 Sub-total	230,000	200,000	200,000	630,000
2999 Component Total	230,000	200,000	200,000	630,000
<b>30 Meetings Component</b>				
3300 Meetings				
3301 Scientific Council	55,000	45,000	5,000	105,000
3302 Standing Committee	7,500	7,500	7,500	22,500
3303 Siberian Crane MoU meeting	12,500	0	15,000	27,500
3304 Slender-billed Curlew MoU meeting	0	20,000	0	20,000
Developing country participants (at 3305 meetings)	20,000	90,000	20,000	130,000
3199 Sub-total	95,000	162,500	47,500	305,000
3999 Component Total	95,000	162,500	47,500	305,000
<b>40 Equipment and Premises Component</b>				
4100 Expendable equipment				
4101 Miscellaneous office supplies	7,000	8,000	7,500	22,500
4199 Total	7,000	8,000	7,500	22,500
4200 Non-expendable equipment				
4201 Office equipment	20,000	15,000	15,000	50,000
4299 Total	20,000	15,000	15,000	50,000
4300 Premises				
4301 Rent and maintenance costs **	0	0	0	
4399 Total	0	0	0	0
4999 Component Total	27,000	23,000	22,500	72,500
<b>50 Miscellaneous Component</b>				
5100 Operation and Maintenance				
5101 Operation/maintenance of computers	4,000	5,000	4,500	13,500
5102 Operation/maintenance of photocopiers	4,000	5,000	4,500	13,500
5103 Operation/maintenance - other	500	500	500	1,500
5199 Total	8,500	10,500	9,500	28,500
5200 Reporting Costs				
5201 Document production (external)	5,000	7,500	5,500	18,000
5202 Information material	10,000	15,000	12,000	37,000
5203 Reference material	500	500	500	1,500
5299 Total	15,500	23,000	18,000	56,500

5300 Sundry				
5301 Telephone, Fax, Postage	50,000	65,000	55,000	170,000
5303 Other/Contingency	5,000	5,000	5,000	15,000
5399 Total	55,000	70,000	60,000	185,000
5400 Hospitality				
5401 Hospitality	3,000	3,000	3,000	9,000
5499 Total	3,000	3,000	3,000	9,000
5999 Component Total	82,000	106,500	90,500	279,000
<b>Subtotal</b>	<b>1,272,500</b>	<b>1,541,500</b>	<b>1,246,000</b>	<b>4,060,000</b>
6000 UNEP overhead costs (13%)	165,425	200,395	161,980	527,800
<b>Total</b>	<b>1,437,925</b>	<b>1,741,895</b>	<b>1,407,980</b>	<b>4,587,800</b>
LESS ANNUAL CONTRIBUTION FROM HOST COUNTRY ***	<b>58,000</b>	<b>58,000</b>	<b>58,000</b>	<b>174,000</b>
LESS WITHDRAWAL FOR PROJECTS ****	<b>230,000</b>	<b>200,000</b>	<b>200,000</b>	<b>630,000</b>
LESS WITHDRAWAL TO REDUCE CONTRIBUTIONS *****	<b>33,000</b>	<b>34,000</b>	<b>33,000</b>	<b>100,000</b>
<b>Budget to be shared by Parties</b>	<b>1,116,925</b>	<b>1,449,895</b>	<b>1,116,980</b>	<b>3,683,800</b>

Notes:

\* Provided from UNEP programme support costs (ca. USD 80,000 - 120,000 per annum)

\*\* Paid entirely by the host country as long as the Secretariat remains in Germany.

\*\*\* The equivalent of an annual contribution of DEM 100,000 (at an exchange rate of USD 1.70 to 1 DEM).

\*\*\*\* Special withdrawal of funds accumulated in the CMS Trust Fund.

\*\*\*\*\* Special withdrawal of funds for the purpose of reducing the annual contributions of all Parties.

## SCALE OF CONTRIBUTIONS TO THE TRUST FUND (IN USD)

	Party	UN Scale in % 1998-2000	1998 Contribution	1999 Contribution	2000 Contribution
1	Argentina	0.48	12,735	16,639	12,736
2	Australia	1.48	39,268	51,305	39,270
3	Belgium	1.01	26,797	35,012	26,799
4	Benin	0.01	265	347	265
5	Burkina Faso	0.01	265	347	265
6	Cameroon	0.01	265	347	265
7	Chile	0.08	2,123	2,773	2,123
8	Czech Republic	0.25	6,633	8,666	6,633
9	Denmark	0.72	19,103	24,959	19,104
10	Egypt	0.08	2,123	2,773	2,123
11	Finland	0.62	16,450	21,492	16,451
12	France	6.42	170,336	222,551	170,345
13	Germany	9.06	240,381	314,067	240,393
14	Ghana	0.01	265	347	265
15	Guinea	0.01	265	347	265
16	Guinea-Bissau	0.01	265	347	265
17	Hungary	0.14	3,714	4,853	3,715
18	India	0.31	8,225	10,746	8,225
19	Ireland	0.21	5,572	7,280	5,572
20	Israel	0.27	7,164	9,360	7,164
21	Italy	5.25	139,294	181,993	139,301
22	Luxembourg	0.07	1,857	2,427	1,857
23	Mali	0.01	265	347	265
24	Monaco	0.01	265	347	265
25	Morocco	0.03	796	1,040	796
26	Netherlands	1.59	42,186	55,118	42,188
27	Niger	0.01	265	347	265
28	Nigeria	0.11	2,919	3,813	2,919
29	Norway	0.56	14,858	19,413	14,859
30	Pakistan	0.06	1,592	2,080	1,592
31	Panama	0.01	265	347	265
32	Philippines	0.06	1,592	2,080	1,592
33	Poland	0.33	8,756	11,440	8,756
34	Portugal	0.28	7,429	9,706	7,429
35	Saudi Arabia	0.71	18,838	24,612	18,839
36	Senegal	0.01	265	347	265
37	Slovakia	0.08	2,123	2,773	2,123
38	Somalia	0.01	265	347	265
39	South Africa	0.32	8,490	11,093	8,491
40	Spain	2.38	63,146	82,503	63,150
41	Sri Lanka	0.01	265	347	265
42	Sweden	1.23	32,635	42,638	32,636
43	Switzerland	1.21	32,104	41,945	32,105
44	Togo	0.01	265	347	265
45	Tunisia	0.03	796	1,040	796
46	United Kingdom	5.32	141,151	184,419	141,158
47	Uruguay	0.04	1,061	1,387	1,061
48	Zaire	0.01	265	347	265
49	EC *		30,700	30,700	30,700
	<b>Total:</b>	<b>40.94</b>	<b>1,116,925</b>	<b>1,449,895</b>	<b>1,116,980</b>

\* Contribution of the European Community (2.5 percent of administrative costs, excluding any project costs)

## MEDIUM-TERM PLAN 1998-2003 (IN USD)

Budget line							
		1998	1999	2000	2001	2002	2003
1100	Professional Staff	423,500	432,500	441,500	540,000	550,000	560,000
1200	Consultants	80,000	100,000	90,000	100,000	110,000	120,000
1300	Administrative support	260,000	427,000	274,000	280,000	410,000	310,000
1600	Travel on official business	75,000	90,000	80,000	85,000	95,000	95,000
2100	Projects	230,000	200,000	200,000	0	0	0
3300	Meetings	95,000	162,500	47,500	75,000	190,000	95,000
4000	Equipment (stationary, machines, premises)	27,000	23,000	22,500	25,000	30,000	30,000
5100	Operation and maintenance (premises,	8,500	10,500	9,500	10,000	10,500	11,500
5200	Reporting costs	15,500	23,000	18,000	20,000	25,000	21,000
5300	Sundry (communications)	55,000	70,000	60,000	75,000	85,000	80,000
5400	Hospitality	3,000	3,000	3,000	3,500	3,500	3,500
6000	UNEP administrative costs	165,425	200,395	161,980	157,755	196,170	172,380
	Less annual contribution from host country	(58,000)	(58,000)	(58,000)	(58,000)	(58,000)	(58,000)
	Less withdrawal for projects	(230,000)	(200,000)	(200,000)	0	0	0
	Less withdrawal to reduce contributions	(33,000)	(34,000)	(33,000)	0	0	0
Total		1,116,925	1,449,895	1,116,980	1,313,255	1,647,170	1,440,380



TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST  
FUND FOR THE CONVENTION ON THE CONSERVATION OF  
MIGRATORY SPECIES OF WILD ANIMALS

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 1998, and ending 31 December 2000.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 2000, the Executive Director of UNEP shall be so advised in writing immediately after the sixth meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 1998-2000 shall be derived from:
  - (a) the contributions made by the Parties by reference to Annex 2, including contributions from any new Parties; and
  - (b) further contributions from Parties and contributions from States not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined *pro rata* based on the contribution of other States Parties on the same level on the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis would be more than 25 per cent of the budget, the contribution of that Party shall be 25 per cent of the budget for the financial year of joining (or *pro rata* for a part-year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 1998, 1999 and 2000. Contributions shall be paid into the following account:

Account No. 001-1-507001  
Chase Manhattan Bank  
United Nations Branch  
New York, N.Y. 10017, USA

9. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

12. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

13. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.

14. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 2001-2006, inclusive, and shall incorporate the budget for the financial period 2001-2003.

15. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.

16. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.

17. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, who shall seek the advice of the Standing Committee as to its priorities for expenditure.

18. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

19. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first or second calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second or third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded, unless this is specifically sanctioned in writing by the Standing Committee.

20. At the end of each calendar year of the financial period<sup>1</sup>, the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, the accounts for the year. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.

21. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

22. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

23. The present terms of reference shall be effective from 1 January 1998 to 31 December 2000.

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<sup>1</sup> The calendar year 1 January to 31 December is the accounting and financial year, but the accounts official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year have to be closed, and it is only then that the Executive Director can submit the accounts of the previous calendar year.

## RESOLUTION 5.7\*

### GUIDELINES FOR ACCEPTANCE OF FINANCIAL CONTRIBUTIONS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

*Having regard to* the recognition by the Conference of the Parties that financial resources in addition to the contributions of the Parties would facilitate implementation of the Convention;

*Considering* that, in its resolutions on financial and budgetary matters, the Conference of the Parties regularly invites Parties, non-Party Range States, intergovernmental and non-governmental organisations and other sources to contribute to the Trust Fund or to special activities, *inter alia* the implementation of the Convention in developing countries (Resolution 4.6, paragraphs 7 to 9), or takes into consideration potential voluntary contributions for certain special activities;

*Aware* that the Rules of the United Nations, as they apply to the receipt of funds which are administered by the United Nations Organization or one of the institutions administered by it, require that certain conditions, specified by the General Assembly, be met;

*Recalling* that, at its 13th and 14th meetings, the Standing Committee advised the Convention Secretariat to prepare draft guidelines for the acceptance of voluntary contributions, taking account of potentially similar such guidelines available for such matters for other environmental conventions;

*Referring to the Guidelines for acceptance of financial contributions*, adopted by the Standing Committee at its 15th meeting; and

*Appreciating* that the Standing Committee has invited the Conference of the Parties to endorse the Committee's decision;

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

*Decides:*

- a. that the *Guidelines for acceptance of financial contributions* attached hereto should be used as a basis for determining the future acceptance of voluntary contributions outside the framework of the Trust Fund; and
- b. that these guidelines should be administered and updated by the Standing Committee as necessary and appropriate, taking account of the prevailing advice and instructions from the United Nations Environment Programme, and the needs and requirements of the Convention and the Conference of the Parties.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 5.9.

## GUIDELINES FOR ACCEPTANCE OF FINANCIAL CONTRIBUTIONS

### 1. Background

- 1.1 The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) at its fourth meeting considered the funding of special projects by external voluntary contributions. It invited all Parties, non-Party Range States, governmental, intergovernmental and non-governmental organisations and other sources to contribute to its Trust Fund or to special activities (see Resolution 4.6 (Nairobi, June 1994): Financial and budgetary matters, paragraphs 7 and 8).
- 1.2 At its thirteenth meeting (Bonn, 16-17 March 1995), the Standing Committee requested the Secretariat to prepare a paper for the next meeting, proposing guidelines regarding from whom the Secretariat of the Convention may be receive contributions.
- 1.3 The Standing Committee will continue to identify key priority areas along which lines projects should be developed, in consultation with the Scientific Council, as appropriate.

### 2. United Nations framework

- 2.1 Regarding guidelines for voluntary contributions, the United Nations Financial Rules (Rules 107.5, 107.6, 107.7) state as follows:
  - 2.1.1 In cases other than approved by the General Assembly, the establishment of any trust fund or the receipt of any contribution, gift or donation to be administered by the United Nations requires the approval of the Secretary-General, who may delegate this authority to the Under-Secretary General for Administration and Management;
  - 2.1.2 No voluntary contribution for a specific purpose may be accepted if the purpose is inconsistent with the policies and aims of the United Nations;
  - 2.1.3 Voluntary contributions which directly or indirectly involve an immediate or ultimate financial liability for the Organization may be accepted only with the approval of the General Assembly.
- 2.2 Although the Conference of the Parties to CMS has competence in approving or rejecting voluntary contributions and/or deciding on general guidelines, in doing so it should take account of the above United Nations rules *mutatis mutandis*.

### 3. Approval of list of donors

- 3.1 Donors which are not governmental institutions of Parties or non-Parties to the Convention must be approved as such by the Standing Committee before their contributions are accepted by the Secretariat. The Standing Committee may authorise its Chairperson to decide on its behalf, should it not be possible, for practical reasons, to solicit the approval of the Standing Committee in a timely manner, or should the proposed contribution be insubstantial (i.e. less than USD 15,000).

- 3.2 The Secretariat shall draw up a list of organizations and individuals who have made donations prior to the adoption of these guidelines for confirmation by the Standing Committee.
  - 3.3 Sources that are known to have been involved in interests or activities which conflict with the aims of the Convention, and any organization or individual that has deliberately brought, or might bring, the Convention into public disrepute, shall be excluded. The same shall apply where there is a risk that the source might try to influence the decisions of any organ of the Convention or where the source, in the opinion of the Standing Committee, has, or has had in the past, an environmentally unfriendly attitude.
4. Acceptance of extraordinary contributions
- 4.1 Voluntary contributions may be accepted only when the purpose is consistent with the policies and aims of the Convention.
  - 4.2 Voluntary contributions shall not have an immediate or ultimate financial liability for the CMS Trust Fund without the prior consent of the Conference of the Parties or the Standing Committee.
  - 4.3 All monetary contributions shall be paid in freely convertible currency; however exceptions may be made for special projects if the currency in question can be used effectively.
  - 4.4 Voluntary contributions in kind may be accepted, provided that they are used to cover activities approved by the Conference of the Parties and/or the Standing Committee. These may include *inter alia* direct or indirect involvement in a joint project, free office accommodation, equipment, or the secondment of staff.

## RESOLUTION 5.8\*

### DATE, VENUE AND FUNDING OF THE 6TH MEETING OF THE CONFERENCE OF THE PARTIES

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise";

*Noting* that only the first meeting of the Conference of the Parties was hosted by a Party, in 1985;

*Noting also* that the Convention will enjoy the 20<sup>th</sup> anniversary of its signature in 1999,

*Appreciating* the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world;

*Recalling* further the *Resolution on Assistance to Developing Countries* adopted in association with the Final Act of the conference to conclude the Convention (Bonn, 1979);

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

1. *Decides* that the sixth meeting of the Conference of the Parties should take place before the end of 1999;
2. *Invites* Parties to offer to host the meeting and to inform the Secretariat accordingly before the end of 1997;
3. *Invites* Parties, States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to make voluntary contributions to the Trust Fund to enable the sixth meeting of the Conference of the Parties to be convened in a developing country; and
4. *Instructs* the Standing Committee:
  - a. to decide on the most suitable venue from the offers received;
  - b. to discuss with the Governments of South Africa and the Netherlands the possibility of organizing the sixth meeting of the Conference of the Parties to CMS in South Africa in conjunction with the first meeting of the Parties to the African Eurasian Waterbird Agreement; and
  - c. should no suitable offers be received from Parties, to decide after consultations with the United Nations Environment Programme on the most appropriate alternative venue.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 5.10.

## RECOMMENDATION 5.1

### ENDORSEMENT OF ACTION PLANS FOR SELECTED APPENDIX I AND II MIGRATORY BIRDS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

*Noting* the recently published *Globally Threatened Birds in Europe - Action Plans*, published by The Council of Europe and The Royal Society for the Protection of Birds (1996), which includes all but three of the actions plans already prepared by BirdLife International and Wetlands International;

*Considering* that *Pelecanus crispus*, *Anser erythropus*, *Branta ruficollis*, *Marmaronetta angustirostris*, *Aythya nyroca*, *Polysticta stelleri*, *Oxyura leucocephala*, *Aquila heliaca*, *Aquila clanga*, *Falco naumanni*, *Otis tarda*, *Numenius tenuirostris*, *Larus audouinii* and *Acrocephalus paludicola* are listed in Appendix I of CMS and *Phalacrocorax pygmeus*, *Aegypius monachus*, *Aquila adalberti* and *Crex crex* are listed in Appendix II, and that for all these listed action plans are available;

*Further considering* that these action plans are a vital tool to improve the conservation status of these species, and are in full accordance with the aims of the Convention;

*Observing* that many of the species mentioned above are included in the recently concluded Agreement on the Conservation of African Eurasian Migratory Waterbirds (AEWA), which will become the principal tool for waterbird conservation in the region;

*Recognising* the critical situation of *Numenius tenuirostris* and the Memorandum of Understanding on this species, developed under the aegis of CMS, which has already been signed by 15 countries;

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

1. *Encourages* Parties that are Range States for the above species to support the implementation of these action plans;
2. *Encourages* the AEWA Range States which have not yet signed this important Agreement to do so, in order to ensure a more appropriate management of their shared waterbirds;
3. *Invites* the First Meeting of the Parties to the AEWA to consider these action plans for adoption as Single Species Action Plans called for in Article 2.2 of Annex 3 to the AEWA;
4. *Encourages* the Range States of *Numenius tenuirostris*:
  - a. to sign the Memorandum of Understanding if they have not already done so; and
  - b. to support the implementation of the action plan included in this Memorandum, and encourage the non-governmental organizations which signed the Memorandum actively to support the Secretariat's efforts in organising the implementation on an international level;
5. *Requests* the Secretariat and the Scientific Council to provide the necessary support for these activities.



## RECOMMENDATION 5.2

### CO-OPERATIVE ACTIONS FOR APPENDIX II SPECIES

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

*Noting* that there are species or populations of species listed in Appendix II, which have a very unfavourable conservation status and which require urgent cooperation at the international level for their conservation and management;

*Aware* that not all such species are currently the object of an Agreement or, given the rate of decline in their populations, can reasonably be expected to become the object of an Agreement to assist with their conservation in a timely manner;

*Noting* the conclusions and recommendations of the seventh meeting of the Scientific Council (Geneva, 7-8 April 1997);

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

1. *Recommends* that the Parties undertake cooperative action to improve the conservation status of these species;
2. *Instructs* the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species requiring special attention within the forthcoming triennium;
3. *Directs* the Secretariat to assist the Scientific Council in establishing this review process ensuring that a regular update of status is provided by the relevant focal point Councillor;
4. *Recommends*, in particular, that *Crex crex*, *Coturnix coturnix coturnix* and *Cygnus melanocorypha* be considered for the 1998-2000 triennium to be the object of this recommendation.

### RECOMMENDATION 5.3

#### DEVELOPMENT OF AN ACTION PLAN FOR THE GREAT CORMORANT IN THE AFRICAN-EURASIAN REGION

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Recalling* that the fourth meeting of the Conference of the Parties to the Convention (Nairobi, 1994) adopted a recommendation on the conservation of the Great Cormorant in the African-Eurasian region;

*Noting* that Denmark and the Netherlands declared that they were willing to take the initiative for the preparation of an action plan for the Great Cormorant;

*Considering* that the aim is to draw up such an action plan on the basis of the most recent scientific and other findings, incorporating measures to minimise the conflict between fisheries interests and cormorant populations, and at the same time maintaining a favourable status for the Great Cormorant as required under the Convention;

*Considering also* the results of the international workshop of experts in Lelystad, Netherlands, on 3 and 4 October 1996, where

- a report with the most recent scientific information on the Great Cormorant was discussed;
- the continuing increase of the breeding population of the subspecies *Phalacrocorax carbo sinensis* in some areas and its expanding geographical range were stated; and
- management options and their effectiveness were studied; and

*Considering further* that this problem should be examined and appropriate action coordinated at the international level;

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

1. *Recommends* that Denmark and the Netherlands to finalize their work on an action plan for the Great Cormorant, focussing initially on the subspecies *Phalacrocorax carbo sinensis* before the end of 1997;
2. *Proposes* that the action plan shall include management guidelines *inter alia* to deal with possible serious damage caused by *Phalacrocorax carbo sinensis* in the fisheries sector while maintaining a favourable conservation status of the species;
3. *Invites* Denmark and the Netherlands to take the necessary steps, involving all interested Range States, to bring together an international group of experts from the nature conservation and fisheries sectors, to complete the action plan mentioned in no. 1, taking into account the relevant national and international legislation, having regard to the activities of the European Inland Fisheries Advisory Commission and the Wetlands International working groups;
4. *Proposes* that the completed action plan be communicated to the Scientific Council of the Convention and be distributed to the Range States;
5. *Recommends* that for the purpose of advising on the implementation of the action plan and to facilitate coordination at the international level, an advisory committee of experts be established as a

subgroup reporting to the Scientific Council of the Convention;

6. *Recommends* that the advisory committee shall include experts from the nature conservation and fisheries sectors. Every interested Range State shall be entitled to be represented by at least two such persons;

7. *Proposes* that the advisory committee, based on the framework of the action plan, which may include a range of management techniques including control, and on the reports of its implementation, shall advise *inter alia* on measures to prevent serious damage to fisheries; and

8. *Proposes* that each interested Range State covers the full costs of its national delegation. To ensure maximum participation in the work of the advisory committee, individual Range States may offer financial support to other national delegations.

## RECOMMENDATION 5.4

### PROGRESS ON THE AGREEMENT ON THE CONSERVATION AND MANAGEMENT OF THE HOUBARA BUSTARD (*Chlamydotis undulata*)

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Considering* the unfavourable conservation status of the Houbara bustard *Chlamydotis undulata*, over major parts of its range;

*Noting* with appreciation the activities exerted by the Government of Saudi Arabia towards the development of the Houbara bustard Agreement;

*Noting* the report of the Seventh meeting of the Scientific Council and the appreciation expressed by the Council in regard to the progress made in the development of the Houbara bustard Agreement; and

*Further noting* the contribution to the session of the Committee of the Whole on its meeting on 11 April 1997, the Secretariat and the Saudi Arabian delegation on reporting on the development of the Agreement;

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

*Requests* Parties and non-Parties to the Convention that are Range States for the Asiatic subspecies of the Houbara bustard to:

- a. Complete the formal internal consideration of the draft Agreement text officially circulated to those States by the Government of Saudi Arabia and supply their comments expeditiously to the National Commission for Wildlife Conservation and Development of Saudi Arabia;
- b. Monitor Houbara bustard populations in breeding, staging and wintering areas that lay within their jurisdiction; and
- c. Take an active part in the further development of the Agreement and the Action Plan.

## RECOMMENDATION 5.5\*

### CLIMATE CHANGE AND ITS IMPLICATIONS FOR THE BONN CONVENTION

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Aware* that a considerable amount of scientific work by others has been done, and is ongoing, to investigate the ecological and other effects of climate change;

*Noting* that the results of such scientific work have underlined the growing and accelerating effect of climate change on ecosystems and biological diversity;

*Aware* in particular of increasing concern about the potential effects of climate change on populations of migratory species and international efforts to conserve them;

*Conscious* of the need to ensure that decisions taken by the CMS aimed at conserving migratory species are based on the best and most recent scientific data available;

*Recognising* the importance of ensuring that scientific research into the effects of climate change is properly co-ordinated and the results effectively and speedily disseminated to all relevant interests;

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

*Requests* the Scientific Council to establish a small working group to:

- a. review the results of scientific work which has been and is being done on this issue under the auspices of other bodies such as the Convention on Biological Diversity, the International Whaling Commission and the Ramsar and Climate Change Conventions;
- b. assess the relevance and importance of such work for the conservation of migratory species and the aims of the CMS;
- c. review existing scientific links between the CMS and other bodies undertaking work in this area;
- d. formulate proposals for improving and strengthening such links where necessary with the objective of ensuring that the CMS has access to the most up to date scientific information available to assist and inform its deliberations; and
- e. report its conclusions and make recommendations to the next meeting of the Scientific Council.

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\* The original draft of this recommendation was first considered by the Conference of the Parties as Resolution 5.11.

## RECOMMENDATION 5.6

### CREATION OF A WORKING GROUP FOR THE CONSERVATION OF MIGRATORY SPECIES IN LATIN-AMERICA AND THE CARIBBEAN

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

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*Considering* the strategic importance of the first South American Technical Workshop on the conservation of wild species of migratory animals, organized by the CMS Secretariat in Valdivia, Chile, from 1 to 3 December 1996, with the participation of Argentina, Bolivia, Brazil, Chile, Paraguay, Peru and Uruguay;

*Taking into consideration* that the Scientific Council during its 7<sup>th</sup> meeting, after having reviewed the conclusions of the first South American Technical Workshop, expressed its satisfaction with these results and endorsed its conclusions (document UNEP/CMS/1997/L.1);

*Considering* the important continental and intercontinental migrations of wild animals existing in Latin-America and the Caribbean, such as cetaceans, waterbirds and grassland birds, sea and river fish, and others;

*Taking into account* the existence of commitments between the Latin-American and Caribbean countries to implement coordinated actions in favour of the conservation of migratory species of wild animals;

*Recognizing* that the working groups and consequential regional meetings are a valuable tool to promote CMS objectives as well as the increase of CMS members in areas poorly represented;

*Considering* that the creation of a Latin-American and Caribbean working group will provide a regional forum where priority actions may be defined, information may be exchanged and the continuity and follow-up of agreed activities is ensured;

*Considering* also that actions coordinated by such a working group will provide the basis for future regional and hemispheric Agreements under CMS;

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

1. *Supports* the creation of a Working Group for the Conservation of Migratory Species in Latin-America and the Caribbean within the framework of CMS;
2. *Recognizes* the following as objectives of the Working Group:
  - to provide a regional forum for discussion and elaboration of future projects and agreements for the conservation of migratory fauna in the countries of Latin-America and the Caribbean;
  - to contribute to the increase in membership and strengthening of CMS in the region; and
  - to consolidate the recommendations of the first South American Technical Workshop and to evaluate progress periodically in subsequent meetings; and
3. *Supports* the organization of regional meetings on the conservation of migratory species in Latin-America and the Caribbean within the framework of this working group.

## RESOLUTION 6.1

### CONCERTED ACTIONS FOR APPENDIX I SPECIES

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* Resolution 3.2 adopted by the Conference of the Parties at its third meeting (Geneva, 1991) regarding Appendix I species;

*Recognizing* that Resolution 3.2 decided, *inter alia*, that, at each meeting of the Conference of the Parties a formal review process be established for a selected number of species listed in Appendix I;

*Recalling* further that Resolution 3.2, as updated by Resolution 4.2 (Nairobi, 1994), and Resolution 5.1 (Geneva, 1997), instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention;

*Noting* that the Scientific Council, at its ninth meeting held in Cape Town, in November 1999, reviewed reports as per Resolution 3.2 on eleven Appendix I concerted action species;

*Noting further* the recommendation of the Scientific Council at its ninth meeting that *Lontra felina*, *Lontra provocax*, *Spheniscus humboldti*, *Sarothrura ayresi*, *Hirundo atrocaerulea*, and *Acrocephalus paludicola*, be the subject of concerted actions;

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

1. *Resolves* that the concerted actions and preparation of review reports envisaged within the framework of Resolution 3.2 be carried out for the above-mentioned species during the 2001-2002 biennium, and that the Conference of the Parties review the results at its next meeting;

2. *Endorses* the recommendation of the Scientific Council at its ninth meeting that activities for species covered by Resolution 5.1 be continued for a further two years (2001-2002), such that the list of species for which concerted actions should either be continued or commence, as appropriate, is as appears in the table below:

Year of adoption	Resolution	Scientific name	Common name
1991	3.2	<i>Addax nasomaculatus</i>	Addax
	3.2	<i>Gazella dorcas</i>	Dorcas gazelle
	3.2	<i>Gazella leptoceros</i>	Slender-horned gazelle
	3.2	<i>Chlamydotis undulata</i>	Houbara bustard
	3.2	<i>Numenius tenuirostris</i>	Slender-billed curlew
	3.2	-----	Marine Turtles
1994	4.2	<i>Chloephaga rubidiceps</i>	Ruddy-headed goose
	4.2	<i>Oxyura leucocephala</i>	White-headed duck
	4.2	<i>Grus leucogeranus</i>	Siberian crane
	4.2	<i>Otis tarda</i>	Great bustard
	4.2	<i>Gazella dama</i>	Dama gazelle
	4.2	<i>Oryx dammah</i>	Scimitar-horned oryx
	4.2	<i>Monachus monachus</i>	Mediterranean monk seal
1997	5.1	<i>Falco naumanni</i>	Lesser kestrel
	5.1	<i>Phoenicopterus andinus</i>	Andean flamingo
	5.1	<i>Phoenicopterus jamesi</i>	Puna flamingo
	5.1	<i>Anser erythropus</i>	Lesser white-fronted goose
	5.1	<i>Gorilla gorilla beringei</i>	Mountain gorilla
	5.1	<i>Pontoporia blainvillei</i>	La Plata dolphin, Franciscana
	5.1	<i>Hippocamelus bisulcus</i>	South Andean deer
1999	6.1	<i>Sarothrura ayresi</i>	Whitewinged flufftail
	6.1	<i>Hirundo atrocaerulea</i>	Blue swallow
	6.1	<i>Acrocephalus paludicola</i>	Aquatic warbler
	6.1	<i>Lontra felina</i>	Southern marine otter
	6.1	<i>Lontra provocax</i>	Southern river otter
	6.1	<i>Spheniscus humboldti</i>	Humboldt penguin
	6.1	<i>Aythya nyroca</i>	Ferruginous duck



## RESOLUTION 6.2\*

### BY-CATCH

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Acknowledging* the obligations of the global community to conserve natural resources through sustainable development, as underpinned by, *inter alia*, the United Nations Convention on the Law of the Sea, the Convention on Biological Diversity, the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, the Commission on the Conservation of Antarctic Marine Living Resources and the Food and Agriculture Organisation of the United Nations, especially through its Code of Conduct for Responsible Fisheries;

*Recognising* that, under Article II of the Convention, Range States agree to take action for the conservation of migratory species, whenever possible and appropriate, paying special attention to migratory species, the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitat;

*Recognizing* that Article II of the Convention requires all Parties to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention, and to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II;

*Recognising* that Article III permits the Conference of the Parties to recommend to those Parties that are Range States of a migratory species listed in Appendix I that they take further measures considered appropriate to benefit the species;

*Recognising* that Article VII requires the Conference of the Parties to review the implementation of the Convention and, in particular, to decide on any additional measure that should be taken to implement the objectives of the Convention;

*Noting* that four species of albatross are listed in Appendix I and twelve in Appendix II, and that it is proposed that, at its sixth meeting, seven species of petrel should be added to the latter Appendix;

*Noting* that six species of marine turtle are listed in Appendices I and II;

*Noting* that six species of cetaceans are listed on Appendix I and thirty-one in Appendix II, and that it is proposed that, at its sixth meeting, four further such species should be added to the latter Appendix;

*Recognizing* the importance of integrating conservation activities with socio-economic development of some fisheries that accidentally take species listed in Appendices I and II;

*Aware* of the significant and continuing mortality of albatross and other sea-bird species, marine turtles and cetaceans through fisheries by-catch;

*Noting* that the co-operation of Range States in improving practice in relation to by-catch could greatly enhance the conservation of sea-bird, marine turtle and cetacean populations;

*Recognising* the efforts already made by some Parties to reduce by-catch by fisheries within their territorial waters and exclusive economic zones and by vessels fishing on the high seas under their flags;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.10.

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

1. *Reaffirms* the obligation on all Parties to protect migratory species against by- catch, including seabirds, marine turtles and cetaceans;
2. *Requests* all Parties to strengthen the measures taken to protect migratory species against by-catch by fisheries within their territorial waters and exclusive economic zones, and by vessels fishing on the high seas under their flags;
3. *Requests* all Parties, as a matter of gravity, to continue and strengthen measures within fisheries under their control, to minimize as far as possible the incidental mortality of migratory species listed in Appendices I and II, including seabirds, marine turtles and cetaceans;
4. *Requests* those Parties which are also Parties to regional fisheries organisations to highlight there the serious problems of incidental mortality of migratory species listed in Appendices I and II, including seabirds, marine turtles and cetaceans, with a view to the adoption of mitigating measures;
5. *Requests* the Secretariat to bring the present resolution to the attention of, and to explore future cooperation with, the Convention on Biological Diversity and the Committee of Fisheries of the Food and Agriculture Organization of the United Nations;
6. *Invites* the Scientific Council to recommend to the Conference of the Parties, or to the Standing Committee, as appropriate, concerted measures to be taken by Parties in respect of seabirds, marine turtles and cetaceans listed in Appendices I and II;
7. *Invites* consultation with regional fisheries organizations having a function in relation to those species with a view to obtaining scientific data, and to coordination with conservation measures enforced by them;
8. *Encourages* all Parties that are Range States of seabirds, marine turtles and cetaceans listed in Appendices I and II, and which have relevant fisheries, to co-operate mutually and with other countries to reduce as far as possible the incidental taking by such fisheries of such migratory species, for example by the sharing of, and further development of, practical and effective mitigation devices for seabirds, marine turtles and cetaceans; and
9. *Calls* upon all donor countries to consider helping developing countries acquire and use relevant technology, and with appropriate education and training of fishermen.

## RESOLUTION 6.3\*

### SOUTHERN HEMISPHERE ALBATROSS CONSERVATION

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Reflecting*, as the current millenium draws to a close, that, owing to the impact of less than fifty years of human activities, the albatrosses of the Southern Ocean are one of the most threatened families of migratory animals across their migratory range;

*Recognizing* that Article II of the Convention requires all Parties to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II of the Convention;

*Noting* that one species of Southern Hemisphere albatross is listed in Appendix I and ten species in Appendix II of the Convention;

*Recalling* that, at its eighth and ninth meetings, the Scientific Council unanimously supported both the importance of and the urgent need for an Agreement to provide a framework for cooperative actions that would benefit Southern Hemisphere albatrosses;

*Noting* that Southern Hemisphere albatrosses are highly migratory species and frequently move in and between national jurisdictions and interact with fishing vessels on the high seas;

*Aware* that, for a number of albatross species, the size of populations and trends are insufficiently known to determine their current status;

*Noting* that a major threat to the populations of Southern Hemisphere albatrosses arises from longline fishing activities;

*Recalling* that the Commission for the Conservation of Antarctic Marine Living Resources has adopted conservation measures to reduce the incidental catch of seabirds, particularly albatrosses;

*Recalling* that the Food and Agriculture Organization of the United Nations International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries was adopted in 1999;

*Aware* that albatrosses also face continuing threats from human disturbance, pollution, introduced predators, disease and the effects of climate change;

*Acknowledging* that most Range States of breeding populations are taking action to conserve albatrosses within their national jurisdictions but that, owing to the highly migratory nature of albatrosses, additional international cooperative action is required;

*Concerned* that, without action to reduce or mitigate threats to albatrosses, many populations, and potentially some species, are at risk of extinction;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.4.

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

1. *Urges* Parties which are Range States to take action to identify the status of populations and determine the nature and scope of threats to those populations of albatrosses within their national jurisdictions;
2. *Requests* that Parties with breeding sites of albatrosses within their national jurisdictions cooperate on the development of an Agreement for the conservation of Southern Hemisphere albatrosses;
3. *Recommends* that all Range States of albatrosses participate actively in the development and successful conclusion of an Agreement for the conservation of Southern Hemisphere albatrosses;
4. *Notes* that preliminary discussions have taken place concerning the evaluation of appropriate conservation actions and the population status of Southern Hemisphere albatrosses;
5. *Accepts* Australia's offer to initiate further discussions in early 2000 with all Parties which are Range States, with a view to the development of an Agreement;
6. *Requests* all States whose vessels are undertaking fishing activities within the waters of the Commission for the Conservation of Antarctic Marine Living Resources, to implement the Commission's conservation measures;
7. *Encourages* all relevant States to implement the Food and Agriculture Organization of the United Nations International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries; and
8. *Invites* the Standing Committee and the Scientific Council to review progress and propose any appropriate urgent actions required to the Conference of the Parties at its seventh meeting.

## RESOLUTION 6.4\*

### STRATEGIC PLAN FOR THE CONVENTION ON MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Noting* that Article VII, paragraph 5, of the Convention requires the Conference of the Parties to review the implementation of the Convention and, in particular, to decide on any additional measures that should be taken to implement its objectives;

*Recalling* that, at its fourth meeting (Nairobi, 1994), the Conference of the Parties adopted, in principle, the *Strategy for the Future Development of the Convention* (documents UNEP/CMS/Conf.4.11 and UNEP/CMS/Res.4.4);

*Further recalling* that the Conference of the Parties, through the adoption of Resolution 5.4 at its fifth meeting, held in Geneva in 1997, on the *Strategy for the Future Development of the Convention*, prioritized the objectives agreed for the triennium 1998-2000;

*Noting* the efforts made by the Parties and, under the guidance of the Standing Committee and the Scientific Council, by the Secretariat to implement the priorities identified by the Conference of the Parties, as described in document UNEP/CMS/Conf. 6.12, Part I, for the period 1997-1999;

*Conscious* of the need, as the Convention expands its activities, to reassess conservation priorities and to envisage new directions for the Convention's work in order to ensure that they correspond to the most pressing requirements to be addressed;

*Conscious* also of the need to maintain clear focus and guidance of the work of the Standing Committee, the Scientific Council, the Secretariat and the Parties in their cooperative efforts to implement the Convention;

*Appreciative* of the efforts of the Standing Committee and the Secretariat in preparing the comprehensive working document (UNEP/CMS/Conf.6.12) from which the Strategic Plan has been drawn;

*Acknowledging* that for the Convention to develop its full potential as a global instrument for the conservation of migratory species, and for the organs of the Convention to undertake their functions effectively, adequate human and financial resources must be allocated, commensurate with the breadth and geographic scope of the activities to be pursued;

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

1. *Decides* to adopt the attached document as the Strategic Plan for the Convention on the Conservation of Migratory Species of Wild Animals for the period 2000-2005;

2. *Notes* the usefulness and continuing value of the working document (UNEP/CMS/Conf.6.12) as it provides a comprehensive framework for all Parties and each of the institutions of the Convention to further the objectives of the Convention;

3. *Requests* all Parties and each of the institutions of the Convention actively to pursue the objectives contained therein, as far as possible, in particular by using the Strategic Plan as a basis for defining and implementing corresponding activities at national and regional levels;

4. *Acknowledges* with appreciation the statement delivered by the Executive Director of United Nations Environment Programme on the occasion of the opening of the meeting, affirming support

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.3.

for the Convention, and stressing the need for promoting synergy among global environmental conventions;

5. *Requests* the Executive Director of the United Nations Environment Programme to take into account the Strategic Plan and its priorities in determining and, where appropriate, mobilizing support for the Convention;

6. *Requests* the Secretariat to actively foster synergy between global environmental conventions, giving particular emphasis to the relationship with the Convention on Biological Diversity;

7. *Instructs* the Standing Committee, the Scientific Council and the Secretariat, and kindly requests all Parties, to report to the seventh meeting of the Conference of the Parties on the progress made in their implementation of the objectives identified in the Strategic Plan and relevant related activities;

8. *Decides* to set up an open working group of Parties to meet inter-sessionally under the guidance of, and working with, the Standing Committee; and that the tasks of the working group, while respecting the need to avoid significant hindrance to the Secretariat, will be:

(a) to explore, in discussion with the Chairman of the Scientific Council and members of the Scientific Council, a set of robust, measurable, practical, timely and appropriate performance indicators which may collectively be suitable over a period of time to measure the success of the Convention in achieving its aims; and

(b) to explore options to facilitate the measurement of inputs and outputs of the Secretariat and, as appropriate, other organs of the Convention, and hence the achievement of value for money in the budgeting process, while taking account of reporting systems already in place.

# CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

## STRATEGIC PLAN FOR 2000 - 2005\*

### PREAMBLE

In recognition of the fact that migratory species of wild animals are of global importance, the United Nations Conference on the Human Environment (Stockholm, 1972), with the endorsement of the twenty-seventh session of the General Assembly, called upon the world community of States to draw special attention to the conservation of species of wild animals that regularly cross national borders or that migrate in international waters. The Convention on the Conservation of Migratory Species of Wild Animals was concluded in 1979 as a consequence.

The preamble to the Convention recognizes, among other things, that:

- Wild animals possess ever-growing value from environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view;
- migratory species in their innumerable forms are an irreplaceable part of the earth's natural system which must be conserved for the good of mankind;
- each generation of man holds the resources of the Earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely; and
- States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries.

Efforts aimed specifically at benefiting migratory species contribute to the broader objectives of conserving biodiversity and should be recognised as part of an integrated approach to the implementation of all the conservation-related conventions. The aims of CMS and its sister conventions - Ramsar, CBD and CITES, to name just a few - are complementary and mutually reinforcing. Increasingly attention needs to be given to coordinating action, creating synergies and avoiding duplication among the respective treaty bodies and other concerned partners within the non-governmental community.

<b>OBJECTIVE 1: TO PROMOTE THE CONSERVATION OF MIGRATORY SPECIES INCLUDED IN MAJOR ANIMAL GROUPS LISTED IN THE CMS APPENDICES</b>
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### SCOPE

One of the strengths of the Convention on Migratory Species is the wide-ranging suite of measures it has at its disposal to promote the conservation of migratory species listed in the CMS Appendices. These include concerted actions for Appendix I species and various co-operative arrangements to promote the conservation of species listed in Appendix II, ranging from Action Plans and Memoranda of Understanding to formal Agreements.

Parties are encouraged to use the full range of measures at the disposal of the Convention - Agreements, Memoranda of Understanding and Action Plans - to promote the conservation of species throughout their migratory range; to deploy finite resources in a strategic manner, building on natural, regional affinities while working within a global framework with wider benefits; and to continue to support field projects that serve to catalyse longer-term activities.

In this regard, the considerations and recommendations of the Scientific Council and the decisions of the Conference of the Parties identify high priority activities.

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\* Document UNEP/CMS/Res. 6.3/Rev. 2/Add. 1 (Cape Town, November 1999)

## **OPERATIONAL OBJECTIVES**

### **1.1 Birds**

To stimulate concerted actions in favour of each of the endangered bird species listed in Appendix I and to facilitate the development and implementation of Agreements or Memoranda of Understanding to address the conservation needs of these and other migratory birds on a regional or broader scale.

### **1.2 Marine mammals**

To stimulate concerted actions in favour of each of the endangered marine mammal species listed in Appendix I that are not adequately covered by other instruments, and to facilitate the development and implementation of Agreements to address the conservation needs of these and other marine mammals on a regional or broader scale, as appropriate. Synergies should be sought with other organizations involved with marine mammal conservation, including UNEP, and attention given to putting in place or strengthening conservation measures at the national level (without necessarily requiring the development of new Agreements).

### **1.3 Marine turtles**

Taking account of document CMS/ScC.8/Doc.10 (Recommendations on future CMS activities for marine turtle conservation): to stimulate concerted actions in favour of the endangered marine turtle species listed in Appendix I and to catalyse appropriate arrangements to address their conservation needs on a regional level, in such a way that these initiatives may eventually be linked to form a comprehensive global framework.

### **1.4 Terrestrial mammals (other than bats)**

To stimulate concerted actions in favour of each of the terrestrial marine mammal species listed in Appendix I, and to facilitate the development and implementation of regional Agreements to address the conservation needs of these and other terrestrial mammals.

### **1.5 Bats**

To stimulate concerted actions in favour of any endangered bat species listed in Appendix I and identified as a priority for concerted action, and explore needs and opportunities to develop Agreements for the conservation of bats outside of Europe.

### **1.6 Fish**

To explore needs and opportunities to develop Agreements for the conservation of fish species listed under Appendix II of the Convention.

### **1.7 Other taxa**

To ensure that appropriate consideration is given to other taxonomic groups traditionally not covered within the framework of CMS.

<b>OBJECTIVE 2: TO FOCUS AND PRIORITISE CONSERVATION ACTIONS FOR MIGRATORY SPECIES</b>
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## **SCOPE**

There is an urgent need to engage and influence those sectors of economic activity which have significant impacts on migratory species; to ensure that concerns related to the conservation of migratory species are integrated in national planning and priority-setting; for Parties to implement fully their strict obligations



vis-à-vis species listed in Appendix I; and to ensure that the scientific basis for establishing priorities - namely through the listing of species in the Appendices - is sound.

It is important also that, through a continuous process of review using the best available sources of information, the Appendices reflect accurately the range of species most in need of attention. This essential task is the responsibility of individual Parties, the Scientific Council and the Conference of the Parties - in the first instance, to ensure that national conservation priorities for migratory species are addressed and, in the second, to provide accurate scientific advice to the Conference of the Parties which must then determine, based on all available information, the most appropriate course of action.

## **OPERATIONAL OBJECTIVES**

### **2.1 Sectoral / interdisciplinary approaches**

To engage, and interact more frequently with, those sectors and disciplines whose activities and influence are vital for the success of conservation initiatives for migratory species.

### **2.2 National and regional priorities**

To ensure that the activities of the Convention are in line with national and regional priorities, and vice versa, and that government policies at those levels include consideration of migratory species, in particular with regard to planning for economic development, land-use planning, designation and development of reserves, development of ecological networks, and planning of powerlines, fences, dams... etc.).

### **2.3 Mitigation of obstacles to migration**

With reference to Article III, paragraph 4, of the Convention, requiring Parties to endeavour to mitigate obstacles to migration: review systematically and comprehensively the special problems faced by migratory animals in relation to various obstacles to migration, and propose remedial measures that may have widespread applicability.

### **2.4 Appendix I species**

To ensure that Appendix I reflects accurately those endangered migratory species most in need of attention; to review the conservation needs of those species systematically with a view to arriving at a prioritized plan for further action; and to have in place by eighth meeting of the Conference of the Parties concrete instruments for the protection and recovery of all "Concerted Action" species identified in resolutions of the Conference of the Parties.

### **2.5 Appendix II species**

To ensure that Appendix II reflects accurately those migratory species with an unfavourable conservation status or which would benefit from the conclusion of Agreements for their conservation; and to identify systematically those taxonomic groups which should be priorities for the development of Agreements. Parties and the Secretariat should give priority to the development of new Agreements, particularly in regions where CMS initiatives are not well advanced.

### **2.6 Data required for decision-making**

To identify and secure the best available scientific data on which to base decisions regarding the inclusion or deletion of species in/from the Appendices, as well as the prioritization of conservation actions; and to maintain the accuracy of the CMS Range State list (and, therefore, its usefulness as a reference tool).

### **2.7 Policies on satellite telemetry**

To play a more active role in the scrutiny of conservation/research projects that propose the use of satellite

telemetry, particularly those involving endangered species listed in Appendix I, to ensure compliance with agreed guidelines.

### **OBJECTIVE 3: TO ENHANCE GLOBAL MEMBERSHIP IN CMS THROUGH TARGETED PROMOTION OF THE CONVENTION'S AIMS**

#### **SCOPE**

Coverage of migration routes must be as comprehensive as possible for maximum effectiveness of joint efforts to conserve migratory species. This is especially important in relation to long-distance migrants, such as those covered by the African-Eurasian Waterbird Agreement. Increasing the membership will eliminate gaps in geographic range and enhance opportunities for regional co-operation and co-ordination in areas of common concern.

#### **OPERATIONAL OBJECTIVE**

##### **3.1 Membership**

To endeavour to secure membership of at least 85 Parties to the Convention by the end of 2002, and 100 by the end of 2005, including at least 8-12 non-Parties that have been identified by the Standing Committee as high priorities for recruitment.

### **OBJECTIVE 4: TO FACILITATE AND IMPROVE IMPLEMENTATION OF THE CONVENTION**

#### **SCOPE**

By the very fact they migrate over long distances, migratory animals provide natural links between different ecosystems and different countries. CMS is also uniquely placed to serve as a mechanism for fulfilling those aims of the Convention on Biological Diversity which relate to migratory species. Information programmes of CMS Parties and of the Secretariat need strengthening in order to convey this message effectively.

CMS's own means are quite modest, but sufficient to fund a limited number of small projects specific to the conservation of key Appendix I migratory species and to act as a catalyst for actions in developing countries and countries whose economies are in transition. Projects should be elaborated in such a way as to ensure their eligibility for financial support from other sources, including the GEF. Certain issues fundamental to the Convention warrant financing in their own right.

The organs of the Convention -- the Conference of the Parties, the Standing Committee, the Scientific Council, and the Secretariat -- ought to be reviewed as the Convention attracts a greater membership of Parties and as the number of related Agreements grows, to ensure that they are well-equipped to fulfill their functions properly. The role of the Secretariat as the developer and facilitator of CMS should be defined and set apart from the role of the Parties, which should assume more responsibility for the practical implementation of the Convention, including taking a lead role in the development of Agreements, as called for under Article IV.

The aims and objectives of CMS complement and reinforce those of other international conventions and are shared by other international, governmental and non-governmental organisations. Co-operation in areas of mutual interest is therefore essential.

#### **OPERATIONAL OBJECTIVES**

##### **4.1 Global importance of CMS**

To increase awareness of the relevance of CMS and its global importance in the context of biodiversity Conservation and to convince decision-makers and stake-holders at all levels that conserving migratory animals throughout the world is a worthy objective.

#### **4.2 Mobilize resources**

To mobilize financial resources needed for conservation actions and increase the level of funding support external to CMS (which may or may not be channelled through the Convention) that is made available for conservation activities having direct benefits for migratory species.

#### **4.3 Institutions of CMS**

To rationalize arrangements for the institutions of the Convention and to ensure that the institutions of the Convention - the Conference of the Parties, Standing Committee, Scientific Council and Secretariat - are properly equipped to undertake their individual responsibilities.

#### **4.4 Linkages**

To strengthen orderly institutional linkages with partner organizations and in particular define jointly, under the umbrella of the Convention on Biological Diversity, within a global context involving the main biodiversity related conventions, the scope of their responsibility and the ways to improve, in the most efficient way, their tasks and to enhance their synergetic effect.

## RESOLUTION 6.5\*

### INFORMATION MANAGEMENT PLAN AND NATIONAL REPORTING

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Acknowledging* the comprehensive work done to date by the Secretariat and the World Conservation Monitoring Centre in the preparation of the Information Management Plan (document UNEP/CMS/Conf 6.7 and Addendum);

*Recognizing* the need for an evaluation of implementation based, in part, on a synthesis of all previous national reports;

*Noting* the importance of harmonising reporting procedures across all biodiversity instruments, especially the Agreements and memorandum of understanding related to the Convention, thereby increasing collaboration between convention secretariats;

*Acknowledging* the need to ensure consistency and best practice in the compilation of national reports, containing the best available information and scientific knowledge;

*Aware* of the difficulties experienced by some Governments in the compilation and development of national reports;

*Reminding* Parties of the necessity of timely submission of their reports before the meetings of the Conference of the Parties, as outlined in Resolution 4.1 (Nairobi, 1994) to enable a thorough synthesis to be prepared;

*Recognizing* the opportunity to use national reports and the associated synthesis to promote the objectives of the Convention and its implementation at the local and national level, and to national and international governmental and non-governmental organisations;

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

1. *Recommends* that the format of national reports should be revised to include a standard minimum requirement of information such as a "tick box" proforma. Taking into account the Strategic Plan, it should cover national status of species listed under the Convention, legal and legislative structures, management activities, emerging issues, links with other conventions and any theme which the Conference of the Parties might ask Contracting Parties to report on;

2. *Instructs* the Secretariat to develop, in conjunction with the Scientific Council and Standing Committee, and circulate a revised reporting format to Contracting Parties to enable Parties to use the new format voluntarily for reporting to the seventh meeting of the Conference of the Parties;

3. *Urges* the Secretariat to identify, in cooperation with Parties, possible obstacles and/or constraints in preparing national reports;

4. *Recommends* that the Secretariat develop mechanisms to support countries in submitting their national reports, including assistance for developing countries to help gather the required information;

5. *Calls* upon the Parties to nominate focal points for correspondence, including national reporting, and to nominate contacts in other national authorities, as appropriate, for other issues; and

6. *Decides* that, to implement the Information Management Plan, the revised priority actions outlined in the Annex be carried out.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.11.

## ***Annex - Implementation of CMS Information Management Plan***

*12 November 1999*

Effective and efficient conservation action requires information on which to base planning and decision-making. The Information Management Plan addresses the requirement for CMS and related Agreements, and the needs for collaboration with other Convention Secretariats in the interest of harmonisation of information management and reporting.

### **Objectives:**

1. Update information needs and initiate actions to ensure improved future access to information.
2. Develop information management tools to support the activities of the Convention and Agreement Secretariats
3. Increase access to information on migratory species already being collected by secretariats and Parties
4. Increase use of the WWW in delivering information services
5. Improve the Convention's regular review mechanisms
6. Develop mechanisms for sharing experience, in particular between Parties and other Range States

These objectives should be addressed in a manner that assures consistency and best practice in information management. This implies the use of standard formats and appropriate documentation of products and processes throughout.

### **Guide to time frame for and estimated costs of implementation:**

VERY HIGH	to be completed by the end of 2000	2000	US\$ 40,000
HIGH	to be completed by the end of 2002	2001/2	US\$ 75,000
MEDIUM	to be completed by the end of 2004	2003/4	US\$ 65,000
LOW	to be completed by the end of 2005	2005	US\$ 75,000

<b>Action [Section numbers refer to document UNEP/CMS/Conf.6.7; SP refers to UNEP/CMS/Conf.6.12 (Strategic Plan Working Document) objective numbers]</b>	<b>Objective No. of IMP</b>	<b>Priority</b>	<b>CMS resource needs</b>	<b>Degree of difficulty</b>	<b>Current capacity within CMS</b>	<b>Partners</b>
1. Review Party reports together with information from other sources to develop an overview of the national and global implementation of the convention. Based on this review, develop revised guidelines and/or pro formas [Section 5.1; SP3.6]	5	Very High	Medium	Medium	Low	WCMC
2. Finalise the CMS Information Management Plan incorporating relevant information from the Strategic Plan, following advice from the Standing Committee and further consultation with the Convention and Agreement Secretariats [SP 5.3].	1	High	Low	Low	Ongoing (Good)	WCMC
3. Work with the Biodiversity Conservation Information System (BCIS) and others such as GROMS to develop a project on migratory species bringing together the information resources of these networks to address information needs of the Convention and its Agreements. [Section 4.7, Section 6.7, and Section 7; SP 8.4]	1	High	Medium	Low	Moderate	GROMS, BCIS Partners, (particularly BirdLife, WCMC, SSC and Wetlands International)
4. Build on existing efforts to establish an up-to-date, comprehensive and authoritative data-base of listed species and range states linked to other relevant species information (eg redlist data, CITES listings and information on concerted actions) and make it available on the web [Sections 4.3, 4.4 and 4.7; SP 1.6]	2	High	Medium	Medium	Limited	Experienced information management partner
5. Develop a CMS and Agreements projects database to help in monitoring the contribution being made by the Convention to ongoing work on migratory species, and as an aid to project management. [Sections 4.3, 4.4, 4.7 and 5.4; SP 1.6, 7.2]	2	High	Medium	Low	Moderate	Experienced information management partner
6. Request the submission of Party reports and other official documents, including project reports, proposed amendments to the Appendices and reports on “concerted action species” in electronic format to facilitate making them more widely available using the Internet. [Sections 4.4, 5.1 and 5.2; SP 3.6]	3	High	Low	Low	Good	Parties, Collaborators

<b>Action [Section numbers refer to document UNEP/CMS/Conf.6.7; SP refers to UNEP/CMS/Conf.6.12 (Strategic Plan Working Document) objective numbers]</b>	<b>Objective No. of IMP</b>	<b>Priority</b>	<b>CMS resource needs</b>	<b>Degree of difficulty</b>	<b>Current capacity within CMS</b>	<b>Partners</b>
7. Develop a method for sharing information between the Convention, Agreement secretariats and the Parties. [Section 4.7; SP 1.6, 3.3, 7.2]	3	High	Medium	Low	Moderate	Agreement Secretariats
8. Implement a method for delivering information on migratory species and actions over the Internet, which includes the following: Party reports, a synthesis of past Party reports and project reports linked as appropriate to species and party lists. [Sections 4.3, 4.4 and 4.5; SP 1.6]	4	High	Low	Low	Good	Experienced Internet information service partner
9. Develop an information service on a group of high profile species in collaboration with partner organisations, to demonstrate the potential for co-ordinated web-based information services to support the Convention and Agreements. [Sections 4.3, 4.5 and 4.7; SP 5.3]	4	High	Low	Low	Moderate	WCMC, BirdLife, appropriate Parties
10. Develop a mechanism for the sharing of experience on a priority area and establish list servers or web forums for discussion and exchange of information on key areas of interest to implementation of the Convention and/or Agreements. [Sections 4.6 and 7.4; SP 1.6]	6	High	Medium	Low	Moderate	Agreement Parties and Secretariats
11. In the course of normal Secretariat business continue the dialogue with information managers of the other global biodiversity-related treaties on streamlining information management and reporting, convening as necessary a meeting of information managers from the organisations concerned. [Section 7; SP 8.1, 8.2]	1	Medium	Low	Medium	Ongoing (Good)	Other convention secretariats and WCMC
12. Develop a database of Parties, including Focal Points, for the Convention and all Agreements, incorporating all of the information necessary on means and dates of accession, reservations, adoption of amendments, etc [Sections 4.4 and 4.7; SP 3.1, 3.2]	2	Medium	Low	Low	Moderate	Parties, Experienced information management partner

<b>Action [Section numbers refer to document UNEP/CMS/Conf.6.7; SP refers to UNEP/CMS/Conf.6.12 (Strategic Plan Working Document) objective numbers]</b>	<b>Objective No. of IMP</b>	<b>Priority</b>	<b>CMS resource needs</b>	<b>Degree of difficulty</b>	<b>Current capacity within CMS</b>	<b>Partners</b>
13. Develop a metadatabase of information sources on migratory species, linked to the database on listed species and on Parties and other Range States. [Section 4.3; SP 1.6, 5.3]	2	Medium	Medium	Medium	None	Experienced information management partner
14. Use the CBD clearing house mechanism as an existing tool to promote CMS and facilitate the sharing of information on migratory species. [Section 4.4 and 4.7; SP 1.6, 5.3, 8.1, 8.2]	3	Medium	Low	Medium	Limited	Parties, Agreements Secretariats, CBD
15. Establish a regular process for, and undertake a review of the appendices based on available information on migratory species and the threats to them. [Table 1.8; SP 1.4, 1.5, 7.4]	5	Medium	Low	Low	Ongoing (Moderate)	Scientific Council, WCMC, IUCN/SSC, BirdLife, Wetlands International
16. Work with Agreement secretariats, and the secretariats of other biodiversity-related treaties, to enhance information flow between the organisations. [Sections 4.6 and 7.4; SPWD 7.2]	6	Medium	Low	Low	Limited	Agreement Secretariats
17. Encourage parties to post details of meetings on relevant lists (eg BioNet) [Table 1.8 and agreement tables; SPWD 3.4, 3.5]	6	Medium	Low	Low	Moderate	Parties, Agreement Parties and Secretariats
18. Consider the necessity for a bibliographic database on migratory species, working in collaboration with Parties, partners, and possibly with commercial abstracting services and bibliographies. [Sections 4.3, 4.4 and 4.7; SPWD 1.6]	2	Low	Medium	Medium	None	Experienced information management partner
19. Make appropriate links to other Internet information sources, and where possible make integrated meaningful links rather than just provide a list of “interesting links”. [Section 4.5; SPWD 8.1, 8.2, 8.4]	4	Low	Medium	Low	Adequate	Experienced Internet information service partner





## RESOLUTION 6.6\*

### INSTITUTIONAL ARRANGEMENTS: STANDING COMMITTEE

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* Resolutions 1.1, 2.5 and 3.7 establishing and governing the Standing Committee and, in particular, the composition of its membership;

*Desiring* to ensure that the membership reflects the numbers and conservation interests of Parties in each main geographic region and, as far as possible, a fair balance with the extent of the geographical coverage and with the richness and diversity of migratory species within each region;

*Also desiring* to ensure as far as possible both continuity and efficient rotation in the membership of the Committee;

*Wishing* to encourage the participation of new Parties of the Convention as soon as possible after their accession; and

*Acknowledging* the desirability of having clear, concise and consolidated Rules of Procedure governing the Standing Committee;

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

1. *Resolves* to re-establish the Standing Committee of the Conference of the Parties and establish terms of reference as follows:

Within the policy agreed to by the Conference of the Parties (COP), the Standing Committee shall:

(a) Provide general policy, operational and financial direction to the Secretariat concerning the implementation and the expansion of the Convention;

(b) Carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary or explicitly assigned to it;

(c) Provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings and on any other matters brought to it by the Secretariat in the exercise of its function;

(d) Oversee, on behalf of the Parties, the development and execution of the budget of the Secretariat as derived from the Trust Fund and other sources and also all aspects of fund-raising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and oversee expenditures of such fund-raising activities;

(e) Represent the Conference of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, the United Nations Environment Programme and other international organizations for consideration of matters relating to the Convention and its Secretariat;

(f) Submit at each ordinary meeting of the Conference of the Parties a written report on its work since the previous ordinary meeting;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.5.

(g) Make recommendations or draft resolutions, as appropriate, for consideration by the Conference of the Parties;

2. *Determines* the following principles for the composition of and voting procedures to be followed by the Standing Committee:

(a) The Membership of the Standing Committee shall be agreed at each meeting of the Conference of the Parties in accordance with the Rules of Procedure and shall comprise:

- (i) two Parties elected from each of the geographic regions of Africa and Europe;
- (ii) one Party elected from each of the geographic regions of Asia, Central and South America, North America and the Caribbean, and Oceania;
- (iii) the Depositary Government; and
- (iv) where appropriate, the Host Government of the next meeting of the Conference of the Parties.

(b) Each meeting of the Conference of the Parties shall elect eight regional representatives to serve as alternate members and, in particular, to attend the meetings of the Standing Committee in the absence of the member of the region for which they are the alternate member;

(c) The term of office of regional members and alternates shall expire at the close of the next ordinary meeting of the Conference of the Parties following the meeting at which they were originally elected. Regional members may not serve more than two consecutive terms of office;

(d) This procedure will be initiated with terms commencing at the sixth meeting of the Conference of the Parties. Subject to the stated intentions of the regions, existing regional members elected at the fifth meeting of the Conference of the Parties to serve until the end of the seventh meeting of the Conference of the Parties can continue to serve for the whole of their original terms of office;

(e) If an extraordinary meeting or a special meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting;

(f) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote;

(g) The Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote;

(h) The Secretariat shall inform all Parties of the date and venue of Standing Committee meetings;

(i) The Committee shall, by consensus, establish its own rules of procedure; and

(j) The Secretary for the Committee shall be provided by the Secretariat of the Convention.

3. *Requests* the Secretariat to make provision in budgets for the payment, upon request, of reasonable and justifiable travel expenses of nominated representatives from the group of countries which have been identified by the responsible organs of the Convention as being eligible for travel assistance and from the next host Party (should that also qualify for funding). Within the policy agreed by the Conference of the Parties, the Secretariat:

(a) Shall make provisions for payment of travel costs for regional members from the group of eligible developing countries and countries with economies in transition (or alternate members deputising for them) to attend a maximum of one Standing Committee per calendar year;

(b) Shall refund travel expenses, upon request, to no more than one representative of a Party at any one meeting of the Standing Committee;

(c) May refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties or on behalf of the Secretariat;

(d) May pay refunds in United States dollars;

(e) Shall receive claims for refunds, supported by receipts, which must be submitted to the Secretariat within thirty calendar days of the completion of the travel; and

(f) Shall endeavour, to the extent possible, to obtain external funding for travel expenses.

4. *Decides* that Resolutions 2.5 and 3.7 are hereby repealed.

## RESOLUTION 6.7\*

### INSTITUTIONAL ARRANGEMENTS: SCIENTIFIC COUNCIL

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Noting* that Article VIII of the Convention describes the position and tasks of the Scientific Council and that it shall, *inter alia*:

(a) Provide scientific advice to the Conference of the Parties, to the Secretariat, and, if approved by the Conference of the Parties, to any body set up under the Convention or an Agreement or to any Party;

(b) Recommend and coordinate research in order to ascertain the conservation status of migratory species, evaluate the results of such research and report to the Conference of the Parties on the conservation status of species and ways to improve it;

(c) Make recommendations to the Conference of the Parties on species to be included in Appendices I and II, and recommendations as to specific conservation and management measures to be included in Agreements on migratory species;

(d) Recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention, in particular with regard to the habitats of migratory species;

*Further noting* that the Scientific Council was directed to undertake the following additional tasks by the Conference of the Parties at its fourth meeting, held in Nairobi in 1994:

(a) keeping under review the composition of Appendices I and II of the Convention;

(b) advising on measures for the conservation of Appendix I species and their priorities;

(c) advising on the development of existing Agreements and on priorities for development of new Agreements with its mandate; and

(d) advising on selecting and monitoring small-scale pilot projects which will promote the implementation of the Convention;

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

1. *Emphasizes* the need to establish close links between the Scientific Council and the network of scientists and experts in equivalent bodies of those conventions with which a memorandum of understanding is in place, namely, the Convention on Biological Diversity and the Convention on Wetlands of International Importance;

2. *Recalls* Rule 7 of the rules of procedure approved by the Conference of the Parties at its fifth meeting (Geneva, 1997) which states that the Chair may invite any person or representative of any Party, non-Party State or organization (including from the advisory bodies to Convention related Agreements), to participate in meetings of the Council as an observer without the right to vote;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.6.

3. *Recognizes* and thanks a number of key organizations for their continued involvement in and technical support of the work of the Convention;

4. *Decides* to formalize the involvement of a number of key bodies and organizations in the deliberations of the Scientific Council;

5. *Invites* the following bodies and organizations to participate as observers in the meetings of the Scientific Council and to consider establishing close working cooperative arrangements on matters of common interest:

- (a) Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) of the Convention on Biological Diversity;
- (b) Scientific and Technical Review Panel (STRP) of the Convention on Wetlands of International Importance;
- (c) Wetlands International;
- (d) BirdLife International;
- (e) International Whaling Commission;
- (f) Convention on International Trade in Endangered Species;
- (g) World Conservation Monitoring Centre;
- (h) IUCN - The World Conservation Union
- (i) World Wide Fund for Nature; and
- (j) Commission on the Conservation of Antarctic Marine Living Resources.

6. *Determines* that the expenses for the attendance of the Chairman of the Scientific Council at meetings of the Subsidiary Body on Scientific, Technical and Technological Advice and the Scientific and Technical Review Panel, cited in paragraph 5(a) and (b) above, shall be met from the Convention budget (when they cannot be met by his or her own country), provided the cost of participation does not exceed US\$1,000;

7. *Notes* that Article VIII of the Convention provides for the appointment by the Conference of the Parties of suitably qualified experts; and

8. *Further decides* to appoint for the 2001-2002 biennium the following six experts, with a view to providing expertise in specific areas:

- Dr. Colin Limpus (Australia) - marine turtles;
- Dr. Michael Moser (United Kingdom) - waterbirds/wetlands;
- Dr. William Perrin (United States) - cetaceans and fishes;
- Dr. Pierre Pfeffer (France) - large terrestrial mammals;
- Dr. Roberto Schlatter (Chile) - neotropical fauna.
- A Conference appointed Councillor for Asiatic fauna, whose selection shall be confirmed by the Standing Committee at its next meeting, following the Secretariat's invitation to Parties to nominate appropriate candidates.

## RESOLUTION 6.8\*

### FINANCIAL AND ADMINISTRATIVE MATTERS

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* Article VII, paragraph 4, of the Convention, which states:

"The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference",

*Acknowledging* with appreciation the financial and other support provided by the United Nations Environment Programme and the Parties to the Convention, with special thanks to the Depositary Government for its annual voluntary contribution of DEM 100,000 in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention;

*Recognizing* the need to strengthen the capacity of the Secretariat of the Convention to enable it to better serve the Parties in all regions;

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities;

*Noting* the considerable number of Parties as well as organizations attending the meeting of the Conference of the Parties as observers, and the resulting additional expenditure to Parties so incurred;

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

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the budget for 2001-2002 attached as Annex 1 to this resolution;
3. *Agrees* to the scale of contributions of Parties to the Convention as listed in Annex 2 to this resolution and to the application of that scale *pro rata* to new Parties;
4. *Requests* all Parties to pay their contributions promptly as far as possible but in any case not later than the end of June in the year to which they relate;
5. *Takes note* of the medium-term plan for 2001-2005 attached as Annex 3 to this resolution and of the priorities outlined in the Strategic Plan annexed to Resolution 6.4;
6. *Instructs* the Standing Committee, assisted by the Scientific Council, to prioritize the list of all project proposals (arising from the Information Management Plan, conservation measures, and other subcontracts) to be funded from the Trust Fund for the period 2001 - 2002;
7. *Invites* Parties to consider the feasibility of providing technical experts to the Secretariat to increase its technical capacity in accordance with the United Nations rules and regulations and to agree on providing modest funding within the approved CMS budget to cover the difference in cost and applicable UNEP overhead charges for such staff;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.7.

8. *Urges* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries and countries with economies in transition to participate in and implement the Convention throughout the biennium;

9. *Invites* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;

10. *Welcomes* the assurance given to the CMS Standing Committee by Executive Director of UNEP to consider favourably its request to transfer funding of a G-6 Finance Assistant post from the CMS Trust Fund to UNEP programme support costs once the level of programme support income from CMS is sufficient to cover the administrative cost of providing services to CMS;

11. *Takes note* of document UNEP/CMS/Conf. 6.13.1 and expresses its concern over the outstanding unpaid pledges to the CMS Trust Fund and urges the Governments concerned to pay their contributions in a timely manner;

12. *Approves* the writing off of unpaid pledges of 4 years and older, in line with the United Nations System of Accounting standards related to the writing off of pledges;

13. *Agrees*, taking into account the decision to write off outstanding pledges of 4 years and older, to allow non-paying Parties to exercise their voting right at this session, but at the same time serves notice to Parties with contributions in arrears that the rule 14 (2) on withholding of voting rights will be strictly adhered to at the seventh Meeting of the Conference of the Parties;

14. *Approves* the establishment or upgrading of the following posts, subject to the classification of the posts by the United Nations:

P4: Agreement (Development and Servicing) Officer

P4: Information and Capacity building Officer (upgrade of existing P3 post)

G4: Assistant (to the Agreement Officer)

15. *Notes* that for administrative purposes, the following post are subject to reclassification during the 2001-2002 biennium:

G5 to G6: Finance Assistant

G5 to G6: Personal Assistant

16. *Agrees* to establish, in line with the United Nations procedures (ST/AI/284 of 1 March 1982), related to the establishment of an operational reserve for the CMS Trust Fund, a reserve of USD 700,000 to be maintained during the implementation of Trust Fund activities to cover shortfalls and to meet the final expenditures under the Trust Fund, including any liquidating liabilities;

17. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 2002; and

18. *Approves* the terms of reference for the administration of the Trust Fund as set out in Annex 4 to the present resolution, for the period 2001-2002.



**Budget Estimates for 2001-2002 allocated to functional work units (expressed in US Dollars)**

Budget line	Description	2001	2002	Total
	<b>Executive Direction and Management</b>			
1100	Professional staff			
	1 D1, 1 P5	234,000	238,000	472,000
1300	General Service staff			
	1 G6, 1 G4	99,000	101,000	200,000
	Subtotal	333,000	339,000	672,000
	External Staff			
1201	Consultancies - translation	30,000	50,000	80,000
1202	Consultancies - COP servicing (salary/travel)	0	80,000	80,000
1220	Consultancies - unspecified	20,000	20,000	40,000
1321	Temporary assistance	6,000	8,000	14,000
	Subtotal	56,000	158,000	214,000
	External Relations			
3302	Standing Committee meeting	9,000	9,000	18,000
3303	Regional Meetings	30,000	30,000	60,000
3304	Support to participants to Conference of the Parties	0	100,000	100,000
5400	Hospitality	2,000	2,000	4,000
	Subtotal	41,000	141,000	182,000
	Total Executive Direction and Management	430,000	638,000	1,068,000
	<b>Agreement Development and Servicing</b>			
1100	Professional staff			
	1 P4	110,500	112,500	223,000
1300	General Service staff			
	1 G4	44,000	45,000	89,000
	Subtotal	154,500	157,500	312,000
3305	Siberian Crane Range State meeting	30,000	0	30,000
3306	Slender-billed Curlew Range State meeting	0	40,000	40,000
3307	African Marine Turtle Range State meeting	0	50,000	50,000
3320	Other meetings (matching funds for species-initiatives)	50,000	40,000	90,000
	Subtotal	80,000	130,000	210,000
	Total Agreement Development and Servicing	234,500	287,500	522,000
	<b>Scientific and Technical Support</b>			
1100	Professional staff			
	1 P4	110,500	112,500	223,000
1300	General Service staff			
	1 G3	43,000	44,000	87,000
	Subtotal	153,500	156,500	310,000
2251	Projects - Appendix I review reports (1)	0	0	0
2252	Projects - Evaluation of Convention Implementation (1)	0	0	0
2254	Projects - Conservation measures (1)	0	0	0
3301	Support to participants to the Scientific Council meeting	75,000	75,000	150,000
	Subtotal	75,000	75,000	150,000
	Total Scientific and Technical Support	228,500	231,500	460,000
	<b>Information and Capacity-Building</b>			
1100	Professional staff			

	1 P4, 1 Junior Professional Officer	110,500	112,500	223,000
1300	General Service staff			
	2 G4	96,000	98,000	194,000
	Subtotal	206,500	210,500	417,000
2253	Projects (1) - Implementation measures	0	0	0
2255	Projects (1) - Information Management Plan	0	0	0
2256	CMS Web site	2,500	2,500	5,000
5201	Information materials	16,500	23,500	40,000
5202	Other printing (technical series etc.)	10,000	10,000	20,000
	Subtotal	29,000	36,000	65,000
	Total Information and Capacity-Building	235,500	246,500	482,000
	<b>Administration, Finance and Project Management</b>			
1100	Professional staff			
	1 P3 (OTL), 1 Junior Professional Officer	0	0	0
1300	General Service staff			
	1 G6 (4)	55,000	56,000	111,000
	Subtotal	55,000	56,000	111,000
	Common secretariat costs			
1601	Travel: Staff on mission	75,000	75,000	150,000
1602	Travel: Staff to COP	0	0	0
3201	Computer training	2,000	2,000	4,000
3202	Language training	2,000	2,000	4,000
4100	Office supplies	10,000	11,000	21,000
4200	Non-expendable equipment	18,500	18,500	37,000
4300	Premises (2)	0	0	0
5101	Maintenance of computers	5,000	5,000	10,000
5102	Maintenance of photocopier	4,000	4,000	8,000
5301	Communications (fax, tel., post, courier, etc.)	27,500	30,000	57,500
5303	Miscellaneous	1,000	1,000	2,000
5304	Bank charges	3,000	3,000	6,000
	Subtotal	148,000	151,500	299,500
	Total Administration, Finance and Project Management	203,000	207,500	410,500
	<b>Grand subtotal</b>	<b>1,331,500</b>	<b>1,611,000</b>	<b>2,942,500</b>
6000	13% overhead cost	173,095	209,430	382,525
	<b>Grand total</b>	<b>1,504,595</b>	<b>1,820,430</b>	<b>3,325,025</b>
	Less withdrawal from Trust Fund reserve to reduce contributions	(50,000)	(50,000)	(100,000)
	<b>Budget to be shared by the Parties</b>	<b>1,454,595</b>	<b>1,770,430</b>	<b>3,225,025</b>
	Budget for 1998/1999 (for comparison)	1,116,925	1,449,895	2,566,820
	Increase in comparison to 1998/1999 budget	337,670	320,535	658,205
	Increase in comparison to 1998/1999 budget (%)	30.23%	22.11%	25.64%

- (1) Funds to be withdrawn from the Trust Fund reserve to cover project implementation.
- (2) Paid entirely by the Host Country as long as the Secretariat remains in Germany.
- (3) Includes the following budget lines: 2251, 2252, 2253, 2254, 2255
- (4) Possibility of funding the post through UNEP (OTL) will be determined in the course of the year 2000.

Description	2001	2002	Total
Projects first tranche (1) (3)	200,000	200,000	400,000
Projects covered by German voluntary contribution (equiv. to DEM 100,000) (3)	46,900	46,900	93,800
Projects second tranche (subject to availability of funds in Trust Fund) (1) (3)	150,000	150,000	300,000
<b>Total:</b>	<b>396,900</b>	<b>396,900</b>	<b>793,800</b>

**Scale of Contributions to the Trust Fund (in USD)**

	<b>Party</b>	<b>UN Scale in % 2000</b>	<b>2001 Contribution</b>	<b>2002 Contribution</b>
1	Argentina	1.103	36,253	44,124
2	Australia	1.483	48,742	59,326
3	Belgium	1.104	36,286	44,164
4	Benin	0.002	66	80
5	Bulgaria	0.011	362	440
6	Burkina Faso	0.002	66	80
7	Cameroon	0.013	427	520
8	Chad	0.001	33	40
9	Chile	0.136	4,470	5,441
10	Czech Republic	0.107	3,517	4,280
11	Democratic Republic of the Congo	0.007	230	280
12	Denmark	0.692	22,744	27,683
13	Egypt	0.065	2,136	2,600
14	Finland	0.543	17,847	21,722
15	France	6.545	215,117	261,826
16	Germany	9.857	323,974	394,319
17	Ghana	0.007	230	280
18	Greece	0.351	11,536	14,041
19	Guinea	0.003	99	120
20	Guinea-Bissau	0.001	33	40
21	Hungary	0.120	3,944	4,800
22	India	0.299	9,827	11,961
23	Ireland	0.224	7,362	8,961
24	Israel	0.350	11,504	14,001
25	Italy	5.437	178,700	217,501
26	Kenya	0.007	230	280
27	Latvia	0.017	559	680
28	Liechtenstein	0.006	197	240
29	Luxembourg	0.068	2,235	2,720
30	Mali	0.002	66	80
31	Mauritania	0.001	33	40
32	Monaco	0.004	131	160
33	Mongolia	0.002	66	80
34	Morocco	0.041	1,348	1,640
35	Netherlands	1.632	53,640	65,286
36	Niger	0.002	66	80
37	Nigeria	0.032	1,052	1,280

	<b>Party</b>	<b>UN Scale in % 2000</b>	<b>2001 Contribution</b>	<b>2002 Contribution</b>
38	Norway	0.610	20,049	24,402
39	Pakistan	0.059	1,939	2,360
40	Panama	0.013	427	520
41	Paraguay	0.014	460	560
42	Peru	0.099	3,254	3,960
43	Philippines	0.081	2,662	3,240
44	Poland	0.196	6,442	7,841
45	Portugal	0.431	14,166	17,242
46	Romania	0.056	1,841	2,240
47	Saudi Arabia	0.562	18,472	22,482
48	Senegal	0.006	197	240
49	Slovakia	0.035	1,150	1,400
50	Slovenia	0.061	2,005	2,440
51	Somalia	0.001	33	40
52	South Africa	0.366	12,029	14,641
53	Spain	2.591	85,160	103,650
54	Sri Lanka	0.012	394	480
55	Sweden	1.079	35,464	43,164
56	Switzerland	1.210	39,770	48,405
57	The Former Yugoslav Republic of Macedonia	0.004	131	160
58	Togo	0.001	33	40
59	Tunisia	0.028	920	1,120
60	Ukraine	0.190	6,245	7,601
61	United Kingdom of Great Britain and Northern Ireland	5.092	167,361	203,700
62	United Republic of Tanzania	0.003	99	120
63	Uruguay	0.048	1,578	1,920
64	Uzbekistan	0.025	822	1,000

	Party	UN Scale in % 2000	2001 Contribution	2002 Contribution
65	European Community*		36,365	44,261
	<b>Total:</b>	<b>43.15</b>	<b>1,454,595</b>	<b>1,770,430</b>

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\* Contribution of the European Community (2.5 percent of administration costs, excluding any project costs)

**Medium Term Plan 2001-2005**

Budget line		Estimated costs in United States dollars				
		2001	2002	2003	2004	2005
1100	Professional staff	565,500	575,500	585,500	595,500	724,000
1200	Consultants	50,000	150,000	60,000	62,500	165,000
1300	Administrative support	343,000	352,000	361,000	370,000	430,000
1600	Travel on official business	75,000	75,000	78,000	80,000	115,000
2200	Subcontracts and Subprojects	2,500	2,500	47,500	102,500	95,000
3300	Meetings and Training	196,500	346,500	219,000	309,500	370,000
4000	Equipment	28,500	29,500	31,500	32,500	33,500
5100	Operation and Maintenance	9,000	9,000	11,000	11,000	11,000
5200	Reporting costs and Information material	26,500	33,500	28,000	28,500	36,000
5300	Sundry (Communications)	33,000	35,500	38,000	40,500	43,000
5400	Hospitality	2,000	2,000	2,500	2,500	2,500
6000	UNEP Administrative costs	173,095	209,430	190,060	212,550	263,250
	Less withdrawal from Trust Fund reserve to reduce contributions	(50,000)	(50,000)	0	0	0
<b>Total</b>		<b>1,454,595</b>	<b>1,770,430</b>	<b>1,652,060</b>	<b>1,847,550</b>	<b>2,288,250</b>

**TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST  
FUND FOR THE CONVENTION ON THE CONSERVATION OF  
MIGRATORY SPECIES OF WILD ANIMALS**

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for two calendar years beginning 1 January 2001 and ending 31 December 2002.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 2002, the Executive Director of UNEP shall be so advised in writing immediately after the seventh meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 2001-2002 shall be derived from :
  - (a) The contributions made by the Parties by reference to Annex 2, including contributions from any new Parties;
  - (b) Further contributions from Parties and contributions from States not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined *pro rata* based on the contribution of other States Parties on the same level on the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis would be more than 25 per cent of the budget, the contribution of that Party shall be 25 per cent of the budget for the financial year of joining (or *pro rata* for a part-year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 2001 and 2002. Contributions shall be paid into the following account:

Account No. 001-1-507001  
Chase Manhattan Bank  
United Nations Branch  
New York, N.Y. 10017, USA

9. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

12. The budget estimates covering the income and expenditure for each of the two calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

13. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.

14. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 2001-2005, inclusive, and shall incorporate the budget for the financial period 2003-2005.

15. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.

16. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.

17. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, who shall seek the advice of the Standing Committee as to its priorities for expenditure.

18. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

19. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second calendar year, provided that the total budget approved by the Parties shall not be exceeded, unless this is specifically sanctioned in writing by the Standing Committee.



20. At the end of each calendar year of the financial period\*, the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, the accounts for the year. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.
21. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.
22. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
23. The present terms of reference shall be effective from 1 January 2001 to 31 December 2002.

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\* The calendar year 1 January to 31 December is the accounting and financial year, but the accounts official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year have to be closed, and it is only then that the Executive Director can submit the accounts of the previous calendar year.

## RESOLUTION 6.9\*

### JURIDICAL PERSONALITY OF, AND HEADQUARTERS AGREEMENT FOR, THE CONVENTION SECRETARIAT

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* Article IX of the Convention on the Conservation of Migratory Species of Wild Animals (1979), Decision 12/14, section IV, of the Governing Council of the United Nations Environment Programme (UNEP), 1984, and Resolution 1.3 of the Conference of the Parties (Bonn, 1985), establishing the Convention Secretariat;

*Aware of* the precedents of other global conventions in the field of the environment which have concluded headquarters agreements for their secretariats with the relevant host countries and which have assigned to their secretariats legal competence to carry out their functions; and

*Desiring* to clarify the nature and legal status of the Convention Secretariat as a body;

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

*Decides* the following:

#### Juridical personality

1. The Convention Secretariat should possess in the host country such legal capacity as is necessary for the effective discharge of its functions under the Convention, in particular to contract, to acquire and dispose of movable and immovable property and to institute legal proceedings.

#### Privileges and immunities

2. The officials of the Convention Secretariat should enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Convention Secretariat.

#### Further activities by the Standing Committee

3. The Standing Committee is requested to clarify, with the assistance of the Secretariat, any relevant outstanding legal questions in consultation with the Legal Branch of the United Nations and the relevant United Nations conventions, to bestow the appropriate competence on the Secretariat and to report to the Conference of the Parties at its seventh meeting.

#### Conclusion of headquarters agreement

4. The Convention Secretariat and the Executive Director of UNEP are authorized to negotiate further, conclude and sign the headquarters agreement currently under development.

If additional input in relation to the headquarters agreement is needed before its conclusion, the Standing Committee is authorized to act on behalf of the Conference of the Parties and to endorse approval of the Agreement after it has been signed.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.8.

## RESOLUTION 6.10\*

### DATE, VENUE AND FUNDING OF THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise";

*Recognizing* the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world;

*Noting* with appreciation and satisfaction that the Government of South Africa is the first Party to have hosted a meeting of the Conference of the Parties since 1985 (all subsequent meetings of the Conference of Parties having been organized in United Nations venues); and

*Anticipating* that the seventh meeting of the Conference of the Parties will be instrumental in solidifying the substantial progress achieved in South Africa;

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

1. *Commends* the Government of South Africa for having taken the initiative to host the sixth meeting of the Conference of the Parties in an exemplary manner; and expresses its gratitude to the Governments of South Africa and the Netherlands for having contributed significant resources to the organization of the meeting; and
2. *Accepts* the generous offer of the Government of Germany to host the seventh meeting of the Conference of the Parties in conjunction with the second session of the Meeting of Parties to the African-Eurasian Waterbird Agreement, preferably in the second half of 2002.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 6.9.

## RECOMMENDATION 6.1

### STANDARDIZED NOMENCLATURE FOR THE CMS APPENDICES

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* that with Resolution 3.1 (Geneva, 1991) regarding listing of species in the Appendices of the Convention, the Conference of the Parties agreed that any further additions to the Appendices of the Convention should be limited to species or lower taxa and that the migratory species covered by higher taxa listings already in Appendix II need only be identified when AGREEMENTs are being prepared;

*Noting* that biological nomenclature is dynamic; and

*Recognizing* that the taxonomy used in the Appendices to the Convention will be most useful to the Parties if standardized by nomenclatural references;

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

1. *Recommends* that the following list of standard references\* be recognized and used as the bases on which the CMS Appendices and amendments thereto, are prepared:

#### *Mammals*

For the mammalian orders Cetacea and Sirenia, and the families Phocidae, Odobenidae and Otariidae of the order Carnivora:

- a) Rice, D.W. (1998). Marine mammals of the world. Systematics and distribution. Special Publication of the Society for Marine Mammalogy 4, 231 pp.

For all other mammals:

- b) Wilson, D.E. and Reeder, D.M. (1993). Mammal species of the world. A taxonomic and geographic reference. 2<sup>nd</sup> ed. Smithsonian Institution Press, Washington, D.C.

#### *Birds*

For taxonomy and nomenclature at the level of orders and families:

- c) Morony, J.J., Bock, W.J. and Farrand, J. (1975). Reference List of the Birds of the World. Department of Ornithology, American Museum of Natural History, New York, New York.

For taxonomy and nomenclature at the level of genera and species:

- d) Sibley, C.G. and Monroe, B.L. (1990). Distribution and taxonomy of birds of the world. Yale University Press, New Haven.
- e) Sibley, C.G. and Monroe, B.L. (1993). A supplement to Distribution and taxonomy of birds of the world. Yale University Press, New Haven.

#### *Marine turtles*

- f) Eckert, K.L., Bjørndal, K.A., Abreu-Grobois, F.A. and Donnelly, M. (Eds) (1999). Research and management techniques for the conservation of sea turtles. IUCN/SSC Marine Turtle Specialist Group Publication No. 4.

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\* As yet there has been no need for a standard taxonomic reference for insects or reptiles.

## *Fishes*

- g) Eschmeyer, W.N. (1990). Catalogue of the Genera of Recent Fishes. California Academy of Sciences, San Francisco, California.

2. *Further recommends* that Appendices I and II are amended in the following way to reflect the taxonomy and nomenclature of the standard references:

## Appendix I

### *Mammals*

1. *Eubalaena glacialis* is now *Balaena glacialis glacialis*.
2. *Eubalaena australis* is now *Balaena glacialis australis*.
3. *Lutra felina* is now *Lontra felina*.
4. *Lutra provocax* is now *Lontra provocax*.
5. *Panthera uncia* is now *Uncia uncia*.
6. The former order Pinnipedia is now included in the order Carnivora, hence the family Phocidae is placed in Carnivora.

### *Birds*

7. *Pterodroma sandwichensis* is added, as it is recognised by Sibley & Monroe as a species separate from *Pterodroma phaeopygia*. This assumes that *Pterodroma phaeopygia* was originally listed in its broad sense (*sensu lato*).
8. *Phoenicoparrus andinus* is now *Phoenicopterus andinus*.
9. *Phoenicoparrus jamesi* is now *Phoenicopterus jamesi*.
10. *Aquila adalberti* is added, as it is recognised by Sibley & Monroe as a species separate from *Aquila heliaca*. This assumes that *Aquila heliaca* was originally listed in its broad sense (*sensu lato*).
11. *Chettusia gregaria* is now *Vanellus gregarius*.
12. *Acrocephalus paludicola* is now placed in the family Muscicapidae, as the former family Sylviidae is now treated as a subfamily of Muscicapidae.

## Appendix II

### *Mammals*

20. *Platanista gangetica* is now *Platanista gangetica gangetica*.
21. The former order Pinnipedia is now included in the order Carnivora, hence the family Phocidae is placed in Carnivora.

### *Birds*

22. *Diomedea chlororhynchus* is now *Diomedea chlororhynchus*.
  23. *Phalacrocorax pygmaeus* is now *Phalacrocorax pygmeus*.
  24. *Anthropoides virgo* is now *Grus virgo*, and is hence included in *Grus* spp.
  25. The former family Phalaropodidae is deleted, as it is now included in the family Scolopacidae.
  26. *Sterna* spp. and *Chlidonias* spp. are now placed in the family Laridae, as the former family Sternidae is now treated as a subfamily of Laridae.
  27. *Acrocephalus paludicola* is deleted, as it is now placed in the family Muscicapidae (*sensu lato*), and all species in Muscicapidae are already listed.
3. *Further recommends* that if the Conference of Parties decides to place the proposed *Xanthopsar flavus* and *Procellaria conspicillata* on the Appendices, the names *Agelaius flavus* and *Procellaria aequinoctialis conspicillata* should be used, respectively.

## RECOMMENDATION 6.2

### CO-OPERATIVE ACTIONS FOR APPENDIX II SPECIES

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Noting* that there are species or populations of species listed in Appendix II, which have a very unfavourable conservation status and which require urgent cooperation at the international level for their conservation and management;

*Aware* that not all such species are currently the object of an Agreement or, given the rate of decline in their populations, can reasonably be expected to become the object of an Agreement to assist with their conservation in a timely manner; and

*Noting* the conclusions and recommendations of the ninth meeting of the Scientific Council (Cape Town, 1999);

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

1. *Recommends* that the Parties undertake cooperative action to improve the conservation status of these species;
2. *Instructs* the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species requiring special attention within the forthcoming reporting period;
3. *Directs* the Secretariat to assist the Scientific Council in establishing this review process, ensuring that a regular update of status is provided by the relevant focal point Councillor;
4. *Endorses* the recommendation of the Scientific Council at its ninth meeting that activities for species covered by Recommendation 5.2 be continued for a further two years (2001-2002);
5. *Recommends*, in particular, seven species of petrels (*Macronectes halli*, *Macronectes giganteus*, *Procellaria aequinoctialis*, *Procellaria conspicillata*, *Procellaria cinerea*, *Procellaria parkinsoni* and *Procellaria westlandica*), the Whale Shark, *Rhincodon typus*, and eighteen species of sturgeon (as listed in document UNEP/CMS/Conf.6.11, Annex: *Acipenser baerii baicalensis*, *Acipenser gueldenstaedtii*, *Acipenser medirostris*, *Acipenser mikadoi*, *Acipenser naccarii*, *Acipenser nudiventris*, *Acipenser pericus*, *Acipenser ruthenus*, *Acipenser schrenckii*, *Acipenser sinensis*, *Acipenser stellatus*, *Acipenser sturio*, *Huso dauricus*, *Huso huso*, *Pseudoscaphirhynchus fedtschenkoi*, *Pseudoscaphirhynchus hermanni*, *Pseudoscaphirhynchus kaufmanni* and *Psephurus gladius*) should be the subject of cooperative actions for the 2001-2002 biennium;
6. *Recommends* that the following species, all of which are already listed in Appendix II should also be the subject of co-operative action: all albatrosses, the African elephant, *Loxodonta africana*, the African penguin, *Spheniscus demersus*, and the dolphins of South America, namely *Pontoporia blainvillei*, *Lagenorhynchus australis*, *L. obscura*, *Phocoena spinipinnis*, *Phocoena dioptrica*, *Cephalorhynchus commersonii* and *C. eutropia*.

## RECOMMENDATION 6.3

### FURTHER ACTION FOR SAHELO-SAHARAN ANTELOPES

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* that Sahelo-Saharan antelopes are among the most threatened of all migratory terrestrial mammals;

*Concerned* by the fragility of their habitats in the general context of increasing desertification;

*Noting* that the six species of Sahelo-saharan antelopes are listed in Appendix I of the Convention and are the subject of a concerted action guided by the Scientific Council;

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

1. *Exhorts* the Scientific Council, the Range States and other Parties to pursue their efforts in favour of the Sahelo-Saharan antelopes within the framework of the existing concerted action; and

2. *Urges* in particular the Range States to implement without delay the action plan of the Convention, with the assistance of the Scientific Council and in the spirit of the Djerba Declaration\*, and to seek to that effect all possible bilateral and international cooperation.

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\* See the annex to the present resolution.

## DJERBA DECLARATION

### Seminar on the Conservation and Restoration of Sahelo-Saharan Antelopes (Djerba, Tunisia, 19-23 February 1998)

Representatives of the Governments of the Range States of six endangered Sahelo-Saharan antelope species, *Oryx dammah*, *Addax nasomaculatus*, *Gazella dama*, *Gazella leptoceros*, *Gazella cuvieri*, *Gazella dorcas*, together with representatives of neighbouring countries, of scientific institutions, of non-governmental organisations and a panel of experts met at Djerba, Tunisia, from 19-23 February 1998, for the purpose of:

- reporting on the conservation status of the species in each Range State,
- amending and adopting an Action Plan for the conservation and restoration of the species and their habitats,
- discussing the medium and long-term concerted actions and international cooperation, including the possibility of developing an Agreement under the auspices of the Convention on the Conservation of Migratory Species (CMS/Bonn Convention).

The Seminar was convened by the Secretariat of the Convention on the Conservation of Migratory species (UNEP/CMS) on behalf of the Conference of the Parties, at the initiative of the Scientific Council of the Convention. Preliminary status reports on the conservation of each of the six species and a preliminary Action Plan had been prepared in advance by the Institut Royal des Sciences Naturelles de Belgique (IRSNB).

The Range States represented were: Algeria, BURKINA FASO\*, CHAD, EGYPT, Ethiopia, Libyan Arab Jamahiriya, MALI, Mauritania, MOROCCO, NIGER, NIGERIA, SENEGAL, Sudan, TUNISIA.

BELGIUM, FRANCE, GERMANY and the KINGDOM OF SAUDI ARABIA, the latter representing, *inter alia*, the Chair of the CMS Standing Committee, were also represented each by one or more governmental representatives and/or by one or more experts.

The Seminar was chaired by Dr. Ahmed Ridha Fekih Salem, Director General, Department of Forests, Ministry of Agriculture of the Republic of Tunisia. The UNEP/CMS Secretariat, represented by its Executive Secretary, Mr. Arnulf Müller-Helmbrecht, and the Institut Royal des Sciences Naturelles de Belgique (IRSNB), represented by Dr. Roseline Beudels-Jamar de Bolsée, representing also the Chair of the CMS Scientific Council, acted as the secretariat for the Seminar.

The representatives of the Range States as well as a number of invited experts presented reports on the distribution, the conservation status, habitats, trends, population dynamics, causes of decline and measures undertaken for the conservation and recovery of the six species. These reports confirmed the extreme precariousness of the conservation status of the Sahelo-Saharan ungulates in the wild, and the urgency of implementing an Action Plan. Six Working Groups, meeting in two parallel sessions, reviewed and amended the draft Action Plan prepared by the IRSNB.

The Seminar, meeting in Plenary, also debated the opportunity of developing, under CMS, an Agreement between the Range States, as well as the means necessary to develop international cooperation to restore, conserve and manage the species.

The Seminar:

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\* States in capital letters are Parties to CMS as of 23 February 1998



1.
  - Thanks the Government of Tunisia, represented by the Minister of Agriculture, for its generous hospitality,
  - Thanks the various agencies and institutions that contributed to the holding of the meeting, in particular:
    - the Conference of the Parties of CMS;
    - the Department of Forests, Ministry of Agriculture of Tunisia;
    - the Environment Ministry of the Flemish Region of Belgium;
    - the Services of the Prime Minister for Scientific, Technical and Cultural affairs of Belgium;
    - the Ministry of the Environment of France;
    - the Federal Ministry for Economic Cooperation and Development of Germany (Bundesministerium für Wirtschaftliche Zusammenarbeit und Entwicklung);
    - the Federal Ministry of the Environment, Nature Conservation and Nuclear Safety of Germany (Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit);
    - the United Nations Environment Programme;
    - forwards its thanks to the COP of CMS, represented by the UNEP/CMS Secretariat, and to the IRSNB, for the organisation of the meeting and for the coordination of the scientific inputs aimed at the restoration and conservation of Sahelo-Saharan antelopes;
    - thanks its Chairman, Dr. Ahmed Ridha Fekih Salem, Director General of the Department of Forests of Tunisia, for his excellent guidance of the meeting;
2. Better informed of the critical conservation status of the six species concerned thanks to the reports compiled by IRSNB and those submitted by the experts of Sahelo-Saharan countries, calls upon governments of the Range States to increase their efforts towards conservation and restoration of these species and their habitats;
3. Congratulates the Range States and contributing governmental and non-governmental organisations which have undertaken projects with commendable results, and encourages them to continue their efforts and to assist other Range States including financial assistance in benefiting from their experience;
4. Informed that serious damage is being inflicted to the wildlife of several Sahelo-Saharan countries, particularly to highly endangered species, among which are the antelopes, by foreign hunters and falconers,
  - considering the commitment of the countries concerned, confirmed by their ratification of a number of international conventions, to restore and/or maintain sustainable populations of these species,
  - considering also the negative impact that such activities have on:
    - the conservation status of the highly endangered species concerned, some of which are on the brink of extinction;
    - the conservation efforts undertaken by all the local actors for the enforcement of their respective countries' laws and regulations;
    - the continued assistance of the international community to the conservation efforts undertaken;
  - deeply concerned by the disastrous consequences that such practices, often illegally and excessively carried out, will have, if they continue, on the wild resources and their future,

Appeals to all countries concerned to comply fully with the relevant provisions of the appropriate international conventions;

5. Adopts the Action Plan, and requests the Secretariat of the Seminar to finalize it according to its recommendations and to distribute it to all the participants to the Seminar as well as to all organisations competent at national and international level;
6. Invites
  - all national and international governmental institutions inside as well as outside the range of the species concerned, to implement the Action Plan and to integrate it into their activities,
  - international as well as supra-national governmental organizations, in particular the organs of the

Convention on Biological Diversity (CBD), of the Convention on Desertification, of the Global Environmental Facility (GEF), of the World Bank, of the United Nations Development Programme (UNDP), of the United Nations Environment Programme (UNEP), the European Union, to support the implementation of the Action Plan by including recommended actions in the priorities of their work programmes and by providing technical and financial assistance to the development of transboundary cooperation and the implementation of concerted actions,

- all international and national institutions involved in the conservation and sustainable use of African fauna and flora, to collaborate in the development and translation into action of projects identified in the Action Plan;
7. Urges the Range States of Sahelo-Saharan ungulates to develop and conclude an Agreement under the auspices of CMS in order to provide a framework for the species' long-term conservation and management;
  8. Decides to set up a Working Group of experts who will collect and circulate the necessary information:
    - to enable experts from national and non-governmental organisations to develop appropriate projects;
    - to provide Range States with a catalogue of appropriate measures for the development of site-management plans, for capacity building, training, research and public awareness;
    - to facilitate the integration of conservation needs into other policy-sectors such as agriculture, forestry or wise use of fauna;
    - to prepare, for Range States, proposals that allow for the integration of local community development with ecosystems, habitats and species conservation;

The Working Group will report, through the Convention Secretariat, to the Scientific Council and to the Standing Committee of CMS;

9. Decides to meet again in two years to:
  - review the work performed,
  - update the Action Plan,
  - discuss possibilities of improving its implementation on the basis of the experience gained, and requests CMS to organise such a meeting and to seek the necessary funds;
10. Calls upon those Sahelo-Saharan countries who have not done so to accede to CMS as soon as possible and to implement it.

Done at Djerba, Republic of Tunisia, on the 23 day of February, 1998

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## RECOMMENDATION 6.4

### WORKING GROUPS ON THE HOUBARA BUSTARD (*Chlamydotis undulata*) AND GREAT BUSTARD (*Otis tarda*)

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* that *Chlamydotis undulata* was recommended for concerted action by Resolution 3.2 (Geneva, 1991);

*Recalling* also that *Otis tarda* was recommended for similar action by Resolution 4.2 (Nairobi, 1994);

*Further recalling* that an Agreement on *Chlamydotis undulata* was urgently requested by Recommendation 4.4 (Nairobi, 1994);

*Concerned* that the conservation status of both species remains unfavourable;

*Desirous* that, after so many years of consideration, concrete action be taken without further delay;

*Noting* the willingness of Hungary to chair a working group on *Otis tarda*, of Spain to serve as vice-chair of such a group, and of the United Arab Emirates to endeavour, in liaison with Saudi Arabia, to form a working group for *Chlamydotis undulata*;

*Noting* the willingness of BirdLife International and the IUCN Species Survival Commission to assist such groups;

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

1. *Urges* the Scientific Council and the Range States to take all necessary steps to ensure that the concerted actions on both species proceed immediately and, in any event, before the seventh meeting of the Conference of the Parties;

2. *Requests* to that end the Scientific Council and the Range States of each species to form working groups reporting to the Scientific Council and including, in particular, representatives of the Range States and other relevant organizations;

3. *Asks* the *Otis tarda* working group to draft proposals to complete an action plan fully compatible with existing species action plans, in avoidance of duplication of efforts with other conventions;

4. *Requests* the *Otis tarda* working group to prepare projects for concrete field actions suitable for funding by Parties or international agencies;

5. *Also requests* the Range States to undertake in the *Otis tarda* working group the necessary steps for the implementation, if appropriate, of a memorandum of understanding within the framework of the concerted action;

6. *Requests* the Scientific Council to mandate the *Chlamydotis undulata* working group to complete an action plan on eastern populations of the species compatible with the efforts already undertaken in the preparation of an Agreement and to initiate the implementation of that action plan;

7. *Further requests* the *Chlamydotis undulata* working group to consider possibilities of extending the action plan to other populations of the species;

8. *Encourages* Saudi Arabia to continue its efforts with respect to an Agreement on *Chlamydotis undulata*; and

9. *Asks* the Scientific Council to report on progress with this recommendation to the Conference of the Parties at its seventh meeting.

## RECOMMENDATION 6.5

### CO-OPERATIVE ACTION FOR THE AFRICAN ELEPHANT (*Loxodonta africana*) IN WESTERN AND CENTRAL AFRICA

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* that the majority of western and central African populations of *Loxodonta africana* are small, fragmented and highly threatened;

*Convinced* that, owing to the predominantly transboundary character of their seasonal movements, these populations would greatly benefit from concerted management;

*Noting* that the Scientific Council has proposed to recommend *Loxodonta africana* for cooperative action;

*Recording* the willingness of Burkina Faso to chair a working group;

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

1. *Urges* the Scientific Council and the Range States to initiate without delay such cooperative action in western and central Africa;
2. *Recommends*, to that end, that the Scientific Council and the Range States form a working group reporting to the Scientific Council and including, in particular, representatives of the Range States and relevant organizations, including the IUCN African Elephant Specialist Group;
3. *Instructs* the Scientific Council and invites the Range States to mandate the working group to complete an action plan and to initiate its implementation; and
4. *Further suggests* that the Range States envisage developing and concluding one or more Agreements, including action plans, and implementing them.

## RECOMMENDATION 6.6

### REGIONAL COORDINATION FOR MARINE TURTLES OF THE INDIAN OCEAN AND SOUTH-EAST ASIA

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Aware* that initiatives have been taken among groups of nations within the Indian Ocean and south-east Asian region, including the recent meeting held in Perth, Australia, in October 1999 addressing the needs and mechanisms for regional conservation and management for marine turtles;

*Acknowledging* that a Memorandum of Understanding on ASEAN Sea Turtle Conservation and Protection aims to promote conservation of marine turtles and their habitats in the ASEAN Region;

*Noting* that communities within the Indian Ocean and south-east Asian region value marine turtles for a wide range of reasons including subsistence, tourism, cultural and religious purposes, medicinal and educational purposes, for scientific and research purposes, and as a significant component of the region's biodiversity;

*Aware* that threats to marine turtles, including harvest of eggs and turtles, destruction or modification of habitats by coastal development and pollution, tourism, hatchery operations, and incidental mortality of turtles could, if not properly managed, lead to further decline in marine turtle populations;

*Further aware* that marine turtles are a highly migratory species which can move within and between national jurisdictions;

*Recognizing* the need for shared responsibility for the conservation and sustainable management of marine turtle populations and their habitats, in the Indian Ocean-south-east Asian region;

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

1. *Encourages* the participation of all key stakeholders, including marine and terrestrial conservation and resource management government agencies, existing bodies collaborating in the conservation of marine turtles, and other relevant non-governmental organizations;

2. *Notes* that an important component of any new regional instrument would be the sharing of management and technical skills between member countries;

3. *Recognizes* the need for the promotion of, and the provision of assistance for, conservation activities, in particular the implementation of effective mitigation measures that address the incidental mortality of marine turtles arising from fishing operations;

4. *Endorses* the resolution arising from the meeting on Indian Ocean and South East Asian Regional Cooperation for the Conservation and Management of Marine Turtles and their Habitats (UNEP/CMS/Conf.6/Inf.14) that all Range States would benefit from closer collaboration and that an appropriate structure to facilitate this would be a new regional Agreement, possibly under the Convention on Migratory Species; and

5. *Encourages* all Parties in the region, as well as all interested States from outside the region to actively to pursue the conclusion of an Agreement in the Indian Ocean and south-east Asian region.

## RECOMMENDATION 6.7

### CONSERVATION OF MARINE TURTLES IN THE ATLANTIC COAST OF AFRICA, INCLUDING MACARONESIA

Adopted by the Conference of the Parties at its Sixth Meeting (Cape Town, 10-16 November 1999)

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*Recalling* the decisions taken during the international conference on the conservation of marine turtles of the Atlantic coast of Africa, including Macaronesia, and the signing of a memorandum of understanding on their conservation by seven Range States in Abidjan, Cote d'Ivoire in May 1999;

*Recalling further* the signing of the memorandum of understanding by five additional Range States during the meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals at its sixth session in Cape Town, South Africa, on 12 November 1999;

*Convinced* of the need for a concerted effort for the conservation of the species in the region;

*Acknowledging* Nigeria's acceptance of an imperative offer to coordinate conservation activities to facilitate the completion of the draft conservation plan and to also serve as focal point for the species;

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

1. *Suggests* that a regional meeting/workshop be convened urgently and requests Range States to carry out the following activities towards the completion of the draft conservation plan:

(a) *Forward* to the focal point updated data on the conservation of the species in each Range State;

(b) *Compile* and update all technical, legislative and or financial administrative obstacles towards the implementation of the memorandum of understanding and submit such to the focal point;

2. *Further suggests* that national issues be addressed first before a regional action plan can be formulated; and

3. *Supports* the technical assistance of the Conference-appointed Councillor for marine turtles, Dr. Colin Limpus.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.1

### CONCERTED ACTIONS FOR APPENDIX I SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Resolution 3.2 regarding Appendix I species adopted by the Conference of the Parties at its third meeting (Geneva, 1991);

*Recognising* that Resolution 3.2 decided *inter alia* that at each meeting of the Conference of the Parties a formal review process be established for a selected number of species listed in Appendix I;

*Recalling further* that Resolution 3.2, as updated by Resolution 4.2 (Nairobi, 1994), Resolution 5.1 (Geneva, 1997) and Resolution 6.1 (Cape Town, 1999), instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention;

*Noting* that the Scientific Council, at its 11th meeting held in Bonn, in September 2002, reviewed reports as per Resolution 3.2 on five Appendix I concerted action species;

*Noting further* the recommendation of the Scientific Council at its 11th meeting that the following species be the subject of concerted actions: Terrestrial mammals: *Uncia uncia*; Marine mammals: *Balaenoptera physalus*, *Balaenoptera borealis*, *Physeter macrocephalus*, *Eubalaena australis*, *Balaenoptera musculus*, *Megaptera novaeangliae*; Birds: *Platalea minor*, *Eurynorhynchus pygmeus*, *Sterna bernsteini*; and

*Noting also* the recommendation of the 11<sup>th</sup> meeting of the Scientific Council concerning the revision of the current practice for the identification and implementation of concerted actions for Appendix I species;

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

1. *Resolves* that the concerted actions and preparation of review reports envisaged within the framework of Resolution 3.2 be carried out for the above-mentioned species and others, as appropriate, during the 2003-2005 triennium, and that the Conference of the Parties review the results at its next meeting;
2. *Endorses* the recommendation of the Scientific Council at its 11th meeting that activities for species covered by Resolution 6.1 be continued for a further three years (2003-2005), such that the list of species for which concerted actions should either be continued or commence, as appropriate, is as appears in the table attached to this resolution;



3. *Endorses* the procedure for the future identification and implementation of concerted actions for Appendix I species agreed by the Scientific Council at its 11th meeting, and summarized in Annex III of the report of that meeting; and
4. *Instructs* the Scientific Council and the Secretariat to fully implement the new procedure in the triennium 2003-2005.

SPECIES DESIGNATED FOR CONCERTED ACTIONS BY THE 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>  
MEETINGS OF THE CONFERENCE OF THE PARTIES TO CMS

Year of adoption	Resolution	Scientific name	Common name
1991	3.2	<i>Addax nasomaculatus</i>	Addax
	3.2	<i>Gazella dorcas</i>	Dorcas gazelle
	3.2	<i>Gazella leptoceros</i>	Slender-horned gazelle
	3.2	<i>Chlamydotis undulata</i>	Houbara bustard
	3.2	<i>Numenius tenuirostris</i>	Slender-billed curlew
	3.2	-----	Marine Turtles
1994	4.2	<i>Chloephaga rubidiceps</i>	Ruddy-headed goose
	4.2	<i>Oxyura leucocephala</i>	White-headed duck
	4.2	<i>Grus leucogeranus</i>	Siberian crane
	4.2	<i>Otis tarda</i>	Great bustard
	4.2	<i>Gazella dama</i>	Dama gazelle
	4.2	<i>Oryx dammah</i>	Scimitar-horned oryx
	4.2	<i>Monachus monachus</i>	Mediterranean monk seal
1997	5.1	<i>Falco naumanni</i>	Lesser kestrel
	5.1	<i>Phoenicopiterus andinus</i>	Andean flamingo
	5.1	<i>Phoenicopiterus jamesi</i>	Puna flamingo
	5.1	<i>Anser erythropus</i>	Lesser white-fronted goose
	5.1	<i>Gorilla gorilla beringei</i>	Mountain gorilla
	5.1	<i>Pontoporia blainvillei</i>	La Plata dolphin, Franciscana
	5.1	<i>Hippocamelus bisulcus</i>	South Andean deer
1999	6.1	<i>Sarothrura ayresi</i>	Whitewinged flufftail
	6.1	<i>Hirundo atrocaerulea</i>	Blue swallow
	6.1	<i>Acrocephalus paludicola</i>	Aquatic warbler
	6.1	<i>Lontra felina</i>	Southern marine otter
	6.1	<i>Lontra provocax</i>	Southern river otter
	6.1	<i>Spheniscus humboldti</i>	Humboldt penguin
	6.1	<i>Aythya nyroca</i>	Ferruginous duck
2002	7.1	<i>Uncia uncia</i>	Snow leopard
	7.1	<i>Balaenoptera physalus</i>	Fin whale
	7.1	<i>Balaenoptera borealis</i>	Sei whale
	7.1	<i>Physeter macrocephalus</i>	Sperm whale
	7.1	<i>Eubalaena australis</i>	Southern right whale
	7.1	<i>Balaenoptera musculus</i>	Blue whale
	7.1	<i>Megaptera novaeangliae</i>	Humpback whale
	7.1	<i>Platalea minor</i>	Black-faced spoonbill
	7.1	<i>Eurynorhynchus pygmeus</i>	Spoon-billed sandpiper
	7.1	<i>Sterna bernsteini</i>	Chinese crested tern

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.2\*

### IMPACT ASSESSMENT AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

*Concerned* that avoidable detriment to migratory species often occurs through lack of adequate prior assessment of the potential environmental impacts of projects, plans, programmes and policies, carried out in a way that is systematic and formally taken into account in decision-making;

*Emphasising* that migratory species are especially in need of international cooperation in this respect owing *inter alia* to their particular susceptibility to impacts which may be manifest far beyond the territory of the country in which they originate, and to cumulative impacts;

*Desirous* that migratory species interests be given improved treatment in biodiversity-related aspects of environmental impact assessment and strategic environmental assessment;

*Conscious* that Article I (1) (c) of the Convention defining favourable conservation status, Article II (2) regarding avoiding endangerment of species and Article III (4) regarding protection of Appendix I species all imply a need to anticipate and predict effects;

*Aware* that many Contracting Parties already operate legal and institutional systems of environmental assessment in various forms, but that most would benefit from international harmonisation of guidance on principles, standards, techniques and procedures, and confirmation of their applicability to migratory species interests;

*Aware* that environmental impact assessment is foreseen in other conventions concerned with biodiversity conservation, and in CMS Agreements;

*Further aware* that the respective Conferences of the Parties to the Ramsar Convention on Wetlands and the Convention on Biological Diversity (CBD) have in recent years adopted or endorsed decisions and guidelines on environmental impact assessment which have relevance to cooperation between those conventions and the Convention on Migratory Species;

*Noting* in particular that CBD's Decision IV/10c on impact assessment and minimisation of adverse effects specifically encouraged collaboration between the CBD, the Ramsar Convention, CMS, the International Association for Impact Assessment and IUCN – the World Conservation Union on this matter;

*Noting also* that CBD's Decision V/18 on impact assessment, liability and redress specifically encouraged similar cooperation in relation to the development of guidelines for incorporating biodiversity-related issues into legislation and/or processes on strategic environmental assessment, and included the CMS Scientific Council among those with whom cooperation was requested;

*Noting further* that the CBD-CMS Joint Work Programme 2002-2005, in section 10, includes actions relating to studies of migratory species and impact assessment, and to input concerning

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.10.

migratory species in guidelines for the integration of biodiversity considerations into impact assessment procedures;

*Welcoming* the endorsement by CBD COP6 of the “Guidelines for Incorporating Biodiversity-related Issues into Environmental Impact Assessment Legislation and/or Processes and in Strategic Environmental Assessment” annexed to its Decision VI/7; and

*Desiring* as always to maximise synergy and joint working efficiencies between all biodiversity-related Conventions;

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

1. *Emphasises* the importance of good quality environmental impact assessment (EIA) and strategic environmental assessment (SEA) as tools for implementing Article II (2) of the Convention on avoiding endangerment of migratory species and Article III (4) of the Convention on protection of Appendix I species, and as important elements to include in AGREEMENTS concluded under Article IV (3) of the Convention in respect of Appendix II species, and in agreements concluded under Article IV (4) of the Convention in respect of Appendix II and other species;
2. *Urges* Parties to include in EIA and SEA, wherever relevant, as complete a consideration as possible of effects involving impediments to migration, in furtherance of Article III (4) (b) of the Convention, of transboundary effects on migratory species, and of impacts on migratory patterns or on migratory ranges;
3. *Further urges* Parties to make use, as appropriate, of the “Guidelines for Incorporating Biodiversity-related Issues into Environmental Impact Assessment Legislation and/or Processes and in Strategic Environmental Assessment” endorsed by Decision VI/7 of CBD COP 6;
4. *Requests* the Secretariat to establish cooperative links with the International Association for Impact Assessment in furtherance of the matters specified in this resolution, and on other matters of mutual interest;
5. *Further requests* the Secretariat to pursue its contacts with secretariats of other multilateral environmental agreements in evaluating with them the potential implications of the decisions of their Conferences of the Parties on the conservation of migratory species;
6. *Encourages* Parties to establish contact with relevant national contact points from within the networks of the International Association for Impact Assessment with a view to identifying sources of expertise and advice for assisting with migratory species-related impact assessment as part of impact assessment procedures in general;
7. *Requests* the Scientific Council, in cooperation with the International Association for Impact Assessment, the Scientific & Technical Review Panel of the Ramsar Convention on Wetlands, the Subsidiary Body on Scientific, Technical and Technological Advice of the CBD and other suitably qualified bodies, including CMS Agreements, to review existing international guidance in this field, identify gaps in relation to migratory species interests and if necessary, develop further guidance relating to migratory species issues for consideration and possible adoption by the Conference of the Parties at its eighth meeting; and
8. *Strongly encourages* Parties and others to make voluntary financial contributions to support the work of the Scientific Council in taking forward and developing further the matters covered by this resolution.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.3\*

### OIL POLLUTION AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* that Article II of the Convention acknowledges the need to take action to avoid any migratory species becoming endangered;

*Recalling also* the need to preserve wildlife in the marine environment as stipulated in the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention) as well as the Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region and Related Protocols (Abidjan Convention) and the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention);

*Recalling also* the provisions for the protection of the marine environment in the United Nations Convention on the Law of the Sea (UNCLOS) and in numerous conventions adopted under the aegis of the International Maritime Organization (IMO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Environment Programme (UNEP), and various regional seas agreements;

*Recalling also* non-marine aquatic and terrestrial conventions applicable at the international, regional, and national levels that address the problem of oil pollution;

*Acknowledging* Article VII of the Convention on Migratory Species that the Conference of the Parties may make recommendations to the Parties for improving the effectiveness of the convention;

*Considering* that the Strategic Plan for 2000-2005 adopted by Resolution 6.4 requires Parties to review the special problems faced by migratory animals in relation to various obstacles to migration and to propose remedial measures that may have widespread applicability;

*Recognising* that Resolution 4.5 directs the Scientific Council *inter alia* to recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention in particular with regard to the habitats of migratory species;

*Noting* that accidental spills and other discharges of crude and refined oils and wastes thereof represent an important hazard with well-known negative effects on nature and on different components of biodiversity;

*Concerned* about the continuing negative impacts of such accidents and other discharges on migratory species of wildlife, as well as on their food sources, by the synergistic effects of lethal and chronic toxicity, thermoregulation impairment and fouling, and by habitat degradation;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.11.

*Aware* of the need to monitor regularly and assess the actual impacts of oil pollution by exchange of international experience and existing monitoring programmes; and

*Noting* the potential risk that significant numbers of migratory wildlife may be killed unnoticed every year in aquatic and terrestrial environments and *wishing* to minimise the adverse effects on these environments through measures to prevent the accidental release and to regulate the intentional release of crude and refined oils and wastes thereof;

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

1. *Calls* upon the Parties:
  - (a) where feasible and appropriate, to implement a monitoring process in order to assess the cumulative environmental impacts of oil pollution on migratory species;
  - (b) to develop, apply and, where necessary, strengthen comprehensive environmental protection legislation;
  - (c) to develop, apply and, where necessary, strengthen measures to enforce such legislation at sea, in freshwater systems and on land;
  - (d) to develop, apply and strengthen, as necessary, measures of preparedness to respond to oil spills, such as facilities and trained personnel;
  - (e) where appropriate, to apply existing and further develop guidelines for the treatment of oil-affected wildlife with a view to rehabilitating the individuals involved;
  - (f) to seek appropriate partnerships with industry to address oil pollution, taking the “polluter pays principle” fully into account; and
  - (g) to take full account of the precautionary principle in the location of oil installations and movement of oil containers in relation to migratory species habitats;
2. *Invites* the Scientific Council to consider the role CMS may play in addressing oil pollution by:
  - (a) considering the state of knowledge relating to this threat;
  - (b) reviewing existing plans and provisions to address oil pollution; and
  - (c) similarly, reviewing existing relevant programmes for training and information exchange; and
3. *Invites* all relevant international, regional and national organizations and bodies to cooperate with CMS in efforts to prevent oil pollution and to minimise the negative impacts on migratory species of the release of crude and refined oils into the environment.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.4\*

### ELECTROCUTION OF MIGRATORY BIRDS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recognising* that, under Article II of the Convention, Range States agree to take action for the conservation of migratory species whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitats;

*Recognising* that Article II of the Convention requires all Parties to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention;

*Recognising* that Article III (4) (b) of the Convention requires Parties to endeavour *inter alia* to prevent, remove, compensate for or minimise, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of migratory species;

*Concerned* by the information presented in document UNEP/CMS/Inf.7.21 to the Seventh Meeting of the Conference of the Parties concerning the worldwide and increasing impact of electricity transmission lines, conductors and towers in causing injury and death by electrocution to species of large birds, including migratory species;

*Noting* that a significant number of migratory bird species that are significantly exposed to electrocution danger are listed in the Appendices to the Convention;

*Concerned* that such species are increasingly threatened by continuing construction of medium-voltage overhead transmission lines;

*Concerned particularly* that, without action to reduce or mitigate threats of electrocution, many populations and potentially species, including *Aquila adalberti* and *Hieraaetus fasciatus*, may be severely affected;

*Recognising* that, especially in arid zones, electrocution of birds on transmission lines can cause disastrous forest fires affecting both wildlife and people;

*Desiring* to raise awareness among the public, developers and decision-makers of the serious, widespread electrocution risk posed to birds;

*Aware* that technical solutions are available to eliminate or minimise transmission line electrocution risk posed to birds;

*Recognising* that power lines that are considered safer for birds also correspond to a better energy supply and therefore are an advantage to supplying companies;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.12.

*Bearing in mind* that collision with power lines is also a problem for birds, and that preventive measures should also be applied to mitigate its effects; and

*Bearing in mind* that electrocution on electricity transmission lines of railway infrastructure may also be a problem, and preventive measures should be envisaged;

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

1. *Calls* on all Parties and non-Parties to curb the increasing electrocution risk from medium-voltage transmission lines to migratory birds and to minimise this risk in the long term;
2. *Calls* on all Parties and non-Parties to include appropriate measures in legislation and other provisions for planning and consenting medium-voltage electricity transmission lines and associated towers, to secure safe constructions and thus minimise electrocution impacts on birds;
3. *Encourages* constructors and operators of new medium-voltage transmission lines and associated towers to incorporate appropriate measures aimed at protecting migrating birds against electrocution;
4. *Calls* on Parties and non-Parties to appropriately neutralise existing towers and parts of medium-voltage transmission lines to ensure that migratory birds are protected against electrocution;
5. *Invites* all concerned to apply as far as possible the catalogue of measures contained in document UNEP/CMS/Inf.7.21, which are based on the principle that birds should not be allowed to sit on parts that are dangerously close to the transmission parts under voltage;
6. *Encourages* constructors and operators to cooperate with ornithologists, conservation organizations, competent authorities and appropriate financial bodies in order to reduce the electrocution risk posed to birds from transmission lines; and
7. *Requests* the Secretariat to collect more information with respect to collisions and electrocutions on electricity transmission lines of railway infrastructure and other related issues.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.5\*

### WIND TURBINES AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* that Article II of the Convention acknowledges the need to take action to avoid any migratory species becoming endangered;

*Recalling also* the need to preserve wildlife in the marine environment as stipulated in the relevant legislation of the European Community and in the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the Helsinki Convention on the Protection of the Baltic Sea Area, the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and the Bergen Declaration of the Fifth International Conference on the Protection of the North Sea;

*Acknowledging* Article VII of the Convention whereby the Conference of the Parties may make recommendations to the Parties for improving the effectiveness of this Convention;

*Considering* that the Strategic Plan for 2000 - 2005 adopted by Resolution 6.4 requires Parties to review the special problems faced by migratory animals in relation to various obstacles to migration and to propose remedial measures that may have widespread applicability;

*Recognising* that Resolution 4.5 directs the Scientific Council *inter alia* to recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention in particular with regard to the habitats of migratory species;

*Recognising* the environmental benefits of wind energy especially for addressing climate change, and the significance of reducing climate change for the long-term survival of migratory species;

*Noting* that wind turbines especially in marine areas represent a new technique of large scale energy production, the actual effects of which on nature and on different components of biodiversity cannot be fully assessed or predicted at present;

*Recognising* the lack of sufficient and relevant research on such effects, especially on nature, and the lack of data on the distribution and migration of species concerned;

*Concerned* about the possible negative impacts of wind turbines on migratory species of mammals and birds, as well as on their food sources and habitats *e.g.*:

- (a) destruction or disturbance of permanent or temporary feeding, resting, and breeding habitats;
- (b) increased collision risk for birds in flight;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.13.



- (c) through electric and magnetic fields of connecting power cables; or
- (d) emission of noise and vibrations into the water;

*Recognising* the need for a thorough environmental impact assessment prior to selecting appropriate building sites and issuing construction permits, in order to avoid areas of particular ecological value and habitats with high nature conservation needs;

*Aware* of the need to regularly monitor and assess the actual impacts of wind turbines by exchange of international experience and site-specific effect monitoring programmes in existing wind turbine plants; and

*Noting* especially the potential risk that several hundred of such marine installations with heights up to 150 metres may present as obstacles in flyways, and wishing to minimise possible adverse effects on nature;

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

1. *Calls* upon the Parties:

- (a) to identify areas where migratory species are vulnerable to wind turbines and where wind turbines should be evaluated to protect migratory species;
- (b) to apply and strengthen, where major developments of wind turbines are planned, comprehensive strategic environmental impact assessment procedures to identify appropriate construction sites;
- (c) to evaluate the possible negative ecological impacts of wind turbines on nature, particularly migratory species, prior to deciding upon permission for wind turbines;
- (d) to assess the cumulative environmental impacts of installed wind turbines on migratory species;
- (e) to take full account of the precautionary principle in the development of wind turbine plants, and to develop wind energy parks taking account of environmental impact data and monitoring information as it emerges and taking account of exchange of information provided through the spatial planning processes;

2. *Instructs* the Scientific Council to assess existing and potential threats from offshore wind turbines in relation to migratory mammals and birds, including their habitats and food sources, to develop specific guidelines for the establishment of such plants and to report to the Conference of the Parties accordingly at its next meeting; and

3. *Invites* relevant intergovernmental organizations as well as the European Community and the private sector to cooperate with CMS in efforts to minimise possible negative impacts of offshore wind turbines on migratory species.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.6\*

### IMPLEMENTATION OF THE CMS STRATEGIC PLAN

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Resolution 6.4 whereby the Strategic Plan for the Convention on the Conservation of Migratory Species of Wild Animals (2000-2005) is elaborated;

*Considering* the Secretariat's report (document UNEP/CMS/Conf.7.10) reviewing the Strategic Plan's implementation; and

*Taking into account* with appreciation the work of the *ad hoc* Strategic Plan Working Group, as reflected in its sessional reports submitted to the Conference of the Parties;

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

1. *Confirms* the need for intersessional work on the elaboration of the next Strategic Plan;
2. *Approves* the continuation of the Working Group's work in the intersessional period between the seventh and eighth meetings of the Conference of the Parties; and
3. *Decides* to set up an open-ended working group under the chairmanship of Switzerland with the task of drafting the next Strategic Plan for consideration at the Eighth Meeting of the Conference of the Parties, taking into account the issues raised with respect to the current Strategic Plan 2000-2005, and *requests* it to submit a first report to the next meeting of the Standing Committee.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.3.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.7\*

### IMPLEMENTATION OF EXISTING AGREEMENTS AND DEVELOPMENT OF FUTURE AGREEMENTS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

*Recognising* that Agreements, including Memoranda of Understanding (MoU), represent one of the key operational tools of the Convention on Migratory Species;

*Recalling* Strategic Plan Resolutions 4.4 (Nairobi, 1994), 5.4 (Geneva, 1997) and 6.4 (Cape Town, 1999) which *inter alia* stimulate the conclusion of Agreements and MoU to conserve migratory species listed in the Convention's appendices, call for Parties to take the lead and, where applicable, establish partnerships between developing and developed Party countries;

*Referring* to Recommendations 6.3, 6.4 and 6.5 (Cape Town, 1999) on Sahelo-Saharan antelopes, Houbara bustards and African elephants in Western and Central Africa;

*Noting with satisfaction* the progress made since COP 6 (Cape Town, 1999) with regard to the conclusion and implementation of Article IV Agreements;

*Emphasising* the importance of the rapid entry into force of the Agreement on the Conservation of Albatrosses and Petrels (ACAP);

*Paying tribute* to H.R.H. the Prince of Wales for his welcoming address to the Seventh Meeting of the Conference of the Parties in which he calls upon "the world community, and especially the governments of the Range States and those with relevant fishing fleets, with the help of international organisations, to ratify [ACAP] and to get it working so as to reduce as soon as possible the factors which have brought these splendid birds to the brink of extinction"; and

*Referring* to the report of the Secretariat in documents UNEP/CMS/Conf.7.9, UNEP/CMS/Conf.7.9.1 and UNEP/CMS/Conf.7.9.2, as well as the reports\*\* of the Secretariats of the various Agreements concluded under the aegis of CMS;

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

1. With regard to Agreements already concluded:
  - (a) *Expresses* its satisfaction with the achievements made to conclude and implement CMS Agreements;

\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.2.

\*\* UNEP/CMS/Inf.7.17.1, UNEP/CMS/Inf.7.17.2, UNEP/CMS/Inf.7.17.3.

- (b) *Encourages* the examination and further use of CMS Agreements by all relevant stakeholders;
  - (c) *Encourages* the Secretariat to continue exploring partnerships with interested organizations specialised in the conservation and management of migratory species for the provision of secretariat services for selected MoU; and
  - (d) *Calls upon* all Range States that have not yet done so to sign, ratify or accede, as appropriate, to CMS Agreements and to contribute to their implementation;
2. With regard to Agreements under development:

### BIRDS

- (a) ***Houbara Bustard***
  - i. *Takes note* of the information provided by the representative of the Kingdom of Saudi Arabia that an updated text of an Agreement and Action Plan on the Asiatic populations of the Houbara Bustard is ready for official dissemination and comment;
  - ii. *Takes further note* that an informal meeting to review the updated text will be held some time in early 2003; and
  - iii. *Welcomes* the information that the Kingdom of Saudi Arabia will hold a meeting of the Range States to conclude the Agreement and Action Plan in late 2003;
- (b) ***Aquatic Warbler***
  - i. *Acknowledges* the results already achieved by BirdLife International to prepare a Memorandum of Understanding on the Aquatic warbler in close cooperation with the Secretariat;
  - ii. *Endorses* preparations for a Range State meeting by the end of 2002 or in early 2003 to finalise the Memorandum of Understanding; and
  - iii. *Agrees* with the Secretariat's intention to support financially the preparation and holding of the Range State meeting;
- (c) ***Sand Grouse***
  - i. *Welcomes* South Africa's initiative to continue to develop and conclude among Botswana, Namibia and South Africa a Memorandum of Understanding on the Sand grouse; and
  - ii. *Encourages* the Range States to seek an early conclusion to their work;

### FISH

- (d) ***Sturgeons***
  - i. *Calls upon* CMS Party Range States of sturgeons listed in CMS Appendices to take the lead to develop an appropriate CMS instrument on sturgeons;

- ii. *Urges* the resumption of cooperative activities among the lead country, IUCN, the CMS Secretariat and the CITES Secretariat, as appropriate; and
- iii. *Invites* the CITES Conference of the Parties to encourage closer collaboration between the CMS and CITES Secretariats with respect to sturgeon conservation in view of the strategic priorities of these two complementary conventions;

### **MARINE REPTILES**

(e) ***Marine Turtles***

*Endorses* the Secretariat's proposal to explore, by the most appropriate means, the possible development of an instrument for Marine turtles in the Pacific Ocean, within the context of the CMS Strategic Plan and the existing CMS Indian Ocean-South-East Asian Marine Turtle MoU, and to allocate sufficient resources for this purpose;

### **MARINE MAMMALS**

(f) ***Small Cetaceans and Sirenians in West Africa***

*Supports* the development of an appropriate CMS instrument on small cetaceans and sirenians in West Africa pursuant to Recommendation 7.3, and the allocation of sufficient resources for this purpose;

(g) ***Small Cetaceans and Dugongs in South-East Asia***

*Supports* the development of an appropriate CMS instrument on small cetaceans and dugongs in South-East Asia pursuant to Recommendation 7.4, if the reaction from Range States is positive, and the allocation of sufficient resources for this purpose;

(h) ***Other Marine Mammals***

- i. *Invites* the Secretariat to monitor the non-governmental initiative on cetaceans in the Indian Ocean referred to in its report (document UNEP/CMS/Conf.7.9.2) and as appropriate explore further options with regard to the development of a CMS instrument; and
- ii. *Supports* the development of an appropriate CMS instrument on Dugong pursuant to Recommendation 7.5;

### **TERRESTRIAL MAMMALS**

(i) ***Sahelo-Saharan Antelopes***

- i. *Acknowledges* the progress made to date to implement the Action Plan adopted in Djerba in February 1998;
- ii. *Agrees* to the future role of the CMS Secretariat as fund manager and administrator for the FFEM (Fonds Français pour l'Environnement Mondial) project; and
- iii. *Supports* the Secretariat's plan to develop an Agreement in close contact with the Sahelo-Saharan Antelope Working Group as requested by the Djerba Workshop;

(j) ***Saiga Antelope***

- i. *Acknowledges* the excellent cooperation between various national and international organizations that has taken place thus far, as well as the progress made to date to develop a Memorandum of Understanding and an Action Plan regarding *Saiga tatarica tatarica*;
- ii. *Encourages* the early conclusion and opening for signature of the Memorandum of Understanding and Action Plan by the Range States; and
- iii. *Invites* the CITES Conference of the Parties to acknowledge and endorse further cooperation between the CMS and CITES Secretariats with regard to the finalisation and conclusion of the Memorandum of Understanding and Action Plan;

(k) ***Mongolian Gazelle***

- i. *Supports* the Secretariat's intention to coordinate with the Range States of the Mongolian gazelle to establish the basis for improved coordinated conservation and sustainable use; and
- ii. *Agrees* that sufficient funding for this purpose should be provided by CMS and requested from other sources;

(l) ***African Elephant***

*Invites* the Secretariat and the Scientific Council to assist the lead country in its endeavour to organise the work relevant to the African Elephant as outlined in Recommendation 6.5 (Cape Town, 1999);

(m) ***Bats***

- i. *Takes note* of the Secretariat-commissioned study on the feasibility of developing additional bats Agreements under CMS (document ScC.11/Doc.7);
- ii. *Encourages* the Secretariat to continue its activities in this field, including exploring the potential to develop further CMS Agreements on bats;
- iii. *Invites* the Scientific Council to have a substantial discussion on bats at its next meeting; and
- iv. *Invites* Parties to consider developing and submitting proposals to list additional bat species in the CMS Appendices.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.8\*

### IMPLEMENTATION OF THE CMS INFORMATION MANAGEMENT PLAN

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Resolution 6.5 (Cape Town, 1999), which outlines the objectives of the Information Management Plan and identifies the priority actions to be carried out by the end of 2004;

*Noting* with satisfaction, the progress made by the Secretariat and the UNEP World Conservation Monitoring Centre (UNEP-WCMC) in implementing many of the identified priority actions, including a synthesis of the Party reports to CMS and its related Agreements, the design of a standard new reporting format for CMS Parties, and the development of a CMS Information Management System bringing together information from Party reports, knowledge generated within CMS and other biodiversity agreements, and data from various expert organizations;

*Acknowledging* the generous support by the German Government and all other cooperating institutions to the development of GROMS, which is complementary to the Web-based Information System of UNEP-WCMC and provides information not only for the Convention, its Agreements and Memoranda of Understanding, but also for other biodiversity-related conventions with which cooperation is ongoing or intended;

*Recognising* that the quantity and quality of the information supplied in Party reports needs to be enhanced in order to enable the production of robust, coherent conclusions regarding the results of implementation of the Convention;

*Appreciating* the potential of the syntheses to bring together in a synoptic manner a wealth of information on the activities, knowledge, strengths and needs of the CMS Parties, and to identify relevant issues across regions or about CMS-listed taxa requiring special attention;

*Recognising further* that the strength of the conclusions of these syntheses depends crucially on the comprehensiveness and timeliness of the information submitted by all Parties to the Convention; and

*Recognising* that the Standing Committee, at its 23<sup>rd</sup> meeting, reiterated the need for linking of GROMS with other CMS databases, that the Scientific Council, at its 11<sup>th</sup> meeting, linked its information needs to GROMS and that the Secretariat made a proposal for the future of GROMS to the Seventh Meeting of the Conference of the Parties (document UNEP/CMS/Conf.7.7);

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.4.

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

1. *Commends* the development of the new format for Party reports, and *recommends* that after undertaking some necessary fine tuning based on the lessons learned from the voluntary use of the format by many Parties in the production of their 2002 reports, the final version of the format be presented to the 26th meeting of the CMS Standing Committee for final approval and formal adoption;
2. *Recommends* further that Parties be provided with feedback on the ways in which their subsequent national reports could be enhanced, in line with the guidelines already provided in the new report format;
3. *Welcomes* the production of the Synthesis of Party Reports, in anticipation of each meeting of the Conference of the Parties, in recognition of the importance of these documents to the CMS Information Management Plan;
4. *Encourages* Parties to submit their national reports in a timely and comprehensive manner, to enable the objectives of the CMS Information Management Plan to realise their full potential;
5. *Commends* the structure, content and presentation of the pilot CMS Information System as an innovative resource tool among biodiversity-related conventions, which will enable CMS to better fulfill its contribution to the Convention on Biological Diversity (CBD), and *invites* Parties to use the Information System and provide feedback on its content and presentation;
6. *Instructs* the Secretariat:
  - (a) to provide technical capacity to facilitate the transfer of knowledge on the application of the CMS Information System to developing countries, to support these countries in their implementation of the Convention more effectively;
  - (b) to continue with the implementation of the remaining actions prioritised in Resolution 6.5, to further develop a flexible CMS Information System, responding to identified needs and, whenever possible, to the feedback provided by users of the System;
  - (c) to continue to take into account the developments implemented by international organizations relevant to CMS, and link to them when necessary in order to promote complementarity and synergy among the information systems of those organizations and the CMS Information System;
  - (d) to take the lead in a process of evaluation of the information needs and appropriate generation and dissemination mechanisms, particularly in developing countries, set up in consultation with different stakeholders, such as key organizations, institutions, and experts. The future of GROMS and its integration into the CMS Information Management Plan should be guided by this consultation group and the Secretariat;
  - (e) to continue to populate the CMS Electronic Library, with information relevant to the assessment of species and regions covered by the Convention; and
  - (f) to consider the possibility of distributing as much information as possible from the CMS Information System and GROMS in a CD-ROM format, in order to facilitate access to this information by Parties that still have difficulties accessing information through the Internet;



7. *Invites* Parties, organizations and funding agencies to contribute to the further maintenance and funding of GROMS and the Web-based CMS Information System; and
8. *Encourages* GROMS to strengthen its complementary character and to develop the necessary synergies with other existing databases related, in particular, to that developed by the CBD, as well as the Web-based CMS Information System developed by UNEP-WCMC.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.9\*

### COOPERATION WITH OTHER BODIES AND PROCESSES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recognising* that CMS is the only global United Nations-based mechanism addressing comprehensively all migratory species and that it provides an international legal framework through which States can work together to conserve migratory species across their migratory range;

*Acknowledging* that the Strategic Plan for the Convention on Migratory Species 2000-2005 recognises that the aims and objectives of CMS complement and reinforce those of other biodiversity-related international instruments, while stressing the need for co-operation in areas of mutual interest;

*Recalling also* Resolution 4.4 (Nairobi, 1994), Action point 1, and Resolution 5.4 (Geneva, 1997), Objective 8.1;

*Emphasising* the need for synergy to be developed within a global context, involving the main global biodiversity-related conventions;

*Emphasising further* the need for CMS to strengthen orderly institutional linkages with partner organizations, and to define the scope of their responsibility and the ways to improve, in the most efficient way, their tasks and to enhance their synergetic effect; and

*Noting* with satisfaction the CMS Secretariat's successful progress since the Sixth Meeting of the Conference of the Parties to endeavour to conclude memoranda of understanding with a number of its counterparts;

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

1. *Reaffirms* the interest of CMS to develop strong collaborative arrangements with other biodiversity-related instruments and international organizations;
2. With regard to the CBD:
  - (a) *Welcomes and endorses* the CBD-CMS Joint Work Programme reproduced as document UNEP/CMS/Inf.7.13;
  - (b) *Notes* that CMS Parties have the primary responsibility to implement the CBD-CMS Joint Work Programme, and *urges* those Parties to take the Joint Work Programme fully into consideration in their work on migratory species conservation and

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.5.

- sustainable use within CMS and CBD, including the provision of voluntary financial or in-kind contributions;
- (c) *Requests* the CMS Scientific Council and the Executive Secretary to take the CBD-CMS Joint Work Programme fully into consideration in developing and implementing the CMS Strategic Plan and the CMS work programme;
  - (d) *Invites* the decision-making and advisory bodies of the Agreements concluded under the auspices of CMS to expeditiously consider, endorse and implement the CBD-CMS Joint Work Programme, as appropriate;
  - (e) *Invites* CMS Parties and international organizations to submit to the CMS Secretariat case studies on migratory species and their habitats, relevant to the thematic areas and cross-cutting issues under the CBD as specified in the CBD-CMS Joint Work Programme;
  - (f) *Invites* the CMS Secretariat to collaborate with the CBD Secretariat in generating guidance to integrate migratory species into national biodiversity strategies and action plans, and on-going and future programmes of work under the CBD, and invites the CMS Scientific Council and Contracting Parties to actively contribute to this work; and
  - (g) *Invites* the CMS Secretariat and UNEP-WCMC to work closely with the CBD Secretariat in developing a format for CBD Parties to report, through their national reports, on the extent to which they address migratory species at the national level, and on cooperation with other Range States as part of on-going efforts to harmonise national reporting requirements of the biodiversity-related conventions;
3. *Welcomes and endorses* the Memorandum of Understanding between the Secretariats of CMS and the International Whaling Commission;
4. *Welcomes and endorses* the Memorandum of Understanding between the Secretariat of CMS and UNESCO;
5. *Welcomes and endorses* the Memorandum of Understanding between the Secretariats of CMS and CITES;
6. *Notes* the progress made to develop joint work programmes with the Ramsar Convention on Wetlands and Wetlands International, and *urges* their timely completion;
7. *Encourages* the Secretariat to continue its endeavours to establish or intensify collaboration with other organizations, including the conclusion of memoranda of understanding and joint work programmes;
8. *Invites* the Secretariats of Agreements concluded under the auspices of CMS to share relevant information and to contribute to the implementation of the memoranda of understanding between CMS and other organizations, as appropriate;
9. With regard to the Millennium Ecosystem Assessment (MA):
- (a) *Notes* the progress being made to develop the MA and *acknowledges* the MA as broadly relevant to CMS because migratory species are components of the ecosystems and regions under assessment;

- (b) *Invites* the MA to integrate, within the limits of its conceptual design, migratory species and their habitats into the further design and execution of the Assessment, taking into consideration the importance of the migratory range approach;
- (c) *Urges* Party and non-Party Range States to integrate consideration of relevant migratory species and their habitats into the MA sub-global assessments in which they may be participating;
- (d) *Urges* Parties to nominate relevant experts on migratory species to the MA Secretariat, and to contribute as authors, review editors, and reviewers of the MA products;
- (e) *Invites* the Parties and the CMS Scientific Council as appropriate to review the outputs of MA when they are available in 2004-2005; and
- (f) *Invites* the MA to collaborate with the Scientific Council to examine more closely how the MA could benefit the Convention and the Parties.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.10\*

### IMPLICATIONS FOR CMS OF THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

*Noting* that Governments agreed at the World Summit on Sustainable Development (WSSD) to achieve by 2010 a significant reduction in the current rate of loss of biological diversity;

*Acknowledging* that to achieve this target States will need to place special emphasis on the conservation of migratory species and their habitats, both individually at national levels, and through coordinated concerted and co-operative actions across migratory ranges;

*Aware* that one of the outcomes of the WSSD was a renewed awareness of and commitment towards fostering partnerships to achieve the goals of Agenda 21 and, now, the Johannesburg Plan of Implementation;

*Recognising* that the CMS family of Agreements is an example of how to catalyse partnerships, in this case among States that share migratory species as a common natural heritage and collaborating organizations;

*Aware also* that another important outcome of the WSSD was a renewed consensus that significantly reducing the loss of biodiversity is a priority to achieve sustainable livelihoods for all and that the conservation and, where appropriate, sustainable use of migratory species and their habitats can contribute effectively to this while helping to support poverty eradication efforts;

*Further aware* that Governments agreed at the WSSD to achieve sustainable fisheries, especially the restoration of depleted stocks, by 2015 and that judging a fishery's sustainability must be based not only on the direct impacts on the target fishery itself, but also on the direct and indirect impacts the fishery has on other animals, including those with migratory behaviour, and their habitats; and

*Supporting* the call at the WSSD for States that have not already done so to ratify biodiversity-related agreements, such as the Convention on the Conservation of Migratory Species of Wild Animals;

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

1. *Takes note* of the Johannesburg Declaration on Sustainable Development;
2. *Urges* Parties and non-Parties, as far as consistent with the text of the Convention, to integrate

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.14.

the conservation and sustainable use of migratory species and their habitats into their policies, plans and programmes in order to implement the Plan of Implementation;

3. *Invites* Parties and non-Parties to increase their efforts to link their national activities to internationally agreed concerted and coordinated programmes, as well as actions initiated by CMS, to conserve and, where appropriate, sustainably use migratory species; and

4. *Urges* those States that have not already done so to sign, ratify or accede to the Convention on Migratory Species and, where appropriate, the Agreements concluded under its aegis.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.11\*

### FINANCIAL AND ADMINISTRATIVE MATTERS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Article VII, paragraph 4, of the Convention which states:

“The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference”;

*Acknowledging* with appreciation the financial and other support provided by the United Nations Environment Programme (UNEP) and the Parties to the Convention, with special thanks to the Depositary Government for its annual voluntary contribution of EUR 50,000 in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention;

*Noting* the very serious economic difficulties being experienced in some Parties which have been brought to the attention of the Standing Committee and the need to allow flexibility in applying the United Nations scale of contributions to the countries affected;

*Recognising* the need to strengthen the capacity of the Secretariat of the Convention to enable it to better serve the Parties in all regions;

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities; and

*Noting* the considerable number of Parties as well as organizations attending the meeting of the Conference of the Parties as observers, and the resulting additional expenditure to Parties so incurred;

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

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the budget for 2003-2005 attached as Annex 1 to this resolution;
3. *Agrees* to the scale of contributions of Parties to the Convention as listed in Annex 2 to this resolution and to the application of that scale *pro rata* to new Parties;

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.7.

4. *Requests* all Parties to pay their contributions promptly as far as possible but in any case not later than the end of June in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
5. *Takes note* of the medium-term plan for 2003-2008 attached as Annex 3 to this resolution and of the priorities outlined in the Strategic Plan (Resolution 6.4, Cape Town, 1999);
6. *Instructs* the Standing Committee to scrutinise the status of the Trust Fund with particular care inter-sessionally in view of the exceptional withdrawals envisaged to cover the costs of the Eighth Meeting of the Conference of Parties and, assisted by the Scientific Council, to prioritise project proposals to be funded from the Trust Fund for the period 2003-2005;
7. *Invites* Parties to consider the feasibility of providing technical experts to the Secretariat to increase its technical capacity in accordance with the United Nations rules and regulations and to agree on providing modest funding within the approved CMS budget to cover the difference in cost and applicable UNEP overhead charges for such staff;
8. *Urges* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the Convention throughout the triennium;
9. *Invites* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;
10. *Takes note* of document UNEP/CMS/Conf.7.13.1 and expresses its concern over the outstanding unpaid pledges to the CMS Trust Fund and *urges* the Governments concerned to pay their contributions in a timely manner;
11. *Approves* the establishment or upgrading of the following posts, subject to the classification of the posts by the United Nations:
  - P4: Inter-Agency Liaison Officer (from 2004)
  - G4: Registry Assistant
  - G5: Administrative Assistant (from G4);
12. *Instructs* the Secretariat to pursue with UNEP the outstanding issues of a G6 Finance Assistant being paid for from UNEP programme support costs, with reference to Resolution 6.8, paragraph 10 (Cape Town, 1999), and to report back to the Standing Committee at its 26<sup>th</sup> meeting;
13. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 2005; and
14. *Approves* the terms of reference for the administration of the Trust Fund as set out in Annex 4 to the present resolution, for the period 2003-2005.



## Annex 1 to Resolution 7.11

## Budget Estimates for 2003-2005 allocated to functional work units (expressed in US Dollars)

Budget line	Description	2003	2004	2005	Total
	<b><i>Executive Direction and Management</i></b>				
1100	Professional staff				
	1 D1, 1 P5, 1 P4	216,000	320,000	322,000	858,000
1300	General Service staff				
	1 G6, 1 G5	93,000	95,000	97,000	285,000
	<b>Subtotal</b>	<b>309,000</b>	<b>415,000</b>	<b>419,000</b>	<b>1,143,000</b>
	<b><i>External Staff</i></b>				
1202	Consultancies - COP servicing (salary/travel)	0	0	182,600	182,600
1220	Consultancies - experts	20,000	20,000	20,000	60,000
1321	Temporary assistance	7,000	7,000	11,000	25,000
	<b>Subtotal</b>	<b>27,000</b>	<b>27,000</b>	<b>213,600</b>	<b>267,600</b>
	<b><i>External Relations</i></b>				
2252	Projects: Evaluation of CMS implementation	0	10,000	10,000	20,000
2253	Projects: Implementation measures <sup>4</sup>				0
3301	Standing Committee meeting	15,000	16,000	17,000	48,000
3302	Regional Meetings (co-funding)	30,000	30,000	30,000	90,000
3304	Support to delegates to attend Conference of the Parties	0	0	150,000	150,000
5400	Hospitality	500	500	500	1,500
	<b>Subtotal</b>	<b>45,500</b>	<b>56,500</b>	<b>207,500</b>	<b>309,500</b>
	<b>Total Executive Direction and Management</b>	<b>381,500</b>	<b>498,500</b>	<b>840,100</b>	<b>1,720,100</b>
	<b><i>Agreement Development and Servicing</i></b>				
1100	Professional staff				
	1 P4	96,000	97,000	98,000	291,000
1300	General Service staff				
	1 G4	41,000	42,000	43,000	126,000
	<b>Subtotal</b>	<b>137,000</b>	<b>139,000</b>	<b>141,000</b>	<b>417,000</b>
	<b><i>Range State Meetings</i></b>				
3305	Siberian Crane Range State meeting	40,000	0	42,000	82,000
3306	Marine Turtle Range State meetings (Africa,IOSEA)	45,000	45,000	45,000	135,000
3307	Houbara Bustard Range State meeting	30,000	0	0	30,000
3308	Sahelo-Saharan Antelopes Range State meeting	45,000	0	45,000	90,000
3309	Great Bustard Range State meeting	0	30,000	0	30,000
3310	Agreement Development <sup>4</sup>				0
3320	Matching funds for other species-initiatives	30,000	40,000	50,000	120,000
	<b>Subtotal</b>	<b>190,000</b>	<b>115,000</b>	<b>182,000</b>	<b>487,000</b>
	<b>Total Agreement Development and Servicing</b>	<b>327,000</b>	<b>254,000</b>	<b>323,000</b>	<b>904,000</b>
	<b><i>Scientific and Technical Support</i></b>				
1100	Professional staff				
	1 P4, 1 Junior Professional Officer (gratis)	115,000	116,000	117,000	348,000
1300	General Service Staff				
	1 G4	41,000	42,000	43,000	126,000
	<b>Subtotal</b>	<b>156,000</b>	<b>158,000</b>	<b>160,000</b>	<b>474,000</b>
2251	Appendix I review reports	0	15,000	15,000	30,000
2254	Projects: Conservation Measures <sup>4</sup>				0
2255	Strategic Plan Development	10,000	10,000	10,000	30,000
3301	Support to participants to the Scientific Council meeting	0	75,000	75,000	150,000
	<b>Subtotal</b>	<b>10,000</b>	<b>100,000</b>	<b>100,000</b>	<b>210,000</b>
	<b>Total Scientific and Technical Support</b>	<b>166,000</b>	<b>258,000</b>	<b>260,000</b>	<b>684,000</b>

Budget line	Description	2003	2004	2005	Total
	<b>Information and Capacity-Building</b>				
1100	Professional staff				
	1 P4, 1 Junior Professional Officer (gratis)	88,000	89,000	90,000	267,000
1300	General Service staff				
	2 G4	82,000	84,000	86,000	252,000
	<b>Subtotal</b>	<b>170,000</b>	<b>173,000</b>	<b>176,000</b>	<b>519,000</b>
1201	Consultancies - translation	30,000	40,000	55,000	125,000
2273	Information Management Plan <sup>5</sup>				0
2274	CMS Web site	6,000	6,000	6,000	18,000
5201	Information materials	15,000	15,000	30,000	60,000
5202	Other printing (technical series etc.)	15,000	15,000	25,000	55,000
	<b>Subtotal</b>	<b>66,000</b>	<b>76,000</b>	<b>116,000</b>	<b>258,000</b>
	<b>Total Information and Capacity-Building</b>	<b>236,000</b>	<b>249,000</b>	<b>292,000</b>	<b>777,000</b>
	<b>Administration, Finance and Project Management</b>				
1100	Professional staff				
	1 P3 (OTL) <sup>1</sup> , 1 Junior Professional Officer (gratis)				0
1300	General Service staff				
	1 G6, 1G3	91,000	93,000	95,000	279,000
	<b>Subtotal</b>	<b>91,000</b>	<b>93,000</b>	<b>95,000</b>	<b>279,000</b>
	<i>Common secretariat costs</i>				
1601	Travel: Staff on mission	85,000	90,000	95,000	270,000
1602	Travel: Staff to COP8	0	0	30,000	30,000
3201	Staff development	13,500	14,400	15,300	43,200
4100	Office supplies	3,000	3,000	3,000	9,000
4200	Non-expendable equipment	20,000	15,000	10,000	45,000
4300	Premises <sup>3</sup>	0	0	0	0
5101	Maintenance of computers	2,000	2,000	2,000	6,000
5102	Maintenance of photocopier	3,000	3,000	3,000	9,000
5301	Communications (fax, telephone)	5,000	5,000	5,000	15,000
5302	Postage and Courier	5,000	5,000	5,000	15,000
5303	Miscellaneous	2,500	2,500	2,500	7,500
5304	Bank charges	500	500	500	1,500
	<b>Subtotal</b>	<b>139,500</b>	<b>140,400</b>	<b>171,300</b>	<b>451,200</b>
	<b>Total Administration, Finance and Project Management</b>	<b>230,500</b>	<b>233,400</b>	<b>266,300</b>	<b>730,200</b>
	<b>Grand subtotal</b>	<b>1,341,000</b>	<b>1,492,900</b>	<b>1,981,400</b>	<b>4,815,300</b>
6000	13% overhead cost	174,330	194,077	257,582	625,989
	<b>Grand total</b>	<b>1,515,330</b>	<b>1,686,977</b>	<b>2,238,982</b>	<b>5,441,289</b>
	Budget for 2001/2002 (for comparison) <sup>2</sup>	<b>1,504,595</b>	<b>1,504,595</b>	<b>1,820,430</b>	<b>4,829,620</b>
	Increase in comparison to 2001/2002 budget	10,735	182,382	418,552	611,669
1202	Less withdrawal from Trust Fund for consultancies - COP8 servicing (salary/travel)	0	0	182,600	182,600
3304	Less withdrawal from Trust Fund reserve for support to delegates to attend COP8	0	0	150,000	150,000
	Less withdrawal from Trust Fund reserve to reduce contributions	50,000	50,000	50,000	150,000
	<b>Budget to be shared by the Parties</b>	<b>1,465,330</b>	<b>1,636,977</b>	<b>1,856,382</b>	<b>4,958,689</b>
	Budget for 2001/2002 (for comparison) <sup>2</sup>	1,454,595	1,454,595	1,770,430	4,679,620
	Increase in comparison to 2001/2002 budget	10,735	182,382	85,952	279,069
	Increase in comparison to 2001/2002 budget (%)	<b>0.74</b>	<b>12.54</b>	<b>4.85</b>	<b>5.96</b>

<sup>1</sup> Funding from OTL

<sup>2</sup> For 2003 the budget from 2001 has been used for comparison  
 For 2004 the budget from 2001 has been used for comparison  
 For 2005 (year of the COP) the budget from 2002 has been used

<sup>3</sup> Paid by Host Government as long as the Secretariat remains in Germany

<sup>4</sup> Projects to be financed from withdrawal from the CMS Trust Fund:

Budget line	Description	2003	2004	2005	Total
2253	Projects: Implementation measures	111,666	111,667	111,667	335,000
2254	Projects: Conservation Measures	166,666	166,667	166,667	500,000
3310	Agreement Development	41,666	41,667	41,667	125,000
	<b>Total</b>	<b>319,998</b>	<b>320,001</b>	<b>320,001</b>	<b>960,000</b>
Average per year of triennium					320,000
Comparison to 2001-2002 biennial budget					350,000
Decrease in comparison to 2001-2002 budget					<b>(8.57%)</b>

<sup>5</sup> Projects to be financed by voluntary contribution and/or Trust Fund surplus:

Budget line	Description	2003	2004	2005	Total
2273	Information Management Plan	35,000	30,000	75,000	140,000

## Annex 2 to Resolution 7.11

## SCALE OF CONTRIBUTIONS TO THE TRUST FUND

N°	Party	UN Scale in %	2003	2004	2005
		2003	Contributions	Contributions	Contributions
1	Albania	0.003	96	107	122
2	Argentina	1.149	36,779	41,087	46,594
3	Australia	1.627	52,080	58,180	65,978
4	Belgium	1.129	36,139	40,372	45,783
5	Benin	0.002	64	72	81
6	Bulgaria	0.013	416	465	527
7	Burkina Faso	0.002	64	72	81
8	Cameroon	0.009	288	322	365
9	Chad	0.001	32	36	41
10	Chile	0.212	6,786	7,581	8,597
11	Congo	0.001	32	36	41
12	Croatia	0.039	1,248	1,395	1,582
13	Cyprus	0.038	1,216	1,359	1,541
14	Czech Republic	0.203	6,498	7,259	8,232
15	Democratic Republic of the Congo	0.004	128	143	162
16	Denmark	0.749	23,975	26,784	30,374
17	Egypt	0.081	2,593	2,897	3,285
18	Finland	0.522	16,709	18,666	21,168
19	France	6.466	206,975	231,219	262,210
20	Gambia	0.001	32	36	41
21	Georgia	0.005	160	179	203
22	Germany	9.769	312,703	349,332	396,154
23	Ghana	0.005	160	179	203
24	Greece	0.539	17,253	19,274	21,858
25	Guinea	0.003	96	107	122
26	Guinea-Bissau	0.001	32	36	41
27	Hungary	0.120	3,841	4,291	4,866
28	India	0.341	10,915	12,194	13,828
29	Ireland	0.294	9,411	10,513	11,922
30	Israel	0.415	13,284	14,840	16,829
31	Italy	5.065	162,121	181,112	205,386
32	Jordan	0.008	256	286	324
33	Kenya	0.008	256	286	324
34	Latvia	0.010	320	358	406
35	Libya	0.067	2,145	2,396	2,717
36	Liechtenstein	0.006	192	215	243
37	Lithuania	0.017	544	608	689
38	Luxembourg	0.080	2,561	2,861	3,244
39	Mali	0.002	64	72	81
40	Malta	0.015	480	536	608
41	Mauritania	0.001	32	36	41

42	Monaco	0.004	128	143	162
43	Mongolia	0.001	32	36	41
44	Morocco	0.044	1,408	1,573	1,784
45	Netherlands	1.738	55,633	62,150	70,480
46	New Zealand	0.241	7,714	8,618	9,773
47	Niger	0.001	32	36	41
48	Nigeria	0.068	2,177	2,432	2,758
49	Norway	0.646	20,678	23,100	26,197
50	Pakistan	0.061	1,953	2,181	2,474
51	Panama	0.018	576	644	730
52	Paraguay	0.016	512	572	649
53	Peru	0.118	3,777	4,220	4,785
54	Philippines	0.100	3,201	3,576	4,055
55	Poland	0.378	12,100	13,517	15,329
56	Portugal	0.462	14,788	16,521	18,735
57	Republic of Moldova	0.002	64	72	81
58	Romania	0.058	1,857	2,074	2,352
59	Sao Tome and Principe	0.001	32	36	41
60	Saudi Arabia	0.554	17,733	19,811	22,466
61	Senegal	0.005	160	179	203
62	Slovakia	0.043	1,376	1,538	1,744
63	Slovenia	0.081	2,593	2,897	3,285
64	Somalia	0.001	32	36	41
65	South Africa	0.408	13,060	14,590	16,545
66	Spain	2.519	80,624	90,069	102,141
67	Sri Lanka	0.016	512	572	649
68	Sweden	1.027	32,866	36,716	41,637
69	Switzerland	1.274	40,780	45,557	51,663
70	Tajikistan	0.001	32	36	41
71	The FYR of Macedonia	0.006	192	215	243
72	Togo	0.001	32	36	41
73	Tunisia	0.030	960	1,073	1,217
74	Uganda	0.005	160	179	203
75	Ukraine	0.053	1,697	1,895	2,149
76	United Kingdom of Great Britain and Northern Ireland	5.536	177,206	197,963	224,496
77	United Republic of Tanzania	0.004	128	143	162
78	Uruguay	0.080	2,561	2,861	3,244
79	Uzbekistan	0.011	352	393	446
80	EC *		36,633	40,924	46,410
	<b>Total</b>	<b>44.63</b>	<b>1,465,330</b>	<b>1,636,977</b>	<b>1,856,382</b>

\* Contribution of the European Community (2.5 percent of administrative costs, excluding any project costs).

## Annex 3 to Resolution 7.11

## Medium Term Plan 2003-2008

Budget Line	Descriptions	Estimated costs in United States Dollars					
		2003	2004	2005	2006	2007	2008
1100	Professional staff	515,000	622,000	627,000	540,750	653,100	658,350
1200	Consultants	50,000	60,000	257,600	52,500	63,000	270,480
1300	Administrative support	355,000	363,000	375,000	372,750	381,150	393,750
1600	Travel on official business	85,000	90,000	125,000	89,250	94,500	131,250
2200	Subcontracts and Subprojects	16,000	41,000	41,000	16,800	43,050	43,050
3300	Meetings and Training	248,500	250,400	469,300	260,925	262,920	492,765
4000	Equipment	23,000	18,000	13,000	24,150	18,900	13,650
5100	Operation and Maintenance	5,000	5,000	5,000	5,250	5,250	5,250
5200	Reporting costs and information material	30,000	30,000	55,000	31,500	31,500	57,750
5300	Sundry (communications)	13,000	13,000	13,000	13,650	13,650	13,650
5400	Hospitality	500	500	500	525	525	525
6000	UNEP Administrative costs	174,330	194,077	257,582	183,047	203,781	270,461
		1,515,330	1,686,977	2,238,982	1,591,097	1,771,326	2,350,931
	Less annual contribution from Trust Fund reserve for conservation measures			332,600			
	Less withdrawal from Trust Fund reserve to reduce contributions	50,000	50,000	50,000			
<b>Total</b>		<b>1,465,330</b>	<b>1,636,977</b>	<b>1,856,382</b>	<b>1,591,097</b>	<b>1,771,326</b>	<b>2,350,931</b>

**Annex 4 to Resolution 7.11**

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST  
FUND FOR THE CONVENTION ON THE CONSERVATION OF  
MIGRATORY SPECIES OF WILD ANIMALS

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 2003 and ending 31 December 2005.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 2005, the Executive Director of UNEP shall be so advised in writing immediately after the Eighth Meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 2003-2005 shall be derived from:
  - (a) The contributions made by the Parties by reference to Annex 2, including contributions from any new Parties;
  - (b) Further contributions from Parties and contributions from States not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined *pro rata* based on the contribution of other States Parties on the same level on the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis would be more than 22 per cent of the budget, the contribution of that Party shall be 22 per cent of the budget for the financial year of joining (or *pro rata* for a part-year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual installments. The contributions shall be due on 1 January 2003, 2004 and 2005.

Contributions shall be paid into the following account:

UNEP Trust Fund  
Account No. 485 000 326  
J.P. Morgan Chase  
International Agencies Banking  
1166 Avenue of the Americas, 17<sup>th</sup> Floor  
New York, N.Y. 10036-2708, USA  
Wire transfers: Chase ABA number 021000021  
SWIFT number BIC-CHASUS33  
CHIPS participant number 0002

9. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

12. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

13. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.

14. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 2003-2008, inclusive, and shall incorporate the budget for the financial period 2003-2005.

15. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.

16. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.

17. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, who shall seek the advice of the Standing Committee as to its priorities for expenditure.

18. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.



19. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second calendar year, provided that the total budget approved by the Parties shall not be exceeded, unless this is specifically sanctioned in writing by the Standing Committee.
20. At the end of each calendar year of the financial period<sup>1</sup>, the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, the accounts for the year. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.
21. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.
22. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
23. The present terms of reference shall be effective from 1 January 2003 to 31 December 2005.

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<sup>1</sup> The calendar year 1 January to 31 December is the accounting and financial year, but the accounts official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year have to be closed, and it is only then that the Executive Director can submit the accounts of the previous calendar year.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.12\*

### INSTITUTIONAL ARRANGEMENTS: SCIENTIFIC COUNCIL

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Resolution 6.7 adopted by the Conference of the Parties at its sixth meeting (Cape Town, 1999), concerning institutional arrangements for the Scientific Council;

*Aware* that the Scientific Council, as a consequence of the ever-growing number of Parties to CMS, has seen a corresponding growth in its membership, and that a review of its working practice is desirable to optimise its productivity and capability to deal with the scientific and technical aspects of numerous issues relevant to the conservation and sustainable use of migratory species;

*Noting* that the Scientific Council, at its 11<sup>th</sup> meeting held in Bonn from 14-17 September 2002, recommended the development of a strategy to guide the work of the Council, and has already commenced reflection on its working practices; and

*Noting further* the recommendation of the 11<sup>th</sup> meeting of the Scientific Council concerning the appointment of a new expert councillor for birds, as a consequence of the retirement from the Council of Dr. Michael Moser;

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

1. *Confirms* the continued application of all of the arrangements defined by Resolution 6.7, unless otherwise stipulated by this resolution;
2. *Decides* to formalise the involvement of the advisory bodies to CMS Agreements in the deliberations of the Scientific Council, by inviting them to participate as observers in the meetings of the Scientific Council;
3. *Instructs* the Scientific Council to produce a strategy on its scientific and conservation work, taking account of the ecology of species listed in the CMS Appendices as well as the factors which may threaten or endanger migratory species, leading to clear priorities for action and including appropriate consideration of monitoring the implementation of such a strategy;
4. *Further instructs* the Scientific Council to develop and provide, through the Secretariat, an information pack for Parties providing clear guidance on the *modus operandi* of the Scientific Council;
5. *Strongly encourages* Parties that have not already done so to duly nominate, in accordance with Article VIII of the Convention, a representative to serve on the Scientific Council and to provide

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.6.

all necessary contact details to the Secretariat, and to avail themselves of the possibility to appoint an alternate Councillor to attend Council meetings in the absence of the primary Councillor and/or to bring additional national expertise to the Council's deliberations;

6. *Notes* that Article VIII of the Convention provides also for the appointment by the Conference of the Parties of suitably qualified experts;

7. *Decides* to appoint for the 2003-2005 triennium the following six experts, with a view to providing expertise in specific areas:

- Dr. Colin Limpus (Australia) - marine turtles;
- Mr. John O'Sullivan (United Kingdom) - birds;
- Dr. William Perrin (United States) - marine mammals and large fishes;
- Dr. Pierre Pfeffer (France) - large terrestrial mammals;
- Dr. Roberto Schlatter (Chile) - Neotropical fauna; and
- Mr. Noritaka Ichida (Japan) - Asiatic fauna; and

8. *Determines* that expenses for the development of a scientific strategy be covered from the core budget or from voluntary contributions specifically granted to develop the strategy.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.13\*

### HEADQUARTERS AGREEMENT FOR, AND JURIDICAL PERSONALITY OF, THE CONVENTION SECRETARIAT

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Article IX of the Convention on the Conservation of Migratory Species of Wild Animals (1979), Decision 12/14, section IV, of the Governing Council of the United Nations Environment Programme (UNEP), of 1984, and Resolution 1.3 of the Conference of the Parties (Bonn, 1985), establishing the Convention Secretariat;

*Further recalling* the Secretariat's and the Federal Government of Germany's reports on the Headquarters Agreement to the Fifth and Sixth meetings of the Conference of Parties as well as the reports of the 16<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 22<sup>nd</sup> and 23<sup>rd</sup> meetings of the Standing Committee;

*Noting* with appreciation the generous support that the Convention Secretariat has received from the host Government on the basis of the Headquarters Agreement concluded in 1984 between the responsible representatives of the United Nations and the Government of the Federal Republic of Germany; and

*Desiring* to clarify the international juridical personality of the Convention Secretariat;

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

1. *Welcomes and endorses* the Agreement between the Government of the Federal Republic of Germany, the United Nations and the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals concerning the Headquarters of the Convention Secretariat;
2. *Recommends* the implementation of article 2, paragraph 2, of the Headquarters Agreement to the responsible bodies of the Agreements whose secretariats have been administratively integrated with the Convention Secretariat; and
3. *Notes* the current situation regarding the Secretariat's international juridical personality and defers further consideration of the matter until its Eighth Meeting.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.8.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.14\*

### DATE, VENUE AND FUNDING OF THE EIGHTH MEETING OF THE CONFERENCE OF THE PARTIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall “convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise”;

*Recalling also* Resolution 4.4 (Nairobi, 1994), Action point 2.2, which states that meetings of the Conference of the Parties should be held at intervals of roughly 2 ½ to 3 years and that Parties should be encouraged to host them in order to raise the profile of CMS in other regions; and

*Recognising* the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world;

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

1. *Commends* the Government of the Federal Republic of Germany for having taken the initiative to host the Seventh Meeting of the Conference of the Parties in an exemplary manner and expresses its gratitude for having contributed significant resources to the organization of the meeting;
2. *Invites* Parties which may have an interest in hosting the Eighth Meeting to inform the Secretariat accordingly no later than 31 December 2003; and
3. *Instructs* the Standing Committee at its first meeting following the 31 December 2003 deadline to review the offers received and, subject to receipt of sufficient information, to decide upon the most suitable venue.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.9.



**RESOLUTION 7.15**

**FUTURE ACTION ON THE ANTARCTIC MINKE, BRYDE'S AND PYGMY  
RIGHT WHALES UNDER THE CONVENTION ON MIGRATORY SPECIES**

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* that the 11<sup>th</sup> meeting of the CMS Scientific Council recognised a range of indirect threats that can adversely impact marine species, including great whales;

*Further recalling* that, at the same meeting, the Scientific Council noted the proposals to include Antarctic minke, Bryde's and Pygmy right whales on CMS Appendix I contained key data and information gaps as well as a number of technical inaccuracies which resulted in it not being able to reach a consensus view on these proposals;

*Noting* that the Scientific Council was therefore unable to recommend, at this time, Appendix I listing for Antarctic minke, Bryde's and Pygmy right whales, and invited Parties to further develop the proposals; and

*Further noting* that the Scientific Council also recognised the ongoing conservation needs of the Antarctic minke, Bryde's and Pygmy right whales and that the outcomes of its deliberations should not be seen by the Seventh Meeting of the Conference of the Parties, or others, as downplaying in any sense the conservation needs of these species;

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

1. *Calls on* Parties, that are Range States for Antarctic minke, Bryde's and Pygmy right whales to take action to identify the status of the populations of these great whales, to determine the nature and scope of threats to those species and, in doing so, to address the key data and information gaps in the proposals for listing the Antarctic minke, Bryde's and Pygmy right whales on Appendix I of the Convention, with a view to revising the proposals for future consideration by the Scientific Council;
2. *Supports* concerted actions as well as international and regional cooperation to ensure the conservation and recovery of all great whales currently listed on the CMS Appendices; and
3. *Recommends* that Parties and international and regional organizations with a role to play in the conservation of the Antarctic minke, Bryde's and Pygmy right whales maintain and, where possible, enhance current measures to ensure the conservation of these species of great whales.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 7.1

### COOPERATIVE ACTIONS FOR APPENDIX II SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Noting* that there are species or populations of species listed in Appendix II that have an unfavourable conservation status and which require urgent cooperation at the international level for their conservation and management;

*Aware* that not all such species are currently the object of an Agreement or can reasonably be expected to become the object of an Agreement to assist with their conservation; and

*Noting further* the conclusions and recommendations of the 11<sup>th</sup> meeting of the Scientific Council (Bonn, 14-17 September 2002);

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

1. *Recommends* that the Parties undertake cooperative action to improve the conservation status of these species;
2. *Instructs* the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species requiring special attention within the forthcoming reporting period;
3. *Directs* the Secretariat to assist the Scientific Council in establishing this review process, ensuring that a regular update of status is provided by the relevant focal point Councillor;
4. *Endorses* the recommendation of the Scientific Council at its 11<sup>th</sup> meeting that activities for species covered by Recommendations 5.2 and 6.2 be continued for a further three years (2003-2005), such that the list of species for which cooperative actions should either be continued or commence, as appropriate, is as appears in the table attached to this recommendation;
5. *Recommends* that the following species should also be the subject of cooperative action: Marine mammals: the porpoise *Neophocoena phocaenoides*; the dolphins *Sousa chinensis*, *Tursiops aduncus*, *Stenella attenuata*, *Stenella longirostris*, *Lagenodelphis hosei* and *Orcaella brevirostris*; and the Dugong *Dugong dugon*; Birds: *Polystictus pectoralis pectoralis*, *Sporophila ruficollis*, *Pseudocolaptes auratus*; and
6. *Instructs* the Scientific Council to review the current practice in relation to the identification and implementation of cooperative actions for Appendix II species and to agree, at its 12<sup>th</sup> meeting, an amended procedure in this regard, taking into account the comparable review undertaken at its 11<sup>th</sup> meeting with respect to Concerted Action species, to be submitted to the Eighth Meeting of the Conference of the Parties.

SPECIES DESIGNATED FOR COOPERATIVE ACTIONS BY THE 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> MEETINGS OF  
THE CONFERENCE OF THE PARTIES TO CMS

Year of adoption	Recommendation	Scientific name
1997	5.2	<i>Crex crex</i>
	5.2	<i>Coturnix coturnix coturnix</i>
	5.2	<i>Cygnus melanocorypha</i>
1999	6.2	<i>Macronectes halli</i>
	6.2	<i>Macronectes giganteus</i>
	6.2	<i>Procellaria aequinoctialis</i>
	6.2	<i>Procellaria conspicillata</i>
	6.2	<i>Procellaria cinerea</i>
	6.2	<i>Procellaria parkinsoni</i>
	6.2	<i>Procellaria westlandica</i>
	6.2	All Albatrosses
	6.2	<i>Rhincodon typus</i>
	6.2	<i>Acipenser baerii baicalensis</i>
	6.2	<i>Acipenser gueldenstaedtii</i>
	6.2	<i>Acipenser medirostris</i>
	6.2	<i>Acipenser mikadoi</i>
	6.2	<i>Acipenser naccarii</i>
	6.2	<i>Acipenser nudiventris</i>
	6.2	<i>Acipenser pericus</i>
	6.2	<i>Acipenser ruthenus</i>
	6.2	<i>Acipenser schrenckii</i>
	6.2	<i>Acipenser sinensis</i>
	6.2	<i>Acipenser stellatus</i>
	6.2	<i>Acipenser sturio</i>
	6.2	<i>Huso dauricus</i>
	6.2	<i>Huso huso</i>
	6.2	<i>Pseudoscaphirhynchus fedtschenkoi</i>
	6.2	<i>Pseudoscaphirhynchus hermanni</i>
	6.2	<i>Pseudoscaphirhynchus kaufmann</i>
	6.2	<i>Psephurus gladius</i>
	6.2	<i>Loxodonta africana</i>
	6.2	<i>Spheniscus demersus</i>
	6.2	<i>Pontoporia blainvillei</i>
	6.2	<i>Lagenorhynchus australis</i>
	6.2	<i>Lagenorhynchus obscurus</i>
	6.2	<i>Phocoena spinipinnis</i>
	6.2	<i>Phocoena dioptrica</i>
	6.2	<i>Cephalorhynchus commersonii</i>
	6.2	<i>Cephalorhynchus eutropia</i>
2002	7.1	<i>Neophocoena phocaenoides</i>
	7.1	<i>Sousa chinensis</i>
	7.1	<i>Tursiops aduncus</i>
	7.1	<i>Stenella attenuata</i>
	7.1	<i>Stenella longirostris</i>
	7.1	<i>Lagenodelphis hosei</i>
	7.1	<i>Orcaella brevirostris</i>
	7.1	<i>Dugong dugon</i>
	7.1	<i>Polystictus pectoralis pectoralis</i>
	7.1	<i>Sporophila ruficollis</i>
	7.1	<i>Pseudocolopteryx dinellianus</i>

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# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 7.2

### IMPLEMENTATION OF RESOLUTION 6.2 ON BY-CATCH

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

*Concerned* that, notwithstanding recent developments addressing the problem, by-catch remains one of the major causes of mortality of migratory species from human activities in the marine environment;

*Noting* that the Sixth Meeting of the Conference of the Parties adopted Resolution 6.2 (By-catch) with a view to stimulating remedial measures by Parties; and

*Encouraging* proper implementation of Resolution 6.2 in the shortest possible period of time and an adequate assessment of its outcomes;

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

*Calls on* Range State Parties, working through regional fisheries management organizations and agreements, as appropriate, to:

- (a) Compile information and take action regarding fishing activities in waters under their jurisdiction, or by flagged fishing vessels under their jurisdiction or control, as the very first step to address the problem, covering:
  - i. resources targeted;
  - ii. resources being caught accidentally;
  - iii. effects on the resource being caught accidentally (estimate total by-catch in the fishery(ies) and population impact); and
  - iv. implementation of mitigation measures;
- (b) Implement appropriate schemes (including, where appropriate, onboard observers) for fisheries within waters under their jurisdiction, or carried out by flagged fishing vessels under their jurisdiction or control, in order to determine the impact of fisheries by-catch on migratory species. Where relevant, this should be carried out in the context of FAO's International Plans of Action on Seabirds and Sharks;
- (c) Encourage research proposals in geographical areas in which there is a particular lack of information and that, at the same time, are not covered by currently existing CMS Agreements. In particular, information is needed on:
  - i. artisanal fisheries, generally;
  - ii. pelagic and bottom trawling, and purse seine fisheries;

- iii. in the case of cetaceans, special attention is to be paid to South, Southeast and East Asia and West Africa;
  - iv. for turtles, these include long-line fisheries in the Pacific Ocean and impacts on Olive ridley turtles in South Asia;
  - v. for birds, South America and northern gillnet fisheries; and
  - vi. for sharks, all fisheries; and
- (d) Consider and implement ways and means to reduce the amount of discarded and lost nets and other detrimental fishing gear both within their maritime zones and on the high seas, as well as ways and means of minimising such losses from vessels flying their flag.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 7.3

### REGIONAL COORDINATION FOR SMALL CETACEANS AND SIRENIANS OF CENTRAL AND WEST AFRICA

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Noting* the results of the Conakry Workshop on the Conservation and Management of Small Cetaceans of the African Coast (8-12 May 2000);

*Noting* in particular the inclusion of the West African manatee *Trichechus senegalensis* on Appendix II of CMS;

*Noting* that coastal communities of the Atlantic Ocean and those living along inland waters value these small cetaceans and sirenians for their heritage, economic, scientific, tourism and educational value as a significant component of the world's biodiversity;

*Aware* that threats to these species, notably destruction or modification of habitats by the development of coastal areas and of the riverbanks of inland waters, pollution, agriculture, increasing mortality and by-catch could, if not properly managed, lead to further decline in their populations;

*Further aware* that these migratory species can move between national jurisdictions;

*Acknowledging* the initiatives that have been undertaken by several national and international institutions in the Range States with a view to improving the knowledge on these species and on the threats to them;

*Recognising* that the conservation and sustainable management of small cetacean and sirenian populations in the riparian countries and of sirenian populations in the landlocked countries, as well as of their habitats in the Central and West African region, is a responsibility that needs to be shared; and

*Noting* the keen interest in promoting the transfer of the experience gained within CMS and its relevant Agreements;

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

1. *Encourages*, on the basis of the recommendations of the Conakry Workshop and of the main concerns expressed by the landlocked countries, all Parties in the distribution range to consider the establishment of a memorandum of understanding on these species and the implementation of collaborative actions, notably through action plans, which would consider the particular characteristics of inland and marine waters;

2. *Encourages* the participation of all stakeholders, including government agencies responsible for the conservation and management of small cetaceans and sirenians, as well as relevant non-governmental organizations and the international scientific community;
3. *Recognises* the need to promote the conservation of these species with the actors of civil society including those outside the area, such as oil companies, fish and aquaculture industries, and tourist operators;
4. *Recommends* the countries of the region to designate as soon as possible a coordinator for the preparatory phase of the memorandum of understanding; and
5. *Recommends* multilateral and bilateral technical and financial partners to facilitate the implementation of this recommendation.

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## Convention on the Conservation of Migratory Species of Wild Animals



### RECOMMENDATION 7.4\*

#### REGIONAL COORDINATION FOR SMALL CETACEANS AND DUGONGS OF SOUTHEAST ASIA AND ADJACENT WATERS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Noting* the outcome of the Second International Conference on Marine Mammals of Southeast Asia conducted in Dumaguete, Philippines (22-26 July 2002);

*Noting in particular* the inclusion of several small cetacean species (*Neophocaena phocaenoides*, *Sousa chinensis*, *Tursiops aduncus*, *Stenella longirostris*, *S. attenuata*, *Orcaella brevirostris*, and *Lagenodelphis hosei*) and the Dugong (*Dugong dugon*) on Appendix II of CMS and on the list of species for cooperative action;

*Noting* that coastal communities of Southeast Asia and adjacent waters and those living along inland waters value these species for their socio-economic, cultural, scientific, tourism, ecosystem, and educational significance;

*Recognising* that whales and dolphins play a major role in the maintenance of population dynamics, balance, and functionality of the food web;

*Recognising further* that illegal and indiscriminate catch of these and other large marine animals continues in Southeast Asian countries, thereby jeopardizing the integrity and viability of the marine ecosystem;

*Aware* that threats to these species include most notably incidental and deliberate mortality, habitat destruction and modification due to coastal and river bank development, and pollution;

*Recognising* that these species are migratory and can move across national boundaries and jurisdictions;

*Acknowledging* the initiatives on small cetacean and sirenian conservation that have been undertaken by countries in the regions, including in Australia, Cambodia, India, Indonesia, Malaysia, Philippines, Singapore, Thailand, and Vietnam;

*Recognising* the need for shared responsibility for the conservation and sustainable management of small cetacean and sirenian populations and their habitats in Southeast Asia and adjacent waters; and

*Noting* the interest in promoting the transfer of the experience gained within CMS and relevant Agreements;

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\* The original draft of this recommendation, considered by the Conference of the Parties, was numbered 7.8.

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

1. *Encourages*, on the basis of the recommendations of the Dumaguete conference, all Parties and Range States in the distribution range to consider the establishment of an appropriate instrument of cooperation for the conservation of these species, which would consider the particular characteristics of inland and marine waters;
2. *Encourages* the participation of all stakeholders, including government agencies responsible for the conservation and management of small cetaceans and sirenians, as well as non-governmental organizations and the international scientific community;
3. *Recognises* the need to promote the conservation of these species with various sectors of society including oil companies, fish and aquaculture industries, and tourist operators;
4. *Recommends* that the countries of the region designate as soon as possible a coordinator for the preparatory phase of the appropriate instrument; and
5. *Recommends* multilateral and bilateral technical and financial partners to facilitate the implementation of this recommendation.

\* \* \*



# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 7.5\*

### RANGE STATE AGREEMENT FOR DUGONG (*Dugong dugon*) CONSERVATION

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recognising* that Article II of the Convention requires all Parties to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II of the Convention;

*Noting* that Dugongs have a large range that spans some 37 countries and territories, and includes tropical and subtropical coastal and inland waters;

*Recalling* that Dugongs are long-lived with a low reproductive rate and high investment in each offspring, making the species vulnerable to over-exploitation;

*Noting* that throughout much of its range the Dugong remains in relict populations, many separated by large areas where its numbers have been greatly reduced or where it is already extirpated;

*Aware* that Dugongs are vulnerable to anthropogenic influences because of their life history and distribution along coastal habitats, where they are often under pressure from human development and hunting activities;

*Acknowledging* that Dugongs are culturally significant to communities throughout their range and are still traditionally hunted in a number of areas;

*Aware* that Dugong products, such as meat, oil, medicaments, amulets and other products, are still highly valued over parts of the species' range; and

*Recalling* that all populations of the species are listed under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) prohibiting international trade in the species and its parts;

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

1. *Urges* Parties that are Range States for Dugong to take action to identify the conservation status of populations and to determine the nature and scope of threats to those populations within their national jurisdictions;

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\* The original draft of this recommendation, considered by the Conference of the Parties, was numbered 7.7.

2. *Requests* Parties that have known breeding and habitat sites for Dugong within their national jurisdictions to cooperate for the conservation and management of Dugong throughout the species' range;
3. *Recommends* that all Range States of Dugong cooperate among themselves, as appropriate, and participate actively to develop and conclude a memorandum of understanding and an action plan for the conservation and management of Dugong throughout the species' range;
4. *Calls upon* the Standing Committee and the Scientific Council to review progress and to propose any appropriate urgent actions required to the Conference of the Parties at its Eighth Meeting; and
5. *Further urges* international organizations and non-governmental organizations, including regional economic organizations, having biodiversity conservation in their mandate, to provide appropriate assistance, including technical and financial support, for the conservation and management of the Dugong.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 7.6

### IMPROVING THE CONSERVATION STATUS OF THE LEATHERBACK TURTLE (*Dermochelys coriacea*)

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recognising* that the Leatherback turtle (*Dermochelys coriacea*) is listed in Appendix I and Appendix II of CMS and is also categorised as endangered in the IUCN Red List (2001);

*Concerned* that recent surveys of *Dermochelys coriacea* in the Pacific Ocean indicate that breeding populations have declined by more than 90% over the last two decades and that these population declines are continuing;

*Noting* that fisheries by-catch, including that from distant water fishing fleets, has been identified as one of the most significant impacts contributing to the *Dermochelys coriacea* population declines in the Pacific Ocean;

*Recognising* the intent of Resolution 6.2 (Cape Town, 1999) to reduce fisheries by-catch on migratory species of concern to the Parties to the Convention;

*Noting* that the distribution and current status of *Dermochelys coriacea* in the eastern Atlantic, Indian and Western Pacific Ocean regions have not been comprehensively monitored;

*Concerned* that the harvest of *Dermochelys coriacea*, whether it be turtles or their eggs, by coastal communities is widespread and unsustainable in many countries, including some Range States within the western Pacific, Indian and eastern Atlantic Oceans; and

*Acknowledging* that the Leatherback turtle is culturally significant to some communities and that some harvesting may be permitted within the context of traditional harvest in accordance with Article III, paragraph 5, of the Convention;

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

1. *Urges* the Range States of the Pacific Ocean, Indian Ocean and eastern Atlantic Ocean regions:

- (a) to implement Resolution 6.2 and Recommendation 7.2;
- (b) to identify the breeding sites for *Dermochelys coriacea* and to quantify the size of these breeding populations;

- (c) to identify a suitable index site within each recognized management unit and establish a monitoring program at such index sites to determine population trends and responses to management actions;
  - (d) to monitor the traditional harvest and prevent commercial harvest of *Dermochelys coriacea* turtles and/or eggs, within national waters and on nesting beaches;
  - (e) to promote activities to enhance the maintenance of secure and safe nesting habitat and to increase the nesting success for *Dermochelys coriacea*;
  - (f) to promote activities that will increase the production of healthy, correctly imprinted *Dermochelys coriacea* hatchlings of both sexes into the sea; and
  - (g) to engage in cooperative activities with neighbouring countries to promote sustainable management of this shared resource, including conducting training workshops to enhance the conservation and management of *Dermochelys coriacea* nesting beaches;
2. *Invites* the CMS Scientific Council to develop guidelines for managing sustainable and humane harvests of *Dermochelys coriacea* turtles and/or their eggs by traditional communities;
3. *Urges* the Signatory States to the Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa and the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia to give a high priority within the respective Conservation Plans to the implementation of projects to enhance the conservation status of *Dermochelys coriacea*; and
4. *Further urges* non-governmental organizations and international organizations that have the conservation of biodiversity within their mandate to provide appropriate technical, logistical and financial assistance for the conservation and management of *Dermochelys coriacea*.

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# Convention on the Conservation of Migratory Species of Wild Animals



## RECOMMENDATION 7.7\*

### AMERICA PACIFIC FLYWAY PROGRAMME

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Noting* the various ongoing activities in the Central (Panama) and South American Region for the protection of migratory species of waterbirds, such as the Western Hemisphere Shorebird Reserve Network, the Neotropical Waterbird Census, as well as projects under the auspices of CMS such as those concerning Andean flamingoes and the Ruddy-headed goose;

*Noting* the original initiative by the late Lic. Pablo Canevari to bring many activities together and to establish an America Pacific Flyway Agreement under the Bonn Convention;

*Further noting* the work undertaken by the Government of the Netherlands and Wetlands International to develop the original initiative further into a programme proposal: “Wetlands and Birds of the Americas” published as a draft in June 2001, also known as the “The America Pacific Flyway Programme”, and presently subject to an intensive consultation process in the region as well as in North America;

*Aware* of the great importance of the region for migratory waterbirds and their habitats, as cited in “Wetlands of South America: An Agenda for Biodiversity Conservation and Policies Development” (Wetlands International, 2001) and of the great need for conservation of the entire flyway, preferably within the framework of a multilateral flyway Agreement on the basis of Article IV of the Convention;

*Noting* the important habitat changes in wintering grounds, particularly for shorebirds, and the indications of a decrease in numbers for almost all species;

*Aware also* of the strong emphasis in the draft programme on capacity building, community involvement, international co-operation and the gathering of important data for the management of waterbird populations and their habitats, such as the South American Wetland Assessment and the Neotropical Waterbird Census; and

*Anxious* to see the programme being implemented in due time as an important contribution to the general aims of CMS and with a view towards the possible development of a more formal flyway Agreement such as that developed for African-Eurasian migratory waterbirds;

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\* The original draft of this recommendation, considered by the Conference of the Parties, was numbered 7.4.

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

1. *Calls* on the Range States involved, whether or not a Party to CMS, to support further the development of the America Pacific Flyway Programme;
2. *Calls* on the Secretariat to support this initiative as appropriate; and
3. *Encourages* interested Parties to further support the development process together with the CMS Parties in the region and to consider funding once the programme's development has been finalised and the programme is ready for implementation.

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## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.1\*

ORIGINAL: ENGLISH

### SUSTAINABLE USE

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Aware* of the special requirements and fragility of CMS-listed migratory species and the need to engage all countries and peoples in their conservation throughout the world;

*Emphasizing* that CMS prohibits the taking of Appendix I species except in specific circumstances as specified in Article III, paragraph 5;

*Recalling* that CMS Article V, paragraph 4 (f) in the Guidelines for Agreements prohibits the taking of migratory species of the order Cetacea where such taking is not permitted for that migratory species under any other multilateral agreement;

*Further recalling* Resolution 7.9, which reaffirms the interest of CMS to develop strong collaborative arrangements with other biodiversity-related instruments and international organisations;

*Acknowledging* that sustainable use (both consumptive and non-consumptive) may provide incentives for conservation and restoration because of the social, cultural and economic benefits that people could derive from that use and that, in turn, sustainable use cannot be achieved without effective conservation measures;

*Further acknowledging* that the Parties to the Convention on Biological Diversity (CBD) adopted the Addis Ababa Principles and Guidelines (AAPGs) and that Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) have initiated studies of the potential roles of the AAPGs in contributing towards implementation of CITES requirements for species included in the CITES Appendices; and

*Recognizing* that the implementation of the CBD AAPGs by Parties, where appropriate, could contribute to reducing many of the causes of loss of migratory species (e.g., by-catch, unsustainable harvesting, overexploitation, unsustainable hunting and other negative impacts) and lead to better conservation of habitats for migratory species;

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\* Revised version March 2006.

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

1. *Instructs* the Scientific Council to examine the applicability and usefulness of the AAPGs within the context of CMS for improving the conservation status of relevant migratory species listed under the CMS Appendices;
2. *Urges* the Scientific Council to liaise with other Conventions, Parties and NGOs to gather and share information on relevant studies on the AAPGs;
3. *Invites* Parties, other Governments, international organizations and other relevant organizations to support the aforementioned work, *inter alia*, by providing appropriate financial assistance and relevant data and information; and
4. *Requests* that the Scientific Council reports its findings to the ninth meeting of the Conference of the Parties.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.2

ORIGINAL: ENGLISH

### CMS STRATEGIC PLAN 2006–2011

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Resolution 7.6 of the seventh meeting of the CMS Conference of the Parties (Bonn, 2002) reflecting the decision to set up an open-ended working group to be chaired by a representative of Switzerland, with the task of drafting the Strategic Plan 2006–2011 for consideration by the Conference of the Parties at its eighth meeting;

*Grateful* for the work undertaken by that working group;

*Recalling* decision VI/20 of the sixth meeting of the Conference of the Parties to the Convention on Biological Diversity in which CMS was recognized as the lead partner in the conservation and sustainable use of migratory species over their entire range;

*Reaffirming* the commitment of the CMS Parties to achieving, by 2010, a significant reduction in the current rate of biological diversity loss at the global, regional and national levels; and

*Recognizing* that the annexed Strategic Plan, together with budgetary, implementation and work plans for the various CMS bodies, represents the Convention's planned contribution to achieving the 2010 target by seeking to ensure that the benefits of migratory species to ecosystems and human well-being will continue for present and future generations;

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

1. *Adopts* the CMS Strategic Plan 2006-2011 that is annexed to this resolution;
2. *Requests* the Secretariat to integrate the objectives, targets, milestones and indicators of the Strategic Plan within the budgetary and other resource management mechanisms of the Convention;
3. *Urges* Parties, States, intergovernmental organizations and other organizations to review their activities, especially their biological diversity strategies and action plans, where appropriate, in light of the Strategic Plan;

4. *Requests* the Conference of the Parties to review the Strategic Plan at its ninth and tenth meetings in the light of the Plan's stated targets, milestones and indicators and in line with paragraph 5.5 of the Plan; and

5. *Invites* Agreements concluded pursuant to Article IV of the Convention to transmit the Strategic Plan to the next meeting of their governing bodies and to reflect the targets of relevance to those Agreements in their planning and budgetary documents.





**CONVENTION ON THE CONSERVATION  
OF  
MIGRATORY SPECIES OF WILD ANIMALS**

**STRATEGIC PLAN 2006–2011**

1. INTRODUCTION
2. THE ISSUE
3. THE ROLE OF CMS
4. STRATEGIC PLAN 2006–2011
5. IMPLEMENTATION
6. LOGICAL FRAMEWORK TABLE

## **1. INTRODUCTION**

1. The Convention on Migratory Species (CMS) marked its twenty-fifth Anniversary in 2004. As one of the first biodiversity-related Conventions, which came into force long before the more comprehensive Convention on Biological Diversity (CBD), it has played, under the auspices of the United Nations Environment Programme (UNEP), a pioneering role in promoting and initiating collaborative conservation and management action on migratory animal species of which “a proportion cyclically and predictably cross one or more national jurisdictional boundaries” (Article I). The phenomenon of those migrations is a unique part of the global natural heritage which can be conserved only through the joint efforts of all nations.

2. This Strategic Plan aims to set the general goal, objectives and targets for the six years from 2006 to 2011 to ensure a coherent and strategic approach to the Convention’s implementation at national, regional and global levels.

3. The period covered by the Strategic Plan includes a significant target date set by the international community at the Sixth Meeting of the CBD Conference of the Parties, when, in The Hague, Ministers responsible for CBD implementation resolved to strengthen their efforts to put in place measures to halt biodiversity loss at the global, regional, subregional and national levels by the year 2010. That target was also reflected in the CBD Strategic Plan’s mission statement: “to achieve by 2010 a significant reduction of the current rate of biodiversity loss at the global, regional and national levels”, which has also been endorsed by the World Summit on Sustainable Development (WSSD). The CMS Strategic Plan, together with future associated implementation plans for the various CMS bodies, represents the Convention’s planned contribution to achieving the 2010 target and seeks to ensure that the benefits of migratory species to ecosystems and human well-being will continue for present and future generations.

## **2. THE ISSUE**

### **2.1 What is special about migratory species?**

4. Migratory animals are special components of the world’s ecosystems. They range from antelopes to fishes, from whales to elephants, from bats to birds and butterflies. While, like all species, they make a great variety of vital contributions to the functioning of the ecosystems in which they live, their movements over short or long distances represent a unique global ecological feature which has many implications for their value as a natural resource as well as for their conservation. Migratory animals are in principle “part-time” components of ecosystems, where they fulfil important seasonal ecological functions: they may serve as a crucial food resource for non-migratory species in those areas, they may act as pollinators and seed distributors, or they may themselves exploit seasonally abundant local food resources, thereby contributing to the biological balance of a local ecosystem.

### **2.2 The importance of migratory species for people**

5. There are also many human communities which rely on the regular influx of migratory animals. In various parts of the world they provide the basis for subsistence, recreational and commercial hunting and fishing activities, often serving as an important basis for the livelihoods of communities. In many instances, migratory animals represent a shared, seasonally predictable resource for human communities far apart. The use of that resource by one community might greatly influence its availability to people in another, distant location.

6. Because of their migratory habits and the diversity of environments which they occupy over shorter or longer periods, many migratory animals are sensitive indicators of environmental change. They may link the impact of human-induced environmental modifications in widely separate regions, such as the well known example of toxic pesticides being found in the tissues of Antarctic animals.

7. Migratory species have great significance in many cultures, in legends, stories, religions and medicine. For many people, the regular comings and goings of migratory animals are a powerful symbolic sign of the seasonality of nature and the passing of yearly cycles. More recently, spectacular gatherings of seasonal migrants have become prime attractions for nature tourists such as bird-, turtle- and whale-watchers.

## **2.3 Increasing threats to migratory species**

8. In line with its impacts on biodiversity in general, human pressure on migratory animals and their habitats is often intense. That pressure can lead to particularly strong negative impacts on the populations of migratory animals as large numbers of individuals concentrate at certain traditionally used sites. Unsustainable hunting and fishing practices, and also incidental capture in fisheries, for example, result in heavy impacts on many species. Destruction or modification of wetlands, forests and grasslands removes food and shelter vital to their life. The introduction of alien species and the harmful effects of industrial and agricultural pollutants are further risks.

9. Recent scientific work also suggests that climate change is also likely to have an impact on migratory species. Many habitats important for migratory species may be profoundly changed, with traditional migratory patterns disrupted or altered as a result. The status of certain species could be seriously affected. The ongoing desertification of semi-arid areas, most notably in the Sahelo-Saharan zone, is also believed to have an increasing negative impact on some long-distance migratory birds and some terrestrial migratory mammals.

10. Barriers to migration such as dams, fences, power lines and wind farms can disrupt migratory routes and result in significant mortality. Birds also face the danger of injuries or death caused by communication towers and electricity transmission lines and pylons. For all the above reasons, there is a growing number of migratory species with a serious risk of becoming extinct.

## **2.4 Special conservation needs for migratory species**

11. Because of their unique behaviour and particular ecological requirements, migratory species have special conservation needs. Most importantly, international cooperation between States which share populations of migratory species is absolutely essential. Those States have a joint responsibility to ensure the long-term survival of migratory animals and their migratory behaviour across and beyond their territories.

12. Concerted and coordinated actions on the ground will be needed to address the threats to migratory animals if we want to maintain their free movement across international boundaries and continents, thereby ensuring that they continue to contribute to the health and proper functioning of ecosystems and the well-being of human populations which depend on those animals for their livelihood. Such actions will require more research to understand the needs of those species; a multitude of conservation measures on the ground, directed towards both the species and their habitats throughout their ranges; greatly increased awareness of the issues; and international cooperation between relevant agencies and decision-makers.

# **3. THE ROLE OF CMS**

## **3.1 International cooperation**

13. Since migratory species, in the sense of the definition given in the text of the Convention, can be conserved only through joint international efforts in which species- and ecosystem-based approaches are linked and coordinated across the entire migratory range of a species the purpose of CMS is to catalyse, foster and support such international collaboration.

14. Through its various operational tools, CMS establishes obligations for its Contracting Parties to protect the most endangered species, listed in Appendix I to the Convention; sets a framework for developing regional or global multilateral instruments to conserve and ensure the sustainability of use of particular migratory species or groups of species listed in Appendix II; and provides funding for research and conservation projects through its Small Grants Programme.

## **3.2 Contribution to sustainable development**

15. Many migratory species provide essential ecosystem services which in turn add to human well-being in practically all countries of the world. The conservation and sustainable management of migratory species populations is an important special contribution to the wider aims of global sustainable development.

16. Ultimately, CMS is committed to assisting its Contracting Parties to move towards a truly sustainable use of natural resources. Its work is directed towards the implementation of Millennium

Development Goal 7 and the Plan of Implementation adopted at WSSD in Johannesburg, South Africa, in 2002. It supports conservation programmes to bring long-term benefits to local communities while helping to reduce the rate of biodiversity loss. Many of the agreement-associated action plans developed under CMS auspices work to the common benefit of migratory species and local communities. They address issues to reduce pressures on migratory animal populations, while at the same time having regard for the livelihood needs of local communities including, where compatible with the conservation status of a species, providing for the sustainable use of such species.

### **3.3 Achievements**

17. Under the framework Convention and its associated agreements, the CMS family currently extends to more than 116 participating countries, a number which is steadily growing.

18. To date, more than 100 (117 as of November 2005) species have been listed in CMS Appendix I, and Appendix II covers, potentially, over 1,000 species. Many of those species are subjects of strict protection measures within Contracting Party Range States, of cooperative activities through CMS agreements and also of research and conservation projects funded through the CMS Small Grants Programme. Since 1990, more than a dozen international instruments have been concluded under the CMS umbrella, for bats, birds, large herbivores, elephants, dolphins and whales, marine turtles and seals. More than 40 (47 as of November 2005) endangered migratory species have been designated for concerted action. Since 1997, small grants for projects have exceeded \$1.5 million in value.

### **3.4 Relationship to other conventions**

19. CMS and its instruments, while aimed specifically at benefiting migratory species, contribute to the broader objective of conserving biodiversity. They are part of an integrated approach to the implementation of other biodiversity-related international instruments and to the achievement of the CBD and WSSD targets. The goals and aims of CMS and other biodiversity-related conventions – notably the Convention on Biological Diversity (CBD), the Convention on Wetlands of International Importance and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are mutually reinforcing. The complementarity with CBD is particularly important: while it is focused on the maintenance of biological diversity on genetic, species and ecosystem levels, CMS uses migratory species as a “living thread” to link ecosystems functionally through networks, corridors and pathways over large geographic areas, cutting across national, regional and continental boundaries.

20. CMS has entered into a number of collaborative relationships with those and other intergovernmental organizations in order to maximize synergies. CBD, in turn, acknowledges CMS as its lead partner on migratory species conservation.

21. Increased attention must be given to coordinating action, creating synergies and avoiding duplication between the various treaties through, for example, joint work programmes such as the CBD-CMS joint work programme and the CMS-AEWA-Ramsar Convention joint work programme.

22. CMS’s work must be undertaken, where appropriate, in close coordination with the UN Convention on the Law of the Sea, whose article 64 deals with highly migratory marine species.

### **3.5 Partnerships with other organizations**

23. CMS activities are supported by strong partnerships with intergovernmental and international non-governmental organizations. First and foremost is the association with UNEP, which not only provides the Convention’s Secretariat but, through its regional offices, thematic programmes and headquarters, also extends financial and in-kind support to some of the Convention’s specific programmes.

24. Partnerships with major non-governmental organizations help to bring conservation action into effect on the ground. They also provide a key conduit for scientific and conservation information to be brought into the Convention’s decision-making processes. Great potential remains to be tapped. Attention must be given to expanding and strengthening those cooperative activities in a more formal manner, for example, through memoranda of cooperation and joint work programmes.

### 3.6 Key challenges for CMS

25. The greatest challenges for the conservation of migratory species, as reflected in the four objectives of the Strategic Plan, are to have the best available information on which to base conservation and sustainable management decisions; the need to undertake conservation measures in a coordinated and cooperative way across a migratory range; to widen awareness of the key issues among relevant target audiences; and the development and mobilization of human capacity and financial resources to implement needed conservation measures.

26. CMS provides a global platform to address the threats to migratory species through a suite of tools which can be tailored to specific situations. It will be critical for CMS to further expand its membership across the world. Also, additional financial resources – always a limitation in biodiversity conservation activities – will have to be mobilized to enable not only country-level activities but also coordinated and cooperative migratory-range-wide activities.

## 4. STRATEGIC PLAN 2006–2011

### 4.1 Scope and structure

27. The CMS Strategic Plan provides the general framework and rationale for what the Convention – the individual Contracting Parties and the CMS institutional bodies – aspires to achieve during the next two intersessional periods. It is structured in the format of a hierarchical logical framework (see logical framework table in section 6).

### 4.2 Vision

➔ **A world which understands, respects and sustains the phenomenon of animal migration as a unique part of our shared natural heritage**

28. This long-term vision, expressed in relation to biodiversity conservation, was ultimately not only behind the origination of the Convention more than 25 years ago but is still today the driving motivation behind its steady development and expansion.

### 4.3 Goal

➔ **To ensure the favourable conservation status of migratory species, thereby contributing to global sustainability**

29. In pursuing the above general goal, CMS seeks to strengthen its leading international efforts on behalf of migratory species. It builds the necessary partnerships between countries and many national and international institutions in order to achieve a better conservation status for migratory animals. The goal underlines the fact that CMS clearly sees itself as an integral part of a family of international legal instruments with the primary aim of biodiversity conservation, the maintenance of biospheric processes and systems and the sustainability of the use of biological resources as an essential basis to ensure global sustainability and the long-term livelihoods of people.

### 4.4 Objectives

30. Based on its general remit under the Convention and the expertise acquired over more than a quarter of a century, CMS pursues four main objectives. While the first three are directed towards mitigating the threats to the status of migratory species (lack of knowledge, lack of action and lack of awareness), the fourth is related to the capacity of the Convention itself and its constituent bodies.

➔ **OBJECTIVE 1: To ensure that the conservation and management of migratory species is based on the best available information**

31. In view of the complex issues relating to migratory species, the availability of good scientific information, and also of traditional knowledge, is essential for sound decision-making. Through the work of its Scientific Council, the Convention has a tradition of promoting, initiating and supporting relevant

research work and will continue to do so during the next six years. **Eight targets** are to ensure that relevant data continue to be collected which document the status of species and species groups, the pressures acting on biodiversity, the development of responses and the effectiveness of these responses to manage those threats.

➔ **OBJECTIVE 2: To ensure that migratory species benefit from the best possible conservation measures**

32. The leading rationale for the Convention is the “migratory range approach”. Migratory species can best be conserved through joint international cooperative efforts, linking species- and ecosystem-based approaches at national levels, coordinated across a migratory range.

33. A series of instruments are available under the framework Convention to achieve the above objective: Agreements, memoranda of understanding and action plans. The **nine targets** of the objective are directed towards the various actions required in relation to the various categories of species recognized by the Convention: Appendix I species, Appendix II species and all migratory species. They deal with the development of integrated action plans, site-specific actions, and also some general threats which are of particular concern for migratory species.

➔ **OBJECTIVE 3: To broaden awareness and enhance engagement in the conservation of migratory species amongst key actors**

34. Cooperation between nations can be achieved only if the decision-makers and opinion-leaders involved are aware of the issues and the paramount need for concerted action. It has been a main task of the Convention in the past, and will remain so in future, to bring those problems to the attention of selected key target audiences. The identified **six targets** deal with those audiences, especially to ensure that existing Contracting Parties enhance their engagement; that identified priority countries join as new Contracting Parties; that the already large network of Partners can be further strengthened and expanded; and that dialogues can be initiated with key sectoral groups whose activities have particular impact on migratory species.

➔ **OBJECTIVE 4: To reinforce CMS’s overarching and unifying role in the conservation and management of migratory species**

35. **Eight “internal” targets** are identified under the above “enabling” objective aimed at strengthening the work of the Convention, increasing its effectiveness and efficiency and establishing a better corporate identity for the Convention and its legally independent, formal daughter Agreements. The Strategic Plan must also make provision for helping to develop the capacity of bodies involved in implementing the Convention and its legal instruments, especially in developing countries. Finally, with the Convention suffering from a great mismatch between available resources and the tasks conferred on its implementing bodies by the Conference of the Parties, the future financing of the Convention’s programmes and the need to diversify its sources of income are a principal challenge for the next six years.

#### **4.5 Targets, indicators and milestones**

36. The targets listed in the logical framework table are the backbone of the Strategic Plan. They provide the basis for measuring the performance and achievements of the Convention over the strategic planning period. A total of 31 targets have been identified, many of them with a series of interim milestones. Where targets are not measurable in themselves, proxy indicators are provided. The individual Contracting Parties, the Secretariat and the Scientific Council are the main actors for achieving most of those targets.

#### **4.6 Operational principles**

37. In addition to the targets, nine cross-cutting issues have been identified which, in the pursuit of implementing the Strategic Plan, will be adopted and applied as Operational Principles in all activities where appropriate. They reflect the Convention’s fundamental working philosophy, which is:

OP1 To respect the general principles of the United Nations Charter

OP2 To cooperate closely with relevant multilateral environmental agreements and key partners to maximise synergies and avoid duplication

- OP3 To foster awareness of the concept of sustainable use, and of livelihoods being dependent on migratory species
- OP4 To increase the opportunities for developing countries and countries with economies in transition to contribute to the implementation of the Strategic Plan
- OP5 To spend available project funding in less wealthy countries
- OP6 To attract at least 50 per cent matching funding for project activities
- OP7 To seize opportunities for capacity-building in all activities
- OP8 To involve stakeholders in the implementation of the Strategic Plan
- OP9 To work in ever closer collaboration with the institutions and partners of all CMS Article IV Agreements.

## **5. IMPLEMENTATION**

### **5.1 Implementation plans**

38. The successful implementation of the Strategic Plan is dependent on contributions made by the Contracting Parties individually and by the Conference of the Parties, the Standing Committee, the Scientific Council and the Secretariat, and also by the Agreements and memoranda of understanding developed under the auspices of the Convention. Each of those constitutional players must be aware of the role which they play and the specific tasks which they must carry out if the six-year targets are to be attained. More detailed implementation plans may be developed for some tasks to assist and guide progress towards the targets, linked to the triennial budget. The Secretariat will also develop an annual work plan for its activities. The structure and content of the plans must relate to the targets of the Strategic Plan. That structure should also be used for future reporting. Contracting Parties, Agreements and memoranda of understanding are encouraged to adopt a similar procedure for planning their own work under the Convention.

39. The Conference of the Parties will set overall programme and budgetary priorities for each triennial period. The Standing Committee will provide guidance on request to the Secretariat and the Scientific Council on how to achieve the Conference of the Parties' priorities, including guidance on budgetary issues and the use of the Convention's limited financial resources. Key partners, including the Agreements negotiated under CMS auspices, will be invited to assist in the Strategic Plan's implementation.

### **5.2 The role of Contracting Parties**

40. Besides participating in the work and meetings of the various Convention bodies, the individual Contracting Parties will play a fundamental role in attaining the targets of the Strategic Plan. While the Secretariat has the function of a driving and coordinating force, in relation to many targets it will have to rely on timely feedback and inputs from the Contracting Parties, such as providing national information on:

- Status of species (e.g., target 1.1), threats to migratory species (1.4), habitats of key importance (2.3), ongoing conservation actions (2.2, 2.4, 2.6 and 2.7) and success of conservation actions (2.7)
- Possible national evaluation systems for measuring conservation success (1.5)
- National impact assessment and environmental impact assessment regulations (2.8)
- Integration of migratory species considerations into national biodiversity strategies (2.9)
- Level of national funding for conservation of migratory species (indicator for Objective 3)
- Possible non-governmental funding sources (4.8).

41. The success of the Plan will also depend on actions taken by the Parties in their countries, such as:

- Following agreed standards for research and reports (1.7)
- Participating in relevant Agreements (2.5)

- Submitting comprehensive and accurate national reports
- Promoting the Convention to relevant national players (3.5)
- Assisting in the recruitment of new Parties (4.1)
- Fostering and enhancing regional capacity (4.7).

### 5.3 Agreements and memoranda of understanding

42. The Agreements and memoranda of understanding negotiated under the auspices of the Convention are important extensions of CMS conservation work at regional and more specialized levels. They help to achieve the Convention's Goal and Objectives and make important contributions to the total of CMS achievements.

43. To ensure that those daughter instruments are fully integrated and strategically aligned with the Convention, the Agreements and memoranda of understanding should use similar systems for planning and reporting their work. In particular, they are encouraged:

- To develop their own strategic or implementation plans linked, as far as possible, to the Convention's Strategic Plan through a system of cascading logical frameworks which show how their work contributes to the attainment of CMS objectives and targets
- To use an effective national reporting system fully harmonized with the system for the Convention
- To make all their information available through the CMS Information Management System
- To provide, in a timely manner, whatever information and inputs are required for the targets and milestones of the CMS Strategic Plan.

### 5.4 Monitoring and evaluation

44. Recognizing that strategic planning and monitoring and evaluation are closely interlinked, and that one does not make sense without the other, provisions for monitoring and evaluation have been built into the Strategic Plan and must also be reflected in the associated implementation plans. Monitoring the Strategic Plan's implementation is to take place on three levels:

- **Performance:** measuring the success of the annual activities pursued in order to attain the target
- **Achievement:** measuring our success in relation to reducing pressures on migratory species. This will be done in two ways: through the regular evaluation of the milestones and indicators of individual targets and through the triennial evaluation of the additional, independent key indicators identified for each of the Objectives
- **Impact:** the ultimate, triennial measure of evaluating the status of migratory species through one or more special indices at Goal level (to be developed under Target 1.3).

45. Many of the indicators for the Objectives and Targets require the collection of baseline data at the beginning of the Strategic Plan period. They will mainly require actions by the Secretariat and the Scientific Council, but some inputs will also be needed from Contracting Parties.

### 5.5 Review of the Strategic Plan

46. The implementation of the Strategic Plan will be reviewed by the Conference of the Parties at its ninth and tenth meetings in the light of the Plan's stated targets, milestones and indicators. The first, mid-term review, will be carried out internally under the leadership of the Standing Committee with inputs from the Scientific Council and the Secretariat. Amendments to the Strategic Plan may at that stage be made in accordance with the findings of the review and any new, external circumstances which may arise.

47. The second, end-of-term review could also be led by the Standing Committee, or, if resources allow, could be an independent, external assessment. The results and recommendations will be an important input for the development of the follow-on Strategic Plan.



48. The Agreements negotiated under CMS auspices will be invited to participate in the review process and to adopt complementary procedures for themselves.

## 6. LOGICAL FRAMEWORK TABLE

### STRATEGIC PLAN 2006–2011

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
<b>VISION</b> A world which understands, respects and sustains the phenomenon of animal migration as a unique part of our shared natural heritage			
<b>GOAL</b> To ensure the favourable conservation status of migratory species thereby contributing to global sustainability			<ul style="list-style-type: none"> <li>Number of App. I species whose conservation status has improved as indicated by CMS global index (→ target 1.8)</li> </ul> Aggregate measure derived from similar top status indicators for all species or species groups covered through Agreements or memoranda of understanding
<b>OBJECTIVE 1</b> To ensure that the conservation and management of migratory species is based on the best available information			<ul style="list-style-type: none"> <li>Quality improvement of listing proposals, review reports and background papers for recommendations (assessment of underpinning data: how up-to-date, scientifically credible and, where possible, independently refereed)</li> </ul>
	Status	<b>1.1</b> Review of status of and conservation actions for App I and II species published at regular intervals	<ul style="list-style-type: none"> <li>Scientific Council 14: Aquatic mammals, aquatic reptiles, terrestrial mammals, birds, bats,</li> <li>Scientific Council 16: Fishes, invertebrates (butterflies)</li> </ul>
		<b>1.2</b> Up-to-date list of Range States of App I and II species presented to each Conference of the Parties	<ul style="list-style-type: none"> <li>Ninth Conference of the Parties</li> <li>Tenth Conference of the Parties</li> </ul>
		<b>1.3</b> Indices for measuring the status and trends of migratory species at global, regional and national levels developed	<ul style="list-style-type: none"> <li>Scientific Council 14: decision on way forward</li> <li>Ninth Conference of the Parties: draft indicators submitted</li> </ul>

	Pressures	<b>1.4</b> Emerging and existing threats to migratory species and obstacles to migration identified and reviewed at regular intervals and guidelines for appropriate actions developed	<ul style="list-style-type: none"> <li>• Scientific Council 14: Draft guidelines for the most important pressure issues available</li> <li>• Scientific Council 15: Recommendations with respect to the most important pressure issues to ninth Conference of the Parties</li> </ul>
	Responses	<b>1.5</b> Criteria, indicators and guidelines for assessing the success of conservation actions for priority migratory species developed	<ul style="list-style-type: none"> <li>• Scientific Council 14: Review of available evaluation systems</li> <li>• Scientific Council 15: Draft guidelines available</li> <li>• Ninth Conference of the Parties: Guidelines adopted</li> </ul>
	Other	<b>1.6</b> Research and monitoring priorities for App I and II species identified and recommended to appropriate institutions for action	<ul style="list-style-type: none"> <li>• Scientific Council 15: terms of reference set</li> <li>• Scientific Council 16: Priorities identified</li> <li>• Tenth Conference of the Parties: Priorities considered for promotion</li> </ul>
		<b>1.7</b> Standards and effectiveness of commissioned research and CMS published reports improved	<ul style="list-style-type: none"> <li>• 2006: Baseline assessment of three sample reports</li> <li>• Scientific Council 14: Standard system operational</li> <li>• 2011: Quality assessment of three sample reports</li> </ul>
		<b>1.8</b> User-friendly information management system integrating the best available data on migratory species operational and regularly updated	<ul style="list-style-type: none"> <li>• Eighth Conference of the Parties: Decision on future development of IMS, including GROMS, based on review</li> <li>• Scientific Council 14: Documentation of necessary data sources</li> <li>• Proof of updating procedures from all data sources</li> </ul>
<b>OBJECTIVE 2</b> <b>To ensure that migratory species benefit from the best possible conservation measures</b>			<ul style="list-style-type: none"> <li>• Number of App. I species with improved conservation status</li> <li>• Number of App. II species with conservation status maintained or improved</li> <li>• Documentation of migratory species issues being integrated in sectoral policies (provided by national reports)</li> <li>• Number and total area of protected areas benefiting migratory species (national reports)</li> </ul>
	All species	<b>2.1</b> App. I and App. II regularly updated	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: listing proposals</li> <li>• Tenth Conference of the Parties: listing proposals</li> </ul>

	App. I species	<b>2.2</b> All species in App. I fully protected throughout their range in Parties	<ul style="list-style-type: none"> <li>• 2006: baseline: legal protection status of every species in every Party Range State</li> </ul>
	App. I species	<b>2.3</b> Habitats of key importance in removing App. I species from danger of extinction conserved, restored and effectively managed	<ul style="list-style-type: none"> <li>• Scientific Council 15: Habitats (or sites as proxies) of key importance for all species identified</li> <li>• Scientific Council 16: Status of those habitats known</li> <li>• Scientific Council 17: Proposal for action ready for tenth Conference of the Parties</li> <li>• Tenth Conference of the Parties: Adoption of proposal</li> <li>• Re-evaluation of conservation status</li> </ul>
	App. I: Concerted Action species	<b>2.4</b> Concerted actions for App. I priority species identified by Conference of the Parties implemented	<ul style="list-style-type: none"> <li>• Scientific Council 14: Evaluation framework and baseline information available</li> <li>• Scientific Council 16: First evaluation of implementation</li> </ul>

	App. II species not yet covered by Agreement or memorandum of understanding	<b>2.5</b> App. II regularly reviewed and opportunities for international collaborative arrangements (incl. agreements) at appropriate scale and resulting in greatest possible conservation gain actively pursued	<ul style="list-style-type: none"> <li>• At least 15 new international collaborative arrangements in place</li> <li>• Scientific Council 14: First entries of CMS App II Agreements table</li> <li>• Scientific Council 15/ninth Conference of the Parties: Review of existing arrangements for birds. Recommendations to Parties for future priorities</li> <li>• Scientific Council 16: Table reviewed and updated</li> <li>• Scientific Council 17/tenth Conference of the Parties: Review of existing arrangements for marine species. Recommendations for priorities</li> <li>• 2006: Asian Houbara Bustard Agreement; Monk Seal MoU; Pacific Islands Cetaceans MoU; Appropriate instrument for Sahelo-Saharan Antelopes; Saiga Antelope MoU; African Atlantic Coast Turtles MoU revitalised; Central Asian Flyway interim coordination mechanism</li> <li>• 2007: Andean Flamingos MoU; Appropriate instruments for (i) Mongolian Gazelle; (ii) Small Cetaceans and Sirenians in West Africa</li> </ul>
			<ul style="list-style-type: none"> <li>• 2008: Dugong MoU; Southern South American Grassland Birds MoU; Appropriate instruments for (i) Small Cetaceans of South-East Asia; (ii) African Bats; (iii) Central Asian Flyway; (iv) African-Eurasian Raptors; (v) Gorillas</li> </ul>
	All species	<b>2.6</b> Actions to mitigate the most serious threats to migratory species and obstacles to animal migration initiated or carried out, in particular relating to wind turbines, power lines, by-catch, oil pollution, climate change, disease, invasive species, illegal take	<ul style="list-style-type: none"> <li>• Scientific Council 14: Evaluation of implementation (baseline)</li> <li>• Scientific Council 16: Re-evaluation: at least a 20 per cent increase over baseline</li> </ul>

		<b>2.7</b> The most important key habitats/sites for migratory species in each Range State are protected and connected, where appropriate, through networks of protected areas and corridors	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: Guidelines developed and presented by Scientific Council</li> <li>• Tenth Conference of the Parties: Each Party to report on up to 10 most important migratory species sites and their inclusion a network of protected areas and corridors</li> </ul>
		<b>2.8</b> Impact assessments (EIA, system evaluation assessment) required for all development likely to impact migratory species seriously (especially wind turbines and power lines) and special provisions for migratory species included in national EIA regulations and procedures	<ul style="list-style-type: none"> <li>• 2006: First assessment of need for EIA in each Party for wind turbines and power lines and of general provisions in EIA regulations for migratory species</li> <li>• Ninth Conference of the Parties: First assessment of migratory species considerations in Party EIA regulations and procedures</li> </ul>
		<b>2.9</b> Issues affecting migratory species addressed in national biodiversity strategies and action plans	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: First evaluation of implementation of guidance by Parties</li> </ul>
<b>OBJECTIVE 3</b> <b>To broaden awareness and enhance engagement in the conservation of migratory species amongst key actors</b>			<ul style="list-style-type: none"> <li>• Number of references to migratory species per year in global news agencies (Reuters, Associated Press, AFP, Spanish services)</li> <li>• Number of references to the Convention in same</li> <li>• Total amount of funding spent by selected countries (Parties, non-Parties, regionally representative) on migratory species conservation</li> </ul>
	Parties	<b>3.1</b> Levels of engagement in and commitment of existing Parties to CMS increased	<ul style="list-style-type: none"> <li>• Response to requests</li> <li>• Level of meeting attendance</li> <li>• Assessed and voluntary contributions</li> <li>• Level of implementation of resolutions and recommendations (national reporting)</li> <li>• 2006: Baseline data collected</li> </ul>
	Non-Parties	<b>3.2</b> Level of engagement in CMS work of priority target non-Parties increased	<ul style="list-style-type: none"> <li>• Proxy indicator: number of countries joining CMS or/and participating in agreements</li> </ul>
	Partners	<b>3.3</b> Number of Partners supporting and participating in the work of CMS increased	<ul style="list-style-type: none"> <li>• 2006: Baseline data (number of partners in CMS and agreements, etc.) collected</li> <li>• References to CMS and Agreements in Partners' work/materials</li> </ul>

	Media	<b>3.4</b> Awareness of key media of CMS and its leading role in the conservation of migratory species enhanced	<ul style="list-style-type: none"> <li>• References to CMS in media</li> <li>• Measuring interactions with web site</li> </ul>
	Sectoral groups	<b>3.5</b> Opinion-leaders of key sectoral groups impacting on migratory species influenced, including by expert advice, through CMS	<ul style="list-style-type: none"> <li>• CMS institutions: Number of engagements with such people</li> <li>• Parties (in national reports): legal references/EIAs referring to CMS or migratory species</li> </ul>
	All	<b>3.6</b> Key information material in appropriate UN languages disseminated to identified target audiences	<ul style="list-style-type: none"> <li>• Brochures in Chinese and Arabic</li> <li>• Measuring interactions with web site</li> <li>• Frequency of updating web site</li> </ul>
<b>OBJECTIVE 4</b> <b>To reinforce the overarching and unifying role of CMS in the conservation and management of migratory species</b>			<ul style="list-style-type: none"> <li>• Number of Contracting Parties to CMS and/or Agreements</li> <li>• Number of signatories to memoranda of understanding</li> <li>• Number of references to CMS in CBD, CITES and Ramsar national reports</li> <li>• Number of references to CMS in annual reports of key partners: IUCN, WWF, BirdLife, Wetlands International, Whale and Dolphin Conservation Society</li> </ul>
	Parties	<b>4.1</b> CMS membership increased by 30 Parties, particularly those which are of high importance for migratory species, and/or for which there is a high priority for securing new agreements	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: 20</li> <li>• Double number of members in Americas and Asia</li> </ul>
	Agreements, memoranda of understanding	<b>4.2</b> Contribution of Agreements and memoranda of understanding towards delivery of the CMS Strategic Plan targets jointly reviewed and appropriate measures developed to deal with any identified gaps	<ul style="list-style-type: none"> <li>• Standing Committee pre-ninth Conference of the Parties: Gaps identified</li> <li>• Ninth Conference of the Parties: Measures developed</li> </ul>
	Multilateral environmental agreements and Partners	<b>4.3</b> Cooperative activities in pursuit of shared targets with relevant multilateral environmental agreements and key partners increased	<ul style="list-style-type: none"> <li>• Number of cooperative activities conducted</li> <li>• Financial volume of those activities</li> </ul>
	Corporate identity	<b>4.4</b> Identity and cohesiveness of the CMS family of instruments strengthened	<ul style="list-style-type: none"> <li>• Agreements as observers on Scientific Council</li> <li>• Combination of logos/branding</li> </ul>

	National networks	<b>4.5</b> CMS national liaison systems or committees established in most Parties	<ul style="list-style-type: none"> <li>• Number of national liaison systems and committees</li> <li>• Ninth Conference of the Parties: Guidelines for CMS Focal Points and Scientific Councillors on how to establish such networks</li> </ul>
	Effectiveness	<b>4.6</b> Effectiveness of CMS' own institutions reviewed and, where necessary, enhanced to ensure fulfilment of its increasing worldwide responsibilities	<ul style="list-style-type: none"> <li>• Eighth Conference of the Parties: Evaluation commissioned</li> <li>• Ninth Conference of the Parties: Decision on recommendation</li> </ul>
	Participation	<b>4.7</b> Regional capacity for participating in CMS implementation activities enhanced, particularly in those regions where CMS is underrepresented	<ul style="list-style-type: none"> <li>• Number of regional meetings and participants</li> <li>• Number of projects supported in region</li> </ul>
	Funding	<b>4.8</b> Extra budgetary funding from a wider range of sources secured for implementation of the CMS Strategic Plan	<ul style="list-style-type: none"> <li>• Amount of funding</li> <li>• Permanent mechanisms established for private-sector fundraising</li> </ul>
<b>OPERATIONAL PRINCIPLES</b>		<b>In pursuit of implementing this Strategic Plan, CMS endeavours to adhere, where appropriate, to the identified Operational Principles in all its programmes, projects and activities</b>	
	United Nations principles	<b>OP1</b> To respect the general principles of the United Nations Charter	
	Synergies with other Conventions	<b>OP2</b> To cooperate closely with relevant multilateral environmental agreements and key partners to maximise synergies and avoid duplication	
	Sustainable use	<b>OP3</b> To foster awareness of the concept of sustainable use, and of livelihoods being dependent on migratory species	
	Transfer of resources	<b>OP4</b> To increase the opportunities for developing countries and countries with economies in transition to contribute to the implementation of the Strategic Plan	
	Project funding	<b>OP5</b> To spend available project funding in less wealthy countries	
	Co-funding	<b>OP6</b> To attract at least 50 per cent matching funding for project activities	



	Capacity- building	<b>OP7</b> To seize opportunities for capacity-building in all activities	
	Involvement of stakeholders	<b>OP8</b> To involve stakeholders in the implementation of the Strategic Plan	
	Collaboration with Agreements	<b>OP9</b> To work in ever closer collaboration with the institutions and partners of all CMS Article IV Agreements	



# CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.3\*

ORIGINAL: ENGLISH

## FINANCIAL AND ADMINISTRATIVE MATTERS AND TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Article VII, paragraph 4, of the Convention, which reads as follows:

“The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference”;

*Acknowledging* with appreciation the financial and other support provided in the previous triennium by the United Nations Environment Programme (UNEP) and the Parties to the Convention, and giving special thanks to the Host Government (Germany) and the Governments of France, Italy, Monaco and the United Kingdom for their substantial additional voluntary contributions in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention;

*Following* the recommendations of the Standing Committee;

*Recognizing* the need to provide sufficient resources to enable the Secretariat of the Convention to enable it to carry out the Convention’s work programme set out in the Strategic Plan and to serve its Parties in all regions;

*Recognizing also* that the working capital reserve has been almost exhausted in order to carry out the programme agreed at the seventh meeting of the Conference of the Parties in 2002;

*Noting* the adverse effects of exchange rate fluctuations and the need to protect the funds of the Convention from the reduced value of income as a result of the considerable existing and predicted further decline in the value of the United States dollar against the euro;

*Aware* of the particular situation and the difficult conditions under which the Secretariat will have to work through the coming triennium;

*Expressing thanks* to the Standing Committee and its Budget Working group for producing several budget scenarios for adoption by the eighth meeting of the Conference of the Parties, Nairobi, 2005;

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\* Revised version March 2006.

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities; and

*Noting* the considerable number of Parties and also organizations attending the meeting of the Conference of the Parties as observers and the resulting additional expenditure to Parties so incurred;

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

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the budget for 2006 to 2008 attached as annex I to the present resolution;
3. *Agrees* to the scale of contributions of Parties to the Convention as listed in annex II to the present resolution and to the application of that scale pro rata to new Parties;
4. *Agrees* that all contributions to the Trust Fund shall be paid in euros;
5. *Agrees* that there shall be maintained a working capital at a constant level of at least 15 per cent of estimated annual expenditure or \$500,000, whichever is higher;
6. *Requests* all Parties to pay their contributions as promptly as possible preferably not later than the end of March in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
7. *Agrees* that those Parties wishing to do so, may pay their contributions in three equal instalments;
8. *Agrees* to set the threshold of eligibility for funding delegates to attend the Convention's meetings at 0.200 per cent on the United Nations scale of assessment in the following order of priority for the allocation of funding:
  - (a) Countries lowest on the scale, and others with no unpaid pledges to the Convention, in ascending order up to the 0.200 per cent threshold;
  - (b) Countries with unpaid pledges to the Convention in ascending order on the scale, up to the 0.200 per cent threshold; and
  - (c) Non-Party developing countries, Range States and countries actively preparing accession that had not previously received a subsidy to attend a meeting of the Conference of the Parties to the Convention;
9. *Approves* the medium-term plan for 2006 to 2011 attached as annex III to the present resolution and the programme outlined in the Strategic Plan (Resolution 8.2, Nairobi, 2005);
10. *Instructs* the Executive Secretary to service the implementation of the 2006-2011 Strategic Plan (as adopted in resolution 8.2) as an entity within available resources;
11. *Instructs* the Standing Committee to keep the status of the Trust Fund under regular review;

12. *Instructs* the Executive Secretary to use all opportunities to improve the flow of income (including for conservation and implementation projects) and the savings throughout the period 2006–2008, in order, *inter alia*, to present a balanced budget for the next triennium 2009–2011;
13. *Invites* Parties to consider the feasibility of financing Junior Professional Officers or providing interns, volunteers and technical experts to the Secretariat to increase its technical capacity in accordance with the United Nations rules and regulations and to agree on providing modest funding within the approved budget of the Convention to cover the difference in cost and applicable UNEP overhead charges for such staff;
14. *Encourages* all Parties to make voluntary contributions to the Trust Funds to support requests from developing countries to participate in and implement the Convention throughout the triennium;
15. *Requests* the Executive Secretary to provide Parties with a detailed list of core ongoing and future activities and projects not covered by the core budget, to assist Parties to identify those they intend to fund;
16. *Requests* the Secretariat to allocate the contributions of Parties that accede to the Convention after 1 January 2006 towards the funding of projects not covered by the core budget;
17. *Encourages* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;
18. *Takes note* of document UNEP/CMS/Conf.8.18 on the execution of the budget of the Convention in the triennium 2003–2005 and expresses its concern over the increase in outstanding unpaid pledges to the Trust Fund and urges the Governments concerned to pay their contributions in a timely manner;
19. *Decides* that representatives from countries with contributions in arrears three years or more should be excluded from holding office in Convention bodies and denied the right to vote; and *requests* the Executive Secretary to explore with these Parties innovative approaches for the identification of possible funding to resolve their arrears prior to the next meeting;
20. *Approves* the upgrading of the Information clerk post to Senior Information/Media Assistant, subject to the classification of the post by the United Nations;
21. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 2008 and to establish a new CMS Trust Fund for Voluntary Contributions;
22. *Invites* the Executive Director of UNEP to consider, on a case-by-case basis, to reduce the Programme Support Costs on voluntary contributions paid to the new CMS Trust Fund Voluntary Contributions for the implementation of activities;
23. *Encourages* the CMS Secretariat to submit a list of project proposals to the Executive Director of UNEP for consideration and possible financial support; and
24. *Approves* the terms of reference for the administration of the Trust Fund, as set forth in annex IV to the present resolution, for the period 2006 to 2008.

# ANNEX I TO RESOLUTION 8.3\*

## A) BUDGET ESTIMATES FOR 2006-2008 - CMS TRUST FUND IN EUROS

Budget line	Description	2006	2007	2008	Total
<b>Executive Management and Institutions Unit</b>					
1101	Executive Secretary	195,233	198,540	200,576	594,348
1102	Deputy Executive Secretary	150,368	153,167	154,948	458,483
1103	CMS Senior Advisor (part time)	21,203	21,203	21,203	63,608
1301	Personal Assistant	73,361	77,092	80,909	231,362
1304	Admin Assistant	73,361	77,092	80,909	231,362
	<b>Subtotal</b>	<b>513,525</b>	<b>527,094</b>	<b>538,544</b>	<b>1,579,162</b>
<b>Executive Management Support</b>					
2290	Membership Promotion	4,241			4,241
5401	Hospitality				
	<b>Subtotal</b>	<b>4,241</b>	<b>0</b>	<b>0</b>	<b>4,241</b>
<b>Institutions</b>					
3301	Standing Committee Meetings Support to Delegates		13,570	14,418	27,987
3302	Scientific Council Meetings Support to Delegates		46,646		46,646
3303	COP 9 Support to Delegates			51,734	51,734
1201	Consultancies - translation	67,848	67,848	84,810	220,506
1202	Consultancies - COP servicing (salary/travel)			373,164	373,164
1221	Consultancies - experts	4,241			4,241
1602	COP 9 Travel of CMS Staff			38,165	38,165
	<b>Subtotal</b>	<b>72,089</b>	<b>128,063</b>	<b>562,290</b>	<b>762,442</b>
<b>Total Executive Management and Institutions Unit</b>		<b>589,854</b>	<b>655,157</b>	<b>1,100,834</b>	<b>2,345,845</b>
<b>External Relations Partnerships &amp; Media Unit</b>					
1103	Inter-Agency Liaison Officer	126,961	129,335	131,116	387,412
1306	Senior Information/Media Assistant	73,361	77,092	80,909	231,362
	<b>Subtotal</b>	<b>200,321</b>	<b>206,428</b>	<b>212,025</b>	<b>618,774</b>
<b>External Relations and Media Projects</b>					
2210	Outreach and Fundraising	48,342	48,342	48,342	145,025
5201	Information and Publicity Materials	8,481	8,481	8,481	25,443
	<b>Subtotal</b>	<b>56,823</b>	<b>56,823</b>	<b>56,823</b>	<b>170,468</b>
<b>Total External Relations Partnerships &amp; Media Unit</b>		<b>257,144</b>	<b>263,250</b>	<b>268,848</b>	<b>789,242</b>
<b>Science &amp; Conservation Unit</b>					
1104	Scientific and Technical Officer	126,961	129,335	131,116	387,412
1105	Agreements Development Officer	126,961	129,335	131,116	387,412
1307	Secretary	73,361	77,092	80,909	231,362
	<b>Subtotal</b>	<b>327,282</b>	<b>335,763</b>	<b>343,141</b>	<b>1,006,186</b>
<b>Conservation and Implementation Projects</b>					
2230	Conservation Grants & Projects	41,696	41,695	41,695	125,086
2260	Agreements & MoUs	64,317	64,317	64,317	192,951
	<b>Subtotal</b>	<b>106,013</b>	<b>106,013</b>	<b>106,012</b>	<b>318,038</b>

\* Revised version March 2006.

Budget line	Description	2006	2007	2008	Total
<b>Total Science &amp; Conservation Unit</b>		<b>433,295</b>	<b>441,775</b>	<b>449,153</b>	<b>1,324,223</b>
<b>Information and Capacity-Building Unit</b>					
1106	Information Officer	126,961	129,335	131,116	387,412
1303	Computer Operations Clerk	73,361	77,092	80,909	231,362
1305	Secretary-Clerk	73,361	77,092	80,909	231,362
1308	Registry Clerk	73,361	77,092	80,909	231,362
	<b>Subtotal</b>	<b>347,043</b>	<b>360,612</b>	<b>373,842</b>	<b>1,081,497</b>
Information & Capacity Building Projects					
2201	Capacity Building Events	8,481	8,481	8,481	25,443
2205	Information Management Plan	25,443	25,443	25,443	76,329
	GROMS	4,241	4,241		8,481
	<b>Subtotal</b>	<b>38,165</b>	<b>38,165</b>	<b>33,924</b>	<b>110,253</b>
<b>Total Information and Capacity-Building</b>		<b>385,207</b>	<b>398,777</b>	<b>407,766</b>	<b>1,191,750</b>
<b>Administration Unit</b>					
1107	Administrative and Fund Management Officer				
1300	Finance Assistant				
1310	Finance Assistant				
1311	Administrative Assistant - Procurement				
1312	Administrative Assistant - Travel				
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<i>Common secretariat costs</i>					
1601	Travel: Staff on mission	55,127	55,127	56,484	166,737
4100	Office supplies	4,241	4,665	5,089	13,994
4200	Non-expendable equipment	8,481	9,329	10,177	27,987
5101	Maintenance of computers	1,696	2,120	2,544	6,361
5102	Maintenance of photocopier	5,089	5,513	5,937	16,538
5301	Communications (fax, telephone)	14,418	15,266	16,114	45,797
5302	Postage and Courier	5,089	5,513	5,937	16,538
5303	Miscellaneous	2,120	2,544	2,968	7,633
5304	Bank charges	2,544	2,968	3,392	8,905
	<b>Subtotal</b>	<b>98,804</b>	<b>103,044</b>	<b>108,642</b>	<b>310,490</b>
<b>Total Administration Unit</b>		<b>98,804</b>	<b>103,044</b>	<b>108,642</b>	<b>310,490</b>
	Saving bank charges	-2,120	-2,290	-2,375	-6,785
	2% of salary cost - Vacancies	-25,448	-25,449	-25,449	-76,346
	Secretariat efficiency (Annex C-14)	-7,067	-7,067	-7,068	-21,203
	<b>Grand subtotal</b>	<b>1,729,668</b>	<b>1,827,198</b>	<b>2,300,352</b>	<b>5,857,217</b>
6000	13% overhead cost	224,857	237,536	299,046	761,438
	<b>Grand total in Euros</b>	<b>1,954,525</b>	<b>2,064,733</b>	<b>2,599,397</b>	<b>6,618,655</b>
	Amount from reserve, recovery of subscription arrears, and subscriptions of new parties	-84,810	-84,810	-84,810	-254,430
<b>Grand total to be shared by the Parties in EUROS</b>		<b>1,869,715</b>	<b>1,979,923</b>	<b>2,514,587</b>	<b>6,364,225</b>

## B) BUDGET ESTIMATES FOR 2006-2008 - CMS TRUST FUND IN DOLLARS

Budget line	Description	2006	2007	2008	Total
<b>Executive Management and Institutions Unit</b>					
1101	Executive Secretary	230,200	234,100	236,500	700,800
1102	Deputy Executive Secretary	177,300	180,600	182,700	540,600
1103	CMS Senior Advisor (part time)	25,000	25,000	25,000	75,000
1301	Personal Assistant	86,500	90,900	95,400	272,800
1304	Admin Assistant	865,500	90,900	95,400	272,800
	<b>Subtotal</b>	<b>605,500</b>	<b>621,500</b>	<b>635,000</b>	<b>1,862,000</b>
Executive Management Support					
2290	Membership Promotion	5,000			5,000
5401	Hospitality				
	<b>Subtotal</b>	<b>5,000</b>	<b>0</b>	<b>0</b>	<b>5,000</b>
Institutions					
3301	Standing Committee Meetings Support to Delegates		16,000	17,000	33,000
3302	Scientific Council Meetings Support to Delegates		55,000		55,000
3303	COP 9 Support to Delegates			61,000	61,000
1201	Consultancies - translation	80,000	80,000	100,000	260,000
1202	Consultancies - COP servicing (salary/travel)			440,000	440,000
1221	Consultancies – experts	5,000			5,000
1602	COP 9 Travel of CMS Staff			45,000	45,000
	<b>Subtotal</b>	<b>85,000</b>	<b>151,000</b>	<b>663,000</b>	<b>899,000</b>
<b>Total Executive Management and Institutions Unit</b>		<b>695,500</b>	<b>772,500</b>	<b>1,298,000</b>	<b>2,766,000</b>
<b>External Relations Partnerships &amp; Media Unit</b>					
1103	Inter-Agency Liaison Officer	149,700	152,500	154,600	456,800
1306	Senior Information/Media Assistant	86,500	90,900	95,400	272,800
	<b>Subtotal</b>	<b>236,200</b>	<b>243,400</b>	<b>250,000</b>	<b>729,600</b>
External Relations and Media Projects					
2210	Outreach and Fundraising	57,000	57,000	57,000	171,000
5201	Information and Publicity Materials	10,000	10,000	10,000	30,000
	<b>Subtotal</b>	<b>67,000</b>	<b>67,000</b>	<b>67,000</b>	<b>201,000</b>
<b>Total External Relations Partnerships &amp; Media Unit</b>		<b>303,200</b>	<b>310,400</b>	<b>317,000</b>	<b>930,600</b>
<b>Science &amp; Conservation Unit</b>					
1104	Scientific and Technical Officer	149,700	152,500	154,600	456,800
1105	Agreements Development Officer	149,700	152,500	154,600	456,800
1307	Secretary	86,500	90,900	95,400	272,800
	<b>Subtotal</b>	<b>385,900</b>	<b>395,900</b>	<b>404,600</b>	<b>1,186,400</b>

Budget line	Description	2006	2007	2008	Total
Conservation and Implementation Projects					
2230	Conservation Grants & Projects	49,164	49,163	49,163	147,490
2260	Agreements & MoUs	75,837	75,837	75,836	227,510
	<b>Subtotal</b>	<b>125,001</b>	<b>125,000</b>	<b>124,999</b>	<b>375,000</b>
<b>Total Science &amp; Conservation Unit</b>		<b>510,901</b>	<b>520,900</b>	<b>529,599</b>	<b>1,561,400</b>
<b>Information and Capacity-Building Unit</b>					
1106	Information Officer	149,700	152,500	154,600	456,800
1303	Computer Operations Clerk	86,500	90,900	95,400	272,800

Budget line	Description	2006	2007	2008	Total
1305	Secretary - Clerk	86,500	90,900	95,400	272,800
1308	Registry Clerk	86,500	90,900	95,400	272,800
	<b>Subtotal</b>	<b>409,200</b>	<b>425,200</b>	<b>440,800</b>	<b>1,275,200</b>
Information & Capacity Building Projects					
2201	Capacity Building Events	10,000	10,000	10,000	30,000
2205	Information Management Plan	30,000	30,000	30,000	90,000
	GROMS	5,000	5,000		10,000
	<b>Subtotal</b>	<b>45,000</b>	<b>45,000</b>	<b>40,000</b>	<b>130,000</b>
<b>Total Information and Capacity-Building</b>		<b>454,200</b>	<b>470,200</b>	<b>480,800</b>	<b>1,405,200</b>
<b>Administration Unit</b>					
1107	Administrative and Fund Management Officer				
1300	Finance Assistant				
1310	Finance Assistant				
1311	Administrative Assistant - Procurement				
1312	Administrative Assistant - Travel				
	<b>Subtotal</b>		<b>0</b>	<b>0</b>	<b>0</b>
	<i>Common secretariat costs</i>				
1601	Travel: Staff on mission	65,000	65,000	66,601	196,601
4100	Office supplies	5,000	5,500	6,000	16,500
4200	Non-expendable equipment	10,000	11,000	12,000	33,000
5101	Maintenance of computers	2,000	2,500	3,000	7,500
5102	Maintenance of photocopier	6,000	6,500	7,000	19,500
5301	Communications (fax, telephone)	17,000	18,000	19,000	54,000
5302	Postage and Courier	6,000	6,500	7,000	19,500
5303	Miscellaneous	2,500	3,000	3,500	9,000
5304	Bank charges	3,000	3,500	4,000	10,500
	<b>Subtotal</b>	<b>116,500</b>	<b>121,500</b>	<b>128,101</b>	<b>366,101</b>
<b>Total Administration Unit</b>		<b>116,500</b>	<b>121,500</b>	<b>128,101</b>	<b>366,101</b>
	Saving bank charges	-2,500	-2,700	-2,800	-8,000
	2% of salary cost - Vacancies	-30,006	-30,007	-30,007	-90,020
	Secretariat efficiency (Annex C-14)	-8,333	-8,333	-8,334	-25,000
	<b>Grand subtotal</b>	<b>2,039,462</b>	<b>2,154,460</b>	<b>2,712,359</b>	<b>6,906,281</b>
6000	13% overhead cost	265,130	280,080	352,607	897,817
<b>Grand total in Dollars</b>		<b>2,304,592</b>	<b>2,434,540</b>	<b>3,064,966</b>	<b>7,804,093</b>
	Amount from reserve, recovery of subscription arrears, and subscriptions of new parties	-100,000	-100,000	-100,000	-300,000
<b>Grand total to be shared by the Parties in Dollars</b>		<b>2,204,592</b>	<b>2,334,540</b>	<b>2,964,966</b>	<b>7,504,093</b>



## ANNEX II TO RESOLUTION 8.3\*

### SCALE OF CONTRIBUTIONS OF PARTIES TO THE UNEP/CMS TRUST FUND FOR 2006-2008

N°	Party	UN Scale in %	2006 Contributions	2007 Contributions	2008 Contributions	2006-2008 Total
		2005	EUR**	EUR**	EUR**	EUR**
1	Albania	0.005	205	217	275	697
2	Algeria	0.076	3,111	3,294	4,184	10,589
3	Argentina	0.956	39,132	41,438	52,628	133,198
4	Australia	1.592	65,165	69,006	87,640	221,810
5	Austria	0.947	38,763	41,048	52,133	131,944
6	Bangladesh	0.01	409	433	551	1,393
7	Belarus	0.018	737	780	991	2,508
8	Belgium	1.069	43,757	46,336	58,849	148,942
9	Benin	0.002	82	87	110	279
10	Bolivia	0.009	368	390	495	1,254
11	Bulgaria	0.017	696	737	936	2,369
12	Burkina Faso	0.002	82	87	110	279
13	Cameroon	0.008	327	347	440	1,115
14	Chad	0.001	41	43	55	139
15	Chile	0.223	9,128	9,666	12,276	31,070
16	Congo	0.001	41	43	55	139
17	Cote d'Ivoire	0.01	409	433	551	1,393
18	Croatia	0.037	1,515	1,604	2,037	5,155
19	Cyprus	0.039	1,596	1,690	2,147	5,434
20	Czech Republic	0.183	7,491	7,932	10,074	25,497
21	Democratic Republic of the Congo	0.003	123	130	165	418
22	Denmark	0.718	29,390	31,122	39,526	100,038
23	Djibouti	0.001	41	43	55	139
24	Ecuador	0.019	778	824	1,046	2,647
25	Egypt	0.12	4,912	5,201	6,606	16,719
26	Eritrea	0.001	41	43	55	139
27	Finland	0.533	21,817	23,103	29,342	74,262
28	France	6.03	246,823	261,372	331,954	840,149
29	Gambia	0.001	41	43	55	139
30	Georgia	0.003	123	130	165	418
31	Germany	8.662	354,558	375,457	476,846	1,206,861
32	Ghana	0.004	164	173	220	557
33	Greece	0.53	21,694	22,973	29,177	73,844
34	Guinea	0.003	123	130	165	418
35	Guinea-Bissau	0.001	41	43	55	139
36	Hungary	0.126	5,158	5,462	6,936	17,555
37	India	0.421	17,233	18,248	23,176	58,657
38	Ireland	0.35	14,326	15,171	19,268	48,765
39	Israel	0.467	19,115	20,242	25,709	65,066
40	Italy	4.885	199,955	211,742	268,921	680,618
41	Jordan	0.011	450	477	606	1,533
42	Kenya	0.009	368	390	495	1,254
43	Latvia	0.015	614	650	826	2,090
44	Liberia	0.001	41	43	55	139
45	Libya	0.132	5,403	5,722	7,267	18,391

\* Revised version March 2006.

46	Liechtenstein	0.005	205	217	275	697
47	Lithuania	0.024	982	1,040	1,321	3,344
48	Luxembourg	0.077	3,152	3,338	4,239	10,728
49	Mali	0.002	82	87	110	279
50	Malta	0.014	573	607	771	1,951
51	Mauritania	0.001	41	43	55	139
52	Mauritius	0.011	450	477	606	1,533
53	Monaco	0.003	123	130	165	418
54	Mongolia	0.001	41	43	55	139
55	Morocco	0.047	1,924	2,037	2,587	6,548
56	Netherlands	1.69	69,176	73,254	93,035	235,465
57	New Zealand	0.221	9,046	9,579	12,166	30,792
58	Niger	0.001	41	43	55	139
59	Nigeria	0.042	1,719	1,821	2,312	5,852
60	Norway	0.679	27,793	29,431	37,379	94,604
61	Pakistan	0.055	2,251	2,384	3,028	7,663
62	Panama	0.019	778	824	1,046	2,647
63	Paraguay	0.012	491	520	661	1,672
64	Peru	0.092	3,766	3,988	5,065	12,818
65	Philippines	0.095	3,889	4,118	5,230	13,236
66	Poland	0.461	18,870	19,982	25,378	64,230
67	Portugal	0.47	19,238	20,372	25,874	65,484
68	Republic of Moldova	0.001	41	43	55	139
69	Romania	0.06	2,456	2,601	3,303	8,360
70	Rwanda	0.001	41	43	55	139
71	Samoa	0.001	41	43	55	139
72	Sao Tome and Principe	0.001	41	43	55	139
73	Saudi Arabia	0.713	29,185	30,905	39,251	99,341
74	Senegal	0.005	205	217	275	697
75	Seychelles	0.005	205	217	275	697
76	Slovakia	0.051	2,088	2,211	2,808	7,106
77	Slovenia	0.082	3,356	3,554	4,514	11,425
78	Somalia	0.001	41	43	55	139
79	South Africa	0.292	11,952	12,657	16,075	40,684
80	Spain	2.52	103,150	109,230	138,727	351,107
81	Sri Lanka	0.017	696	737	936	2,369
82	Sweden	0.998	40,851	43,259	54,940	139,050
83	Switzerland	1.197	48,996	51,884	65,895	166,776
84	Syrian Arab Republic	0.038	1,555	1,647	2,092	5,294
85	Tajikistan	0.001	41	43	55	139
86	The FYR of Macedonia	0.006	246	260	330	836
87	Togo	0.001	41	43	55	139
88	Tunisia	0.032	1,310	1,387	1,762	4,459
89	Uganda	0.006	246	260	330	836
90	Ukraine	0.039	1,596	1,690	2,147	5,434
91	United Kingdom of Great Britain and Northern Ireland	6.127	250,794	265,576	337,294	853,664
92	United Republic of Tanzania	0.006	246	260	330	836
93	Uruguay	0.048	1,965	2,081	2,642	6,688
94	Uzbekistan	0.014	573	607	771	1,951
		1.593				
95	EC		46,743	49,498	62,865	159,106
	<b>Total</b>	<b>44.54</b>	<b>1,869,715</b>	<b>1,979,923</b>	<b>2,514,587</b>	<b>6,364,225</b>

\*\* The applied exchange rate is the 24th of November 2005 rate. (1 USD = 0.8481 Euro)

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## ANNEX III TO RESOLUTION 8.3\*

## A) MEDIUM TERM PLAN FOR 2006-2011 IN EUROS

Description	2006	2007	2008	2009	2010	2011
Professional Staff	874,646	890,251	901,191	919,215	937,599	956,351
Consultants	72,089	67,848	457,974	75,693	71,240	480,873
Administrative Support	513,525	539,646	566,361	594,679	624,413	655,634
Travel on Official Business	55,127	55,127	94,649	57,883	57,883	99,381
Subcontracts and Subprojects	196,760	192,519	188,277	206,598	202,145	197,691
Meetings and Training	0	60,215	66,152	0	63,226	69,459
Equipment	12,722	13,994	15,266	13,358	14,693	16,029
Operation and Maintenance	6,785	7,633	8,481	7,124	8,015	8,905
Reporting Costs and Information Material	8,481	8,481	8,481	8,905	8,905	8,905
Sundry (Communications)	24,171	26,291	28,411	25,379	27,606	29,832
Hospitality	0	0	0	0	0	0
<i>Saving bank charges</i>	-2,120	-2,290	-2,375	0	0	0
<i>2% of salary cost - Vacancies</i>	-25,448	-25,449	-25,449	0	0	0
<i>Secretariat efficiency (Annex C-14)</i>	-7,067	-7,067	-7,068	0	0	0
Sub-total	1,729,668	1,827,198	2,300,352	1,908,834	2,015,725	2,523,061
UNEP Administrative Costs	224,857	237,536	299,046	248,148	262,044	327,998
<b>Total</b>	<b>1,954,525</b>	<b>2,064,733</b>	<b>2,599,397</b>	<b>2,156,982</b>	<b>2,277,769</b>	<b>2,851,059</b>
Less: Reserve, Recoveries and new parties	-84,810	-84,810	-84,810	0	0	0
<b>Budget to be shared by parties</b>	<b>1,869,715</b>	<b>1,979,923</b>	<b>2,514,587</b>	<b>2,156,982</b>	<b>2,277,769</b>	<b>2,851,059</b>

## B) MEDIUM TERM PLAN FOR 2006-2011 IN DOLLARS

Description	2006	2007	2008	2009	2010	2011
Professional Staff	1,031,300	1,049,700	1,062,600	1,083,852	1,105,529	1,127,640
Consultants	85,000	80,000	540,000	89,250	84,000	567,000
Administrative Support	605,500	636,300	667,800	701,190	736,250	773,062
Travel on Official Business	65,000	65,000	111,601	68,250	68,250	117,181
Subcontracts and Subprojects	232,001	227,000	221,999	243,601	238,350	233,099
Meetings and Training	0	71,000	78,000	0	74,550	81,900
Equipment	15,000	16,500	18,000	15,750	17,325	18,900
Operation and Maintenance	8,000	9,000	10,000	8,400	9,450	10,500
Reporting Costs and Information Material	10,000	10,000	10,000	10,500	10,500	10,500
Sundry (Communications)	28,500	31,000	33,500	29,925	32,550	35,175
Hospitality	0	0	0	0	0	0
<i>Saving bank charges</i>	-2,500	-2,700	-2,800	0	0	0
<i>2% of salary cost - Vacancies</i>	-30,006	-30,007	-30,007	0	0	0
<i>Secretariat efficiency (Annex C-14)</i>	-8,333	-8,333	-8,334	0	0	0
Sub-total	2,039,462	2,154,460	2,712,359	2,250,718	2,376,754	2,974,957
UNEP Administrative Costs	265,130	280,080	352,607	292,593	308,978	386,744
<b>Total</b>	<b>2,304,592</b>	<b>2,434,540</b>	<b>3,064,966</b>	<b>2,543,311</b>	<b>2,685,732</b>	<b>3,361,701</b>
Less: Reserve, Recoveries and new parties	-100,000	-100,000	-100,000	0	0	0
<b>Budget to be shared by parties</b>	<b>2,204,592</b>	<b>2,334,540</b>	<b>2,964,966</b>	<b>2,543,311</b>	<b>2,685,732</b>	<b>3,361,701</b>

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\* Revised version March 2006.

**TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND  
FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES  
OF WILD ANIMALS**

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be three calendar years beginning 1 January 2006 and ending 31 December 2008.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations and other administrative policies or procedures promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund. In the case of voluntary contributions, the Executive Director of UNEP will be prepared to allocate to the CMS Trust Fund the programme support cost portion of funds received as voluntary contributions with a view to providing additional support for CMS Secretariat projects. Those allocations will be issued by the Executive Director based on the proposals of the Executive Secretary of CMS.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 2008, the Executive Director of UNEP shall be so advised in writing immediately after the ninth meeting of the Conference of the Parties. It is understood that whether to so extend the Trust Fund shall be decided by and at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 2006-2008 shall be derived from:
  - (a) The contributions made by the Parties by reference to annex II, including contributions from any new Parties; and
  - (b) Further contributions from Parties and contributions from States not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in euros. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined pro rata based on the

contributions of other States Parties on the same level as the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis were to be more than 22 percent of the budget, the contribution of that Party shall be 22 percent of the budget for the financial year of joining (or pro rata for a partial year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. Contributions shall be due on 1 January 2006, 2007 and 2008.

9. Contributions shall be paid into the following accounts:

(a) Contributions in euros:

UNEP Euro Account  
Account No. 616160755  
J.P. Morgan AG  
Gruneburgweg 2  
60322 Frankfurt/Main  
Germany  
Bank code number 501 108 00  
SWIFT No. CHASDEFX  
IBAN: DE 565011080061616 03755

(b) Contributions in dollars:

UNEP Trust Fund  
Account No. 485 000 326  
J.P. Morgan Chase  
International Agencies Banking  
1166 Avenue of the Americas, 17th Floor  
New York, N.Y. 10036-2708, USA  
Wire transfers: Chase ABA number 021000021  
SWIFT number BIC-CHASUS33  
CHIPS participant number 0002

10. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

11. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

12. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

13. Budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period, prepared in euros (with dollar equivalents), shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

14. The estimates for each of the calendar years covered by the financial period shall be divided into sections and objects of expenditure, shall be specified according to budget lines,

shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditures itemized for each programme so as to correspond to the sections, objects of expenditure and budget lines described in the first sentence of the present paragraph.

15. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 2006 to 2011, inclusive, and shall incorporate the budget for the financial period 2006–2008.

16. The proposed budget and medium-term plan, including all necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties at which they are to be considered.

17. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at that ordinary meeting.

18. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, which shall seek the advice of the Standing Committee as to its priorities for expenditure.

19. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

20. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second calendar year, provided that the total budget approved by the Parties shall not be exceeded, unless specifically sanctioned in writing by the Standing Committee.

21. At the end of each calendar year of the financial period,<sup>1</sup> the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, the accounts for the year in euros. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period, in euros (with dollar equivalent). Those accounts shall include full details of actual expenditure compared to the original provisions for each budget line.

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<sup>1</sup> The calendar year 1 January to 31 December is the accounting and financial year, but the account's official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year must be closed, and it is only then that the Executive Director may submit the accounts of the previous calendar year.

22. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

23. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

24. The present terms of reference shall be effective from 1 January 2006 to 31 December 2008.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.5

ORIGINAL: ENGLISH

### IMPLEMENTATION OF EXISTING AGREEMENTS AND DEVELOPMENT OF FUTURE AGREEMENTS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recognising* that Objective 2 of the CMS Strategic Plan 2006-2011 is to “ensure that migratory species benefit from the best possible conservation measures”, and that migratory species can best be conserved through joint international cooperative efforts, linking species- and ecosystem-based approaches at national levels, coordinated across a migratory range;

*Emphasising* that Agreements, including Memoranda of Understanding (MoUs), are one of the key operational tools of CMS as recognised respectively by Article IV and Resolution 2.6 (Geneva, 1988) and that joint international cooperative efforts manifested by these instruments will contribute to achieving Objective 2 of the Strategic Plan;

*Noting with satisfaction* the progress made since the Seventh Meeting of the Conference of the Parties (Bonn, 2002) with regard to the conclusion and implementation of Agreements under CMS auspices;

*Conscious* that the Convention’s support for these initiatives assists not only the species targeted and their habitats, but demonstrates CMS’s commitment to the region in which the instrument will be implemented, raises CMS’s profile as a practical and operationally-oriented framework convention and introduces non-Parties to the benefits of membership in the Convention;

*Recalling* Strategic Plan Resolutions 4.4 (Nairobi, 1994), 5.4 (Geneva, 1997) and 6.4 (Cape Town, 1999) that *inter alia* stimulate the conclusion of Agreements and MoUs to conserve migratory species listed in the Convention’s appendices, call for Parties to take the lead and, where applicable, establish partnerships between developing and developed Party countries and that the CMS Strategic Plan 2006-2011 builds further on these precedents;

*Welcoming* the Secretariat’s increased efforts pursuant to Resolution 7.7 (Bonn, 2002) to foster partnerships with collaborating organisations and governments to support the coordination of MoUs concluded under CMS auspices;

*Recognising* that effective coordination to support the implementation of MoU action plans, and regular Range State meetings to monitor MoU implementation and conservation outcomes, are cost effective means that will make a significant contribution to the Convention’s achievement of the 2010 biodiversity targets;

*Further recognising* that Agreement development and servicing under the Convention will be subject to the availability of necessary funds;



*Acknowledging* with gratitude the generous financial and in-kind contributions made, as well as developmental support provided, in the last triennium by a number of Parties, non-Parties and organisations to support Agreement development, the establishment of MoU coordinators and regular meetings of MoU Range States as noted in document UNEP/CMS/Conf.8.10; and

*Referring* to the report of the Secretariat as reflected in document UNEP/CMS/Conf.8.10, as well as the reports\* of the Secretariats of the various Agreements concluded under CMS auspices;

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

1. With regard to Agreements already concluded:
  - (a) *Expresses* its satisfaction with the achievements made to conclude and implement CMS Agreements;
  - (b) *Endorses* the conclusion of the:
    - (i) Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant (*Loxodonta africana*), and *welcomes* its signature by eleven Range States during this meeting as evidence of their strong commitment to elephant conservation efforts at regional and national levels; and
    - (ii) Memorandum of Understanding concerning the Conservation, Restoration and Sustainable Use of the Saiga Antelope (*Saiga tatarica tatarica*), *emphasises* the importance of its early entry into effect and *urges* all Range States to join the MoU and to implement its Action Plan as soon as possible;
  - (c) *Calls upon* Range States that have not yet done so, as appropriate, to sign, ratify or accede to CMS Agreements and to contribute to their implementation;
  - (d) *Invites* Agreements as a contribution to achieving Target 4.2 of the CMS Strategic Plan 2006-2011 to:
    - (i) Develop their own strategic or implementation plans linked, as far as possible, to the Convention's Strategic Plan through a system of cascading logical frameworks that show how their work contributes to the attainment of CMS objectives and targets;
    - (ii) Use an effective national reporting system fully harmonized with the system for the Convention;
    - (iii) Make their information available through the CMS Information Management System; and

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\* UNEP/CMS/Inf.8.14.1-5.

- (iv) Provide, in a timely manner, the information and inputs required for achieving the targets and milestones of the CMS Strategic Plan;
- (e) *Encourages* the Secretariat to continue exploring partnerships with interested organizations specialised in the conservation and management of migratory species for the provision of developmental support and coordination services for selected MoUs;
- (f) *Further encourages* Parties, non-Parties and organisations to work closely with the CMS Secretariat in the coming triennium and to generously contribute financial and in-kind resources beyond whatever funds may be provided in the core CMS budget to support:
  - (i) Conservation activities elaborated in the action plans of MoU's concluded under CMS auspices;
  - (ii) Coordination mechanisms for the following instruments: African Atlantic Coast Marine Turtles, Aquatic Warbler, Central Asian Waterbirds Flyway, Great Bustard, Indian Ocean - South-East Asia Marine Turtles, Saiga Antelope, Siberian Crane, Slender-billed Curlew and West African Elephants; and
  - (iii) Regular MoU Range State meetings for the following instruments: African Atlantic Coast Marine Turtles (2007), Aquatic Warbler (2006), Great Bustard (2007), Indian Ocean - South-East Asia Marine Turtles (2006-08), Saiga Antelope (2006/2008) and Siberian Crane (2007); and
- 2. With regard to Agreements under development, and in support of achieving Target 2.5 of the CMS Strategic Plan 2006-2011:

## **BIRDS**

- (a) ***Andean Flamingos***
  - (i) *Welcomes* the progress that has been made to draft a Memorandum of Understanding for the Conservation of Andean Flamingos and their Habitats in Argentina, Bolivia, Chile and Peru and *encourages* the Range States involved to conclude it expeditiously;
  - (ii) *Calls* on the Secretariat to support this initiative as appropriate; and
  - (iii) *Looks forward to* the early adoption and implementation of the MoU as a key initiative in the conservation of the three species of flamingos in the high Andes region of South America;
- (b) ***Grassland Bird Species in Southern South America***

*Supports* the development by the Range States in Southern South America of a Memorandum of Understanding on the conservation of grassland bird species and their habitats pursuant to Recommendation 8.26;

(c) ***Asian Houbara Bustard***

- (i) *Welcomes* the positive outcomes of the first meeting to conclude the Agreement on the Conservation of the Asian Houbara Bustard Agreement (*Chlamydotis undulata macqueenii*) (Nairobi, 23 November 2005);
- (ii) *Appreciates* the leading role played by the Government of the Kingdom of Saudi Arabia in developing a draft Agreement;
- (iii) *Welcomes* the offer of the lead country to host no later than mid-2006 a final meeting to conclude the draft Agreement and open it for signature; and
- (iv) *Urges* Party and non-Party Range States to ensure conclusion of the draft Agreement recognizing the urgent need for its subsequent rapid entry into force;

(d) ***Central Asian Flyway***

- (i) *Welcomes* the finalisation of the Central Asian Flyway Action Plan to Conserve Migratory Waterbirds and their Habitats in New Delhi (June 2005);
- (ii) *Urges* the Range States to officially adopt the Action Plan through a correspondence procedure initiated by the CMS Secretariat in collaboration with India, the lead country, if another intergovernmental meeting is found to be impractical;
- (iii) *Recognises* the need to establish an appropriate legal and institutional framework to support the Action Plan's implementation and *notes* the Range State participants' preference at the New Delhi meeting for the Action Plan to be appended to a legally binding instrument, and for this instrument to be the African-Eurasian Waterbirds Agreement (AEWA);
- (iv) *Requests* the Secretariat, in consultation with the lead country, to consider the most appropriate and cost effective means to solicit the official views of the Range State governments with regard to a legal and institutional option;
- (v) *Endorses* the establishment of a coordination mechanism to support the Action Plan's interim implementation until such time as a legal and institutional framework is concluded;
- (vi) *Appeals* to all Range States, other interested States, AEWA, other intergovernmental organisations and interested international non-governmental organisations to generously support these efforts by providing financial and in-kind resources; and
- (vii) *Encourages* Range States to provide an uninterrupted flow of water to downstream States to guarantee conducive habitat for migratory waterbird species;

(e) ***Raptors***

*Supports* the development of an appropriate CMS instrument on raptors for the African-Eurasian region pursuant to Recommendation 8.12;

**FISH**

(f) ***Sturgeons***

- (i) *Takes* note of the recommendations of the Scientific Council;
- (ii) *Invites* the lead country, Germany, in consultation with the Scientific Council and the Range States, to undertake a review of existing conservation initiatives to identify options for CMS's further action regarding an appropriate instrument;
- (iii) *Urges* the resumption of cooperative activities amongst the lead country, IUCN, the CMS Secretariat and the CITES Secretariat, as appropriate; and
- (iv) *Calls* on all CITES Parties to fully implement the provisions of CITES Resolution Conference 12.7 (Rev. CoP13) as a matter of urgency;

(g) ***Migratory Sharks***

- (ii) *Endorses* the development of a global instrument on migratory sharks under CMS auspices pursuant to Recommendation 8.16;
- (iii) *Notes* that a number of Range States including Australia, India, Philippines, Seychelles and the United Kingdom of Great Britain and Northern Ireland are willing to cooperate to support the instrument;
- (iv) *Urges* that the work to date on a Whale Shark cooperative action could continue in the form of the development by interested Range States of a species-specific action plan for the Indian Ocean and South-east Asia which could act as a possible contribution to the proposed global instrument; and
- (v) *Invites* Parties, interested States and organisations to generously support these efforts by providing financial and in-kind resources;

**MARINE REPTILES**

(h) ***Marine Turtles***

- (v) *Supports* the development of an appropriate CMS instrument on marine turtles for the Pacific Islands region pursuant to Recommendation 8.17;
- (vi) *Requests* a Range State Party to act as the lead country to support the instrument's preparatory phase as a threshold condition of CMS's continued support for the initiative; and

- (vii) *Urges* Parties, interested States and organisations to generously support this effort by providing financial and in-kind resources;

## **MARINE MAMMALS**

### **(i) *Small Cetaceans and Sirenians in West Africa***

- (i) *Reiterates* its support for the development of an appropriate CMS instrument on small cetaceans and sirenians in West Africa pursuant to Resolution 7.7 and Recommendation 7.3 if the region's Range States agree;
- (ii) *Acknowledging* the interest of Guinea to act as the lead country to support the instrument's preparatory phase; and
- (iii) *Urges* Parties, interested States and organisations to generously provide financial and in-kind support to these efforts, notably with a view to extending the existing CMS initiative to other West African riparian Range States;

### **(j) *Small Cetaceans in South-East Asia***

- (i) *Reiterates* its supports for the development of an appropriate CMS instrument on small cetaceans in South-East Asia pursuant to Resolution 7.7 and Recommendation 7.4 if the region's Range States agree;
- (ii) *Requests* Range States of the region to identify a lead country to support the instrument's preparatory phase as a condition of CMS's continued support for the initiative; and
- (iii) *Urges* Parties, interested States and organisations to generously provide financial and in-kind support to these efforts;

### **(k) *Dugong***

- (i) *Welcomes* the positive outcomes of the First Meeting on Dugong Conservation and Management in the Indian Ocean South-east Asia Region (Bangkok, Thailand 23-25 August), co-hosted by the Governments of Australia and Thailand, including the agreement to further develop and conclude under CMS auspices a Memorandum of Understanding and an associated Conservation Plan on Dugong conservation encompassing the Dugong's entire range;
- (ii) *Encourages* Parties to continue to cooperate amongst themselves and with other non-Party Range States to further develop and conclude the MoU and Conservation Plan; and
- (iii) *Urges* all partners, such as national governments, international and non-governmental organisations, including regional economic and environmental bodies to provide appropriate assistance towards the conclusion and subsequent implementation of the MoU;

(l) ***Cetaceans of the Pacific Islands Region***

- (i) *Welcomes* the significant progress made to date to develop the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region;
- (ii) *Urges* Party and non-Party Range States to ensure its early conclusion and entry into effect as a key initiative to conserve cetaceans and their habitats in the Pacific Islands Region;
- (iii) *Endorses* the joint approach by CMS and Pacific Regional Environment Programme (SPREP) to develop this instrument and *invites* their further close collaboration once the implementation phase begins;
- (iv) *Supports* the Secretariat's commitment to work closely with the Range States and the SPREP Secretariat to revise the SPREP Whale and Dolphin Action Plan (2003-2007); and
- (v) *Urges* Parties, interested States and organisations to generously support these efforts by providing financial and in-kind resources;

(m) ***Monk Seal***

- (i) *Welcomes* and *endorses* the Action Plan for the Recovery of the Mediterranean Monk Seal in the Eastern Atlantic;
- (ii) *Invites* the Range States under the leadership of Spain to consider developing an accompanying Memorandum of Understanding to support the Action Plan's implementation; and
- (iii) *Supports* the Secretariat's intention to provide advice to the Range States if they decide to develop an MoU;

**TERRESTRIAL MAMMALS**

(n) ***Sahelo-Saharan Antelopes***

- (i) *Acknowledges* the progress made to date to implement the revised Action Plan adopted in Agadir (2003);
- (ii) *Welcomes* the initiation of the first phase of the CMS/FFEM (Fonds Français pour l'Environnement Mondial) Sahelo-Saharan Antelopes Project described in document UNEP/CMS/Conf.8.24;
- (iii) *Supports* the call of the Agadir Declaration for the Range States to develop and conclude an appropriate instrument under CMS auspices to provide a legal and institutional framework for the species' long-term conservation and management;
- (iv) *Invites* the Range States to form a working group, as proposed in the Agadir Declaration, to support the preparation of the instrument; and

- (v) *Endorses* the creation of a WSSD Type II partnership and *invites* the Secretariat, the Sahelo-Saharan Working Group, Range States and other interested States and organisations to consider joining it;
- (o) ***Mongolian Gazelle***  
  
*Supports* the Secretariat's intention to continue to provide advice to the Range States as they develop an action plan and a cooperative arrangement for the Mongolian Gazelle;
- (p) ***Bats***
  - (i) *Welcomes* the study on the feasibility of developing appropriate instruments on bats presented to the 11<sup>th</sup> and 12<sup>th</sup> meetings of the Scientific Council;
  - (ii) *Notes* the interest expressed during the 13<sup>th</sup> meeting of the Scientific Council to develop an appropriate instrument for migratory bats in Africa under CMS auspices; and
  - (iii) *Invites* the Range States to form a working group in consultation with the Scientific Council, the EUROBATs Secretariat and the CMS Secretariat to explore how such an instrument could be prepared;
- (q) ***Gorillas***
  - (i) *Endorses* the outcomes of the First Intergovernmental Meeting on Great Apes and the First Council Meeting of the Great Apes Survival Project (Kinshasa, September 2005), including the Global Strategy for the Survival of Great Apes and their Habitat; and
  - (ii) *Notes* the progress made by the CMS Secretariat to develop a jointly funded project within the framework of the GRASP Partnership by preparing an appropriate instrument on gorilla survival and conservation under CMS auspices in conjunction with the species' ten Range States as a contribution to the CMS concerted action for *Gorilla gorilla*.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.7\*

ORIGINAL: ENGLISH

### ASSESSING THE CONTRIBUTION OF CMS IN ACHIEVING THE 2010 BIODIVERSITY TARGET

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recognizing* the relationship between, and emphasis given to contributing migratory species indicators of success in achieving the 2010 target, while measuring the Convention's overall effectiveness in achieving the objectives expressed in the Strategic Plan 2006-2011;

*Further recognizing* the need to develop supporting outcome-oriented targets and indicators under the new Strategic Plan;

*Acknowledging* that the CMS Strategic Plan 2006-2011, together with future associated implementation plans for the various CMS bodies, represents the Convention's planned contribution to achieving the 2010 target, and that the Strategic Plan will be the primary framework through which the Convention will contribute to achieving the target; and

*Stressing* the important link between the CMS budget, the implementation of the Strategic Plan and the achievement of the 2010 target;

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

1. *Requests* the CMS Secretariat to continue to liaise with the CBD Secretariat and the other biodiversity-related conventions and relevant institutions with a view to adopting suitable indicators to measure the achievement of the 2010 target;
2. *Requests* the CMS Secretariat in collaboration with the Scientific Council to develop a Migratory Species Index within the context of Living Planet Index in collaboration with BirdLife International, IUCN, UNEP-WCMC, WWF and other relevant institutions;
3. Further requests the CMS Secretariat in collaboration with the Scientific Council to study the suitability of other instruments and methods for assessing the Convention's effectiveness using the example of Ramsar and the existing instruments such as GROMS and review papers; and
4. Decides to take action within the framework of the Strategic Plan so as to help contribute effectively to the 2010 target, and to report to the next Conference of the Parties on the effectiveness of these actions.

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\* Revised version March 2006.





## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.8\* <sup>1</sup>

ORIGINAL: ENGLISH

### OUTREACH AND COMMUNICATIONS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Aware of* the contribution that the Convention on Migratory Species can make to the achievement of the 2010 target to significantly reduce the loss of biodiversity by that date;

*Conscious* of the need to raise awareness on migratory species, threats to their movement, and CMS's activities to mitigate them;

*Recalling* Article IX, paragraphs 4 (b) and (j) of the Convention stating that it is function of the Secretariat to maintain liaison with and promote liaison between the Parties, the standing bodies set up under Agreements and other international organizations concerned with migratory species, and to provide the general public with information concerning this Convention and its objectives; and

*Further recalling* objective 3 of the CMS Strategic Plan 2006-2011, to "broaden awareness and enhance engagement in the conservation of migratory species amongst key actors" and related targets;

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

1. *Endorses* the annexed CMS Outreach and Communications Plan, and *urges* the Secretariat to undertake the activities listed in section 5 for the next triennium; and
2. *Urges* Parties and relevant partners to assist the Secretariat in the implementation of the plan, by undertaking activities listed in section 5 and by providing the financial contribution needed to initiate new activities listed in the table, in particular outreach workshops for non-Parties and targeted information materials.

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\* This document was previously numbered as draft recommendation 8.1.

<sup>1</sup> Revised version March 2006.

## **CMS Outreach and Communications Plan 2006-2008**



### **1. The need for CMS outreach and communications activities**

1. Over 25 years after its inception the Convention on Migratory Species (CMS) has become a well-known treaty in the biodiversity world. However, although the acronym and logo clearly recall the focus of this international instrument, less is known among Governments and civil society of the main features and characteristics of the Convention, and the potential contribution that the Convention can make to the achievement of the 2010 target of significantly reducing the rate of biodiversity loss by that date. The focus of the current Outreach and Communications Plan (OCP) is to identify feasible activities within the approved budget that the Secretariat, in collaboration with Parties and relevant partners, can carry out to increase the visibility of the Convention and enhance its impact among stakeholders.

2. Competition for finite resources is intense and so it is vital to heighten awareness of the importance of conservation in general, and migratory species in particular, across the spectrum from decision makers to the general public. In this context, the OCP identifies activities to be undertaken in pursuit of objective 3 of the CMS [draft] Strategic Plan 2006-2011 to “broaden awareness and enhance engagement in the conservation of migratory species amongst key actors”. OCP activities will also support the achievement of related targets of the [draft] Strategic Plan (see sections 3 and 5).

3. Decision-makers and opinion-leaders need to be aware of the issues and the paramount need for concerted action on migratory species. As stressed in Article IX of the Convention, it is the Secretariat’s responsibility to bring information on migratory species and the Convention to the attention of selected key target audiences. To this end, the Strategic Plan identifies six targets with relation to these audiences to ensure that: existing Contracting Parties enhance their engagement; that identified priority countries join as new Contracting Parties; that the already large network of Partners can be further strengthened and expanded; and that dialogues can be initiated with key sectoral groups whose activities have particular impact on migratory species.

4. The OCP should also emphasize the importance of the Convention for the achievement of the 2010 target, by highlighting the contribution that CMS tools and instruments can make to significantly reduce biodiversity loss. To unify all actions developed under the Convention for the next triennium under the same banner, the COP motto “On the move to 2010” could be maintained as the *leitmotif* of all outreach and communications strategy.

5. Although the responsibility for the implementation of this plan lies within the External Relations and Media Unit of the CMS Secretariat, in collaboration with all other units of the Secretariat that will provide the necessary information and data for the preparation of the outreach material, Parties and relevant partners have an essential role to play within their official and informal networks to promote the engagement of other stakeholders in CMS work and to provide support to the activities of the scheme. Given the small size of the Secretariat and its limited resources for communications and for reaching out to a diversity of audiences, capacity could be enhanced only through the support of Parties and other partner organizations, and also by cooperating with Secretariats of other MEAs, as well as by increasing the use of outsourcing and volunteers.

## **2. Strengths and weaknesses of CMS Outreach and Communications**

6. Throughout the years, CMS has developed a number of important communications tools, such as the Website, the newsletter, the common exhibition, a number of brochures and information sheets, a detailed booklet on CMS history for the Convention's 25<sup>th</sup> Anniversary. However, initiatives and tools have been developed on an *ad hoc* basis, generated by immediate outreach needs posed by events and meetings; such tools were never harmonized and placed in the context of a defined strategy. The new Strategic Plan, and in particular the fact that the third objective contains specific targets for awareness raising and engagement amongst key actors, offers the opportunity to harmonize and streamline outreach and communications efforts within a coherent framework and devise and consolidate ways of reaching the target audiences identified by the strategic plan.
7. The main outreach strengths on which the CMS could further build are: (i) the species coverage and (ii) its history and reputation.
  - (i) In general migratory animals, in particular some flagship species, are well known to the public and media. Consequently, messages on threats to those species and CMS' activities to mitigate them are better received than information focusing on the concept of "biodiversity", which for many audiences still remains quite ambiguous and obscure. The Convention also deals with tangible, concrete and visual examples of common natural heritage to which the public at large can easily relate.
  - (ii) The Convention has 25 years of experience in the conservation of migratory species, it has successfully organized transboundary-cooperation among Range States and experts and can count on a number of research and conservation projects implemented on the ground. Moreover, CMS has a successful record of collaboration with NGOs which has offered fruitful opportunities to convey its message.
8. Major weaknesses of the CMS communications activities are (i) its limited geographical coverage and (ii) overlap of the subject with other organizations' mandates:
  - (i) Although CMS has strong coverage in Europe and Africa, and an historic anchorage in Germany, CMS has clear coverage gaps in North America, Asia and Oceania, and can count on a smaller number of Parties than a number of other global environmental conventions.
  - (ii) Although it has a specific focus, CMS deals with a subject that is also touched upon by other larger Conventions (e.g. CBD, CITES, WHC) and, probably more visibly, by large and well known IGOs and NGOs, such as IUCN and WWF.
9. Outreach and communications activities should therefore build on the specificities and achievements of the Convention and stress its unique features, in particular with regard to the transboundary nature of the instrument, in contrast to the more ecosystem-based approach of other biodiversity-related Conventions (see CBD and Ramsar). Also, the Small Grant Programme, as well as the structure and functioning of Agreements and Memoranda of Understanding, should be emphasized.
10. The link to more pressing social and economic issues is not always perceived and clearly understood as the media often treat endangered species as purely a conservation issue. Therefore, there is a need to stress and highlight the importance of migratory species for livelihoods and poverty alleviation, and link the images of those species to human societies. More specific recommendations are made under each of the Strategic Plan targets below.

### 3. Linkages to objective 3 of the Strategic Plan and other related targets

**Objective 3: to broaden awareness and enhance engagement in the conservation of migratory species amongst key actors**

#### **PARTIES**

**Direct target: 3.1 - Levels of engagement and commitment of existing Parties in CMS increased; Related target: 4.7 - Regional capacity enhanced particularly where CMS is under-represented**

11. The Parties constitute the Convention. However, for different reasons their degrees of commitment to implementation vary. Therefore, Parties are also a target group of the Convention's communications work while at the same time, given their commitment to implementation, they will also serve as important intermediaries promoting CMS amongst non-Parties and key partners, and as supporters of outreach activities. Parties can also help in the framing of messages that are specific to their countries and/or regions.

12. In this context, the daily communication between the Secretariat and CMS Parties needs to be improved, to keep Governments abreast of new initiatives, relevant meetings and specific requests to which they may wish to respond. The CMS Website has proved to be an effective instrument which is increasingly being used by different audiences. However, as this requires the active engagement of the user, the regularity of delivery of the information is not guaranteed. For this reason the Secretariat is planning to activate an electronic system for the prompt delivery of notifications and information notes to Parties. Focal points will be the recipients of this service, and will be responsible to share the information within their Ministries, as appropriate. Similarly, the CMS Secretariat will continue the distribution of the electronic newsletter, which should be made more useful by including information on national implementation and case studies, in order to share national experiences with the international network of readers.

13. Regular updates of all information material will be made by the Secretariat and shared with focal points, to keep them abreast of latest developments and provide them with up-to-date information on the Convention and tools to be used for different purposes (internal updates, presentations, preparation of documents, a pool of photos). Detailed activities of Secretariat, Parties and partners are listed in section 5.

#### **NON-PARTIES**

**Direct target: 3.2 – Level of engagement in CMS work of priority target non-Parties increased; Related target: 4.1 - CMS membership to increase by 30 Parties of importance for MS and new agreements**

14. Outreach and communication activities should tackle the core reasons that have prevented non-Parties from joining CMS and its Agreements. Therefore, actions should be target specific rather than generic with information packages prepared for each case, to include information on the country's species listed in Appendix I and II, existing threats to migratory species, relevant sites and habitats, and areas where Agreements and projects could be developed. A more general information note should be prepared to provide information on procedural aspects related to the functioning of the Convention and accession process.

15. Outreach workshops are also a key tool in the case of non-Parties, because in addition to providing participants with a thorough overview of the Convention, they allow the Secretariat to identify within relevant ministries, possible focal points and “ambassadors” of the CMS message.

Outreach workshops could be organized at the regional level and should last no more than two days. CMS Parties in the region should also participate to provide non-parties with a practical overview of roles, responsibilities as well as benefits and advantages of CMS accession. Workshops could also be organized in the margins of other biodiversity meetings (see for instance CBD SBSTTA and COP), which offer excellent opportunities for identifying and contacting key officers within ministries.

16. In order to facilitate outreach and communications activities to non-Parties the Secretariat should also update the CMS tool-kit to contain information on all Agreements and other CMS instruments, updated information on projects, specific features and case studies at the national level, presentations, images and fact sheets for the press. Agreements should provide CMS with newsletter and updated information material (party list) for further distribution. Detailed and further activities of Secretariat, Parties and partners are listed in section 5.

#### **PARTNERS :**

**Direct target: 3.3 - Number of Partners supporting and participating in the work of CMS increased; Related targets: 4.3 – Cooperative activities with MEAs and key partners increased; 4.8. Extra-budgetary funding widely secured**

17. CMS has traditionally collaborated with several non-governmental and intergovernmental organizations on a number of activities including outreach and communications. However, these experiences have been sporadic and often not formalized through an agreed plan for joint activities. The CMS Secretariat is now strengthening collaboration with traditional and new partners (see for instance the Partnership Fair at COP-8) to better formalize the collaboration through joint programmes of work, - including common outreach and communication activities - to be agreed on an annual basis. Indeed, joining in partnership with NGOs could bring several mutual advantages: while CMS provides a legal international framework under the aegis of the UN that could support NGO action, NGOs are usually linked with an established network of civil society organizations that can carry out intensive and effective public awareness and information work, thus offering effective means to disseminate information on the Convention.

18. Cooperation with other biodiversity-related Conventions is another key component of the Strategic Plan. CMS is already actively involved in the work of the Biodiversity Liaison Group (BLG), which also includes CBD, CITES, WHC and Ramsar. The 5 Conventions have agreed to support each other's efforts in number of areas, including outreach and communications. For instance representation in relevant environmental meetings will be ensured through the participation of one BLG member on behalf of the group. Joint activities may also be developed in support of the International Biodiversity Day, following the example of CMS in 2005. Meetings of other MEAs offer more outreach opportunities. It is recommended that CMS use these opportunities to display the exhibit, deliver information material, host a side event on CMS and deliver a statement, in order to increase the visibility of the Convention and offer participants more than one occasion to be briefed about CMS activities.

19. Outreach and communications activities, in addition to contributing to strengthening institutional linkages, should also contribute to identifying possible supporters of CMS activities and initiatives, including fundraising. The private sector has shown itself to be an effective partner for the Convention. In addition to direct donations in support of the Convention, the business sector could also offer logistical support to the delivery of the CMS message (newsletters, magazines, exhibition sites, etc). The new non-profit organization "Friends of CMS", to be established later in 2005, has an important role to play here.

## **MEDIA**

**Direct target: 3.4 - Awareness of key media of CMS and its leading role in the conservation of migratory species enhanced; Related target: 4.4. - Identity of the CMS family strengthened**

20. In general, the CMS outreach and communications tools focus on institutional procedures and operational tools of the Convention. Little content information is given about the reasons why migratory species need to be conserved. More attention should be given to the importance of migratory species for instance for seed dispersal, culture, religion, economy or food supply. The basis of the Convention's current communication is fact-based intellectual appeal. To reach out to broader audiences, there is a need to increase the emotional and aesthetic value of themes covered by CMS for the media. The technical language of some information materials requires revision in order to reach the general public. A different vocabulary will ensure better communication to the target audience(s) and should create an emotional bond. Similarly, there is a potential to increase visibility of key species, such as the species covered for concerted action, or the species covered by Agreements and Memoranda of Understanding.

21. On the other hand, species covered by CMS are frequently mentioned in the media without referring to the work of the Convention. There is, therefore, a need to better link the news coverage on species with the work of the Convention for their protection. In this context, more work should be undertaken to inform media on the role of the CMS Family, through the regular and targeted issuing of press releases and informative backgrounders to the international press. In this sense, CMS Agreements are also encouraged to highlight links between new conservation activities and their relevance to the work of the Agreements and CMS to the media. To this end, a better use of the UN Information Centre in Bonn as well as of the UNEP media service should be made. A strengthened External Relations and Media Unit, perhaps jointly servicing CMS and the Agreements, could also work to enhance the visibility of the CMS family *vis-à-vis* local and, more importantly, national and international media. Specific activities to this end are listed in section 5.

## **OPINION LEADERS**

**Direct target: 3.4 - Opinion leaders of key sectoral groups impacting on migratory species influenced, including by expert advice, through CMS**

22. Targeting decision makers and opinion leaders requires a different approach compared to other audiences. Contacts will generally happen at a high level, thus involving directly the Executive Secretary of the Convention. The Secretariat should assist by providing targeted material and information in support of planned meetings. Moreover, the identification of "CMS ambassadors" at the international as well as the national level could facilitate this task. The CMS Friends Association will also have an active role in raising the profile of the Convention at the local as well as the international levels. Assistance from Parties and CMS partners is key to the identification and contact with politicians and decision makers. Detailed activities are listed in section 5.

## **INFORMATION MATERIAL**

**Direct target: 3.6 - Key information material in appropriate UN languages disseminated to identified target audiences; Related target: 4.4. - Identity of the CMS family strengthened**

23. The CMS's information package needs to be updated (see section 5). In particular, a guide to the CMS family needs to be developed; it should include official information on CMS and the relevant features of Agreements and MoUs (official texts, resolutions) and related projects. Subject to the availability of funds, the guide should be translated in all UN languages. Parties are encouraged to translate key parts for local consumption. The following table lists current - to be kept up to date- and planned (bold) outreach and communications material.

<b>General Tools</b> <ul style="list-style-type: none"> <li>• CMS Website</li> <li>• Official CMS “on the move to 2010” Poster</li> <li>• CMS common exhibition</li> <li>• PowerPoint presentations</li> <li>• Video clip (2005)</li> <li>• <b>Highlights of Parties' activities</b></li> </ul>	<b>Official Documents</b> <ul style="list-style-type: none"> <li>• Convention text</li> <li>• Appendices I &amp; II</li> <li>• Proceedings of the meetings of the COP</li> <li>• Text of Agreements, MoUs, Action Plans</li> </ul>
<b>Publications / Information Material</b> <ul style="list-style-type: none"> <li>• CMS electronic newsletter</li> <li>• <b>Guide to the CMS Family</b></li> <li>• <b>CMS Strategic Plan</b></li> <li>• CMS Brochure (E, F, S, G, R) text available in Chinese</li> <li>• Natur ohne Grenzen – 25 Jahre Bonner Konvention (BMU brochure in German)</li> <li>• CMS A Brief Introduction (E, F, S)</li> <li>• CMS leaflet for children (G)</li> <li>• Information sheets (Map &amp; List of Parties, Global Coverage, Agreement Summary Sheets, Organizational Diagrams)</li> <li>• Text: Biodiversity in Motion (WSSD)</li> <li>• SIDS leaflet</li> <li>• <b>NGO brochure</b></li> <li>• <b>Private sector brochure</b></li> <li>• <b>Decision-makers brochure</b></li> <li>• CMS tool-kit</li> <li>• <b>CMS toolkit for teachers</b></li> </ul>	<b>Special and Technical Information</b> <ul style="list-style-type: none"> <li>• Lists (national focal points, Scientific Counselors Common names of Species)</li> <li>• Sample instruments of accession and ratification</li> <li>• Technical series publication (1 to 9)</li> <li>• WAF CET I-III</li> <li>• Conserving Cetaceans</li> <li>• Review of Small Cetaceans</li> </ul>
	<b>Other Documents</b> <ul style="list-style-type: none"> <li>• Transform CMS into national legislation and programmes</li> <li>• Importance of CMS (Africa, Asia, LA)</li> </ul>
<b>Media Information</b> <ul style="list-style-type: none"> <li>• Press releases</li> <li>• Press kits for COPs</li> <li>• <b>Backgrounders</b></li> </ul>	<b>Promotion Material</b> <ul style="list-style-type: none"> <li>• CMS calendar</li> <li>• Logo stickers</li> <li>• Label pins with CMS Logo</li> <li>• Posters</li> </ul>

#### 4. Resources

Current estimates suggest that the internal CMS manpower costs of implementing the OCP over the triennium 2006-2008, using existing staff posts, would amount to about US \$ 298,000. In addition, a further sum of approximately US \$ 282,000 would be required to finance products, campaigns and other outreach under budgetary option 3 and US \$ 448,000 under option 4 (reference is made to the budget document). Additional resources would have to be raised from donations by Parties, partners and business sponsors.

## 5. Table of activities for Secretariat, Parties and Partners

<i>Target under objective 3</i>	<i>Other related targets</i>	<i>Secretariat</i>	<i>Parties</i>	<i>CMS partners</i>
3.1 Engagement and commitment of CMS Parties increased	4.7 Regional capacity enhanced particularly where CMS is under-represented	<ul style="list-style-type: none"> <li>- Creation of an electronic system for the prompt delivery of notifications and information notes to Parties (Focal Points)</li> <li>- Continuation of the regular coverage of CMS activities and conservation- related news on the CMS Website</li> <li>- Continuation of the production of other information material [maps, list of Parties, global coverage, etc.] to keep Parties abreast of developments</li> <li>- Continuation of CMS newsletter including articles on national implementation</li> </ul>	<ul style="list-style-type: none"> <li>- Support outreach activities on the national level (biodiversity)</li> <li>- Translation of CMS documents into national languages</li> <li>- Provide link to CMS and relevant agreements on national Website</li> <li>- Request France and Spain /Latin America to create French and Spanish Website</li> </ul>	<ul style="list-style-type: none"> <li>- Support and develop joint outreach activities (see for instance Lufthansa)</li> <li>- Provide links on their web sites</li> <li>- Provide the CMS Secretariat with relevant data information.</li> </ul>
3.2 Engagement of CMS non-Parties increased	4.1 CMS membership to increase by 30 Parties of importance for MS and new Agreements	<ul style="list-style-type: none"> <li>- Information material targeted to non-Parties including relevance of CMS, procedures for accession, relevant projects</li> <li>- Establishment of bilateral contacts with Ministries (letters, meetings)</li> <li>- Brochures and information directed to NGOs, and universities and academic and scientific institutions of non-parties</li> <li>- Organization of outreach workshops</li> </ul>	<ul style="list-style-type: none"> <li>- Donors: provide financial assistance for organisation of workshops</li> <li>- Assist CMS Secretariat with bi-lateral contacts</li> </ul>	<ul style="list-style-type: none"> <li>- Provide information on their Websites on the importance of CMS and Agreements for non-Parties</li> <li>- Undertake joint activities for non-Parties</li> <li>- Assist with preparation and organisation of regional and national workshops</li> </ul>
3.3. Number of partners supporting CMS increased	4.3. Cooperative activities with MEAs and key partners increased	<ul style="list-style-type: none"> <li>- Display Exhibit at relevant meetings of MEAs and major IGOs, organize presentations/ side events and deliver statements at main biodiversity and environmental meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Exchange information between CMS focal points and other convening focal points, also by regular meetings.</li> </ul>	<ul style="list-style-type: none"> <li>- Support the network of CMS Parties and involve new bilateral partners in CMS work</li> </ul>



<i>Target under objective 3</i>	<i>Other related targets</i>	<i>Secretariat</i>	<i>Parties</i>	<i>CMS partners</i>
	4.8. Extra-budgetary funding widely secured	<ul style="list-style-type: none"> <li>- Produce new panels with a special focus on regions</li> <li>- Improve participation in and CMS contribution to celebration of future World Environment Days (June 5)</li> <li>- Participation in and contribution to celebration of Biodiversity Day (22 May)</li> <li>- Preparation of brochure and web pages addressed to private sector</li> <li>- Maintain regular briefing of corporate partners by mailings</li> <li>- Create BLG portal in collaboration with other BLG members</li> </ul>		<ul style="list-style-type: none"> <li>- Enter into partnership agreements with CMS and establish JPOW on an annual basis</li> </ul>
3.4 Awareness of key media of CMS enhanced	4.4. Strengthened Identity of the CMS family	<ul style="list-style-type: none"> <li>- Reinforce media aspects of Web site (creation of a special “Media Room” with press related information materials, French and Spanish summaries)</li> <li>- Provide species information by hook up to IUCN database</li> <li>- Establish a common CMS Family external relations media unit incl. contacts to Wadden Sea Secretariat and share outreach plan also with ACAP</li> <li>- Use the specialized information channels of CMS and Agreements to highlight important common issues (coordinated Web-based news releases)</li> <li>- Harmonize Corporate Design in printed publications, logos, illustrated newsletter, Website, image brochure, Power Point</li> </ul>	<ul style="list-style-type: none"> <li>- Focal point to translate press releases into national languages and pass them to national media</li> <li>- Provide the Secretariat with relevant articles issued in the national press</li> </ul>	<ul style="list-style-type: none"> <li>- Regularly provide information on CMS family activities in their newsletters and on Websites</li> </ul>

<i>Target under objective 3</i>	<i>Other related targets</i>	<i>Secretariat</i>	<i>Parties</i>	<i>CMS partners</i>
		<p>Presentation- CMS 'branding'</p> <ul style="list-style-type: none"> <li>- Produce video-clips on CMS family to be disseminated to TV stations</li> <li>- Invite media to field trips of pilot projects</li> <li>- Create/maintain list of press contacts [including regular international newspapers, IGO and NGO newsletters and magazines and specialized press]</li> <li>-Issue press releases/backgrounders on CMS and Agreements events, initiatives, meetings and projects on a regular basis</li> <li>-Interact Regularly with UNIB, RUNC and UNEP media</li> <li>- Coordinate press briefings with RUNC for German media and Deutsche Welle for international outreach</li> </ul>		
3.5 Opinion leaders of sectors impacting migratory species influenced		<ul style="list-style-type: none"> <li>- Identify CMS goodwill ambassadors at the international, as well as at the national level</li> <li>- Prepare targeted brochures for decision-makers and politicians</li> <li>- Organize targeted contacts with opinion leaders on specific events</li> </ul>	<ul style="list-style-type: none"> <li>- Assist CMS secretariat with the identification of CMS ambassadors on the national level.</li> <li>- Facilitate contacts between CMS secretariat and national politicians and decision makers also through meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Assist CMS secretariat with the identification of CMS ambassadors on the national and international level.</li> <li>- Team-up with CMS Secretariat to reach out to relevant politicians and decision makers and/or enable joint activities (joint letters to ministers, joint press releases etc.)</li> </ul>

<i>Target under objective 3</i>	<i>Other related targets</i>	<i>Secretariat</i>	<i>Parties</i>	<i>CMS partners</i>
3.6 Information material in appropriate UN languages disseminated	4.4. Identity of the CMS family strengthened	<ul style="list-style-type: none"> <li>- Prepare and publish a guide to the “CMS family”, containing CMS and Agreements texts, relevant features, decisions and related projects (to be translated in all UN languages)</li> <li>- Publish the Strategic Plan</li> <li>- Continue the joint year planner and other joint publications</li> <li>- Continue the electronic newsletter to include information on Agreements</li> <li>- Improve Website to contain also specific information for all stakeholders, including the press, children, academia, NGOs and Parties</li> </ul>	<ul style="list-style-type: none"> <li>- Provide financial assistance for the preparation and publication of the “CMS family guide”, the SP and other publications</li> <li>- Provide official translation of CMS brochures and outreach information</li> </ul>	<ul style="list-style-type: none"> <li>- Disseminate CMS material to their meetings/events.</li> <li>- Prepare joint publications on issues of common interests</li> <li>- Develop publications on species groups such as marine turtles, waterbirds etc. based on “Conserving Cetaceans”</li> </ul>



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.9

ORIGINAL: ENGLISH

### REVIEW OF GROMS (GLOBAL REGISTER ON MIGRATORY SPECIES)

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* the progress made by the Scientific Council in the implementation of Resolution 7.8 (Bonn, 2002) concerning the future of GROMS and its integration into the CMS Information Management Plan;

*Acknowledging* the generous support from the Government of Germany and other cooperating institutions towards the development of GROMS, as well as the support of the institution hosting GROMS (the Zoological Museum Alexander Koenig in Bonn);

*Noting with satisfaction* the progress made by the Secretariat in the evaluation process of GROMS through an independent consultancy in co-operation with a special Working Group comprising members of the Scientific Council, CMS Agreement Secretariats, and the Government of Germany;

*Recognising* the quantity and quality of the information already provided by GROMS;

*Noting* that integration and harmonization between the Information Management Plan to be undertaken by UNEP-WCMC and the CMS Secretariat is needed to fulfill Objective 1 of the Strategic Plan of CMS, i.e. “to ensure that the conservation and management of migratory species is based on the best available information”;

*Noting* that the CMS Secretariat is now directly responsible for the management of GROMS; and

*Having considered* the resolutions and recommendations of the evaluation, as contained in document UNEP/CMS/Conf. 8.12 Annex B;

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1. *Endorses* the recommendations of the 13<sup>th</sup> meeting of the Scientific Council concerning harmonization between CMS/IMS and GROMS;
2. *Decides to* improve the quality and user friendliness of GROMS, and to integrate it with the CMS Information Management System so as to form the core of the CMS scientific and conservation information system (integration phase);

3. *Decides also* to establish a GROMS Scientific Board to coordinate the integration phase above;
4. *Instructs* the Secretariat:
  - (a) to continue to collaborate with the Zoological Museum Alexander Koenig with a view to further improving the quality and relevance of information provided by GROMS, in consultation with the Scientific Board;
  - (b) to coordinate a consultation group including Parties and other stakeholders which will identify the information needs, sources and appropriate dissemination mechanisms to facilitate the harmonization of data available through GROMS; and
5. *Invites* Parties, organizations and funding agencies to contribute to the management and administration of GROMS and the Web-based CMS Information Management System (estimated cost US\$ 85,000 covering an 18 month period between 2006-8).



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.10

ORIGINAL: ENGLISH

### IMPLEMENTATION OF THE CMS INFORMATION MANAGEMENT SYSTEM

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Resolution 6.5 (Cape Town, 1999), outlining the objectives of the Information Management Plan and identifying the priority actions to be carried out by the end of 2004;

*Noting* with satisfaction, the progress made by the Secretariat and the UNEP World Conservation Monitoring Centre (UNEP-WCMC) in implementing many of the identified priority actions, including a synthesis of the Party reports to CMS and its related Agreements, and the development of the CMS Information Management System bringing together information from Party reports, knowledge generated within CMS and other biodiversity agreements, and data from various expert organizations;

*Acknowledging* the support by the German Government and all other cooperating institutions to the development of GROMS, which is complementary to the Information Management System and provides information not only for the Convention, its Agreements and Memoranda of Understanding, but also for other biodiversity-related conventions with which cooperation is ongoing or intended;

*Noting* that the CMS Information System already interconnects through GROMS databases of several expert organizations so that users of the system can gain immediate access to the information available within these organizations on any given species;<sup>1</sup>

*Recognizing* that the Information Management System brings together the information provided by the Parties to CMS through their National Reports, the knowledge generated within CMS and other biodiversity-related agreements, and the data from various expert organizations;

*Appreciating* the potential of the information analysed in the syntheses of the National Reports to bring together in a synoptic manner a wealth of information on the activities, knowledge, strengths and needs of the CMS Parties, and to identify relevant issues across regions or about CMS-listed taxa requiring special attention;

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<sup>1</sup> Systems currently interconnected through the CMS Information Management System include: Fishbase; Species 2000; IOSEA on-line Data Base; IUCN Red List; International Taxonomic Information System; and GBIF information.

*Recognizing further* that the strength of the conclusions of these syntheses depends crucially on the comprehensiveness and timeliness of the information submitted by all Parties to the Convention; and

*Recognizing* that the Standing Committee, at its 23rd meeting, reiterated the need to link GROMS with other CMS databases; that the Scientific Council, at its 11th meeting, linked its information needs to GROMS; and proposals for the future of GROMS considered at the Seventh Meeting of the Conference of the Parties (document UNEP/CMS/Conf.7.7);

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*Invites* the CMS Secretariat to:

1. Continue to identify “partner organizations” for the collection, management and use of information relevant to migratory species;
2. Expand the CMS Information Management System to incorporate relevant information from the Strategic Plan, and further information available within Agreement Secretariats and other organizations;
3. Work with the Biodiversity Conservation Information System (BCIS) and others to share information and resources (e.g. GROMS) and to address the information needs of the Convention and its Agreements;
4. Strengthen linkages with the on-going global environmental assessments, particularly UNEP Global Environment Outlook (GEO), as well as explore opportunities to support the review process of the GEO-4 assessment, in order to facilitate the sharing of the latest, credible data and information on status, trends, emerging issues and challenges on migratory species;
5. Explore synergies between GROMS and the UNEP GEO Data Portal to enhance the mutual use of reliable data sets and information, in the form of maps, charts and graphics, in reporting on migratory species related issues;
6. Build on existing efforts to establish an up-to-date, comprehensive and authoritative database of listed species and range states, linked to other relevant species information and available on the web;
7. Develop a CMS and Agreements projects database to help in monitoring the contribution being made by the Convention to ongoing work on migratory species, and as an aid to project management;
8. Request the submission of Party reports and other official documents, including project reports, proposed amendments to the Appendices and reports on ‘concerted action species’ in electronic format in order to make them available through the internet;
9. Develop a mechanism for the sharing of experience on priority topics and establish list servers or web forums for discussion and exchange of information on key areas of interest to the implementation of the Convention and/or Agreements;

10. Finances permitting, develop a method for sharing information between the Convention, Agreement Secretariats and the Parties;
11. Finances permitting, develop an information system on a group of high-profile species in collaboration with partner organizations, to demonstrate the potential for a coordinated, web-based information system to support the Convention and Agreements; and
12. Continue the dialogue with information managers of other global biodiversity-related treaties on streamlining information management and reporting.





## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/ Resolution 8.11\* <sup>1</sup>

ORIGINAL: ENGLISH

### COOPERATION WITH OTHER CONVENTIONS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Reiterating* the importance and the need for enhanced collaboration among biodiversity-related conventions to coordinate action towards the achievement of the goal of significantly reducing biodiversity loss by 2010 which was endorsed by the World Summit on Sustainable Development;

*Having considered* document UNEP/CMS/Conf.8.15 jointly prepared by the Secretariats of the biodiversity conventions on “*Options for enhanced cooperation among the biodiversity related conventions*”;

*Aware* of CBD decision VII/26:

1. Urging further enhanced cooperation between the Convention on Biological Diversity and all relevant international conventions, organizations and bodies, strengthening and building on existing cooperative arrangements to enhance synergies and reduce inefficiencies in a manner consistent with their respective mandates, governance arrangements and agreed programs, within existing resources;
2. Requesting the Executive Secretary of the CBD to invite the Secretariats of the other four biodiversity conventions (CITES, Ramsar, CMS, and WHC) to form a liaison group to enhance cooperation in their implementation, and to report on progress made to the eighth meeting of the Conference of the Parties; and
3. Requesting the Executive Secretary of the CBD, in close collaboration with relevant conventions, organizations and bodies, to examine options for a flexible framework between all relevant actors, such as global partnership on biodiversity, in order to enhance implementation through improved cooperation, and to report to the eighth meeting of the CBD COP on possible ways forward;

*Recalling* target 4.3 of the CMS Strategic Plan 2006-2011 calling for cooperative activities in pursuit of shared targets with relevant MEAs and increased partners, and its operational principle (2) on close cooperation with relevant MEAs and key partners and capturing synergies in pursuit of shared targets;

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\* This document was previously numbered as draft recommendation 8.4.

<sup>1</sup> Revised version March 2006.

*Welcoming* the results of existing proposals and discussions to harmonise national reporting, as considered at the Workshop in Haasrode convened by UNEP-WCMC in September 2004 and subsequently discussed by the Biodiversity Liaison Group, in an effort to harmonize national reporting in the biodiversity cluster of conventions and agreements; and

*Aware* of decision 23/1 of the 23<sup>rd</sup> UNEP Governing Council requesting the Executive Director of UNEP to intensify efforts to support implementation by Parties to MEAs of their obligations under such agreements and in this respect noting the development of issues-based modules to improve coherent implementation of biodiversity-related conventions;

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

1. *Invites* Parties to facilitate cooperation among international organizations, and to promote the integration of migratory species into all relevant sectors by coordinating their national positions among different conventions and other international fora;
2. *Encourages* the Executive Secretary to continue to take an active part and role in the activities of the Biodiversity Liaison Group (BLG) established under the aegis of the CBD and to report regularly to the Standing Committee on progress achieved by the group;
3. *Invites* the Executive Secretary, in collaboration with the BLG and UNEP, to advance work on the development and implementation of issue-based modules for the coherent implementation of the biodiversity conventions, based on the national pilot projects coordinated by UNEP;
4. *Further invites* the Executive Secretary, in collaboration with the BLG and UNEP, to advance the harmonization of reporting both within the UNEP-CMS ‘family’ of Agreements and between relevant conventions; and
5. *Invites* the Executive Secretary to assist with the establishment of the Global Partnership for Biodiversity, where CMS will be a core member, to promote the objectives of the Convention and contribute to the achievement of the 2010 target.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Recommendation 8.12

ORIGINAL: ENGLISH

### IMPROVING THE CONSERVATION STATUS OF RAPTORS AND OWLS IN THE AFRICAN-EURASIAN REGION

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recognising* that Article II of the Convention requires all Parties to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II of the Convention;

*Noting* that the Sixth Conference of the World Working Group on Birds of Prey and Owls in Budapest, Hungary (18-23 May 2003) called on CMS in its third resolution to consider establishing a multilateral agreement on the conservation of African-Eurasian migratory raptors;

*Recognising* that raptors are listed in both Appendix I and Appendix II of the Convention, but that a significant majority are in Appendix II;

*Further recognising* that nine species are categorised as Endangered, Vulnerable and Near Threatened in the IUCN Red List 2004 and that of these, the White-tailed Eagle (*Haliaeetus albicilla*), the Greater Spotted Eagle (*Aquila clanga*), the Imperial Eagle (*Aquila heliaca*) and Lesser Kestrel (*Falco naumanni*), are on CMS Appendix I, and that the Lesser Kestrel was identified for “Concerted Action” at the fifth Conference of the Parties in 1997;

*Noting* that the study on African-Eurasian migratory raptors and owls commissioned by the United Kingdom earlier this year, and made available to the Eighth Meeting of the Conference of the Parties as document UNEP/CMS/Inf.8.18, found that:

1. More than half the species have an unfavourable conservation status in some part of their African-Eurasian range;
2. There were insufficient data upon which to make meaningful assessments for many species, but where sufficient data were available many species were in continued long-term or often rapid population declines; and
3. The principal threats to raptors and owls over the next 10 years were likely to be habitat loss and degradation, shooting, accidental poisoning, electrocution and power lines, deliberate persecutions and disturbance of breeding grounds, with climate change an additional major threat in the longer term;

*Recognising* the need for shared responsibility for the conservation and sustainable management of migratory raptors and owls in the regions;

*Further recognising* that raptors and owls are high-profile species at the top of their food chain and that measures to help conserve them will, in turn, help conserve many other species;

*Noting* that initial soundings of stakeholders, undertaken as part of the United Kingdom study, revealed that a CMS instrument would improve the conservation status of migratory raptors and owls, and that a Memorandum of Understanding was the preferred instrument;

*Aware* that a number of multilateral environmental agreements seek to address some of the threats faced by migratory raptors and owls in the African-Eurasian region; and

*Further aware* that non-governmental organisations, inter-governmental organisations, and the private sector can all play important roles in the co-operative conservation of migratory raptors and owls in the region;

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

1. *Calls* upon Parties to the Convention, non-party Range States and other stakeholders to engage in co-operative activities to promote the sustainable management of migratory raptors and owls by, in particular:

- (a) protecting and managing important breeding sites and migration bottlenecks;
- (b) alleviating habitat degradation through the development and promotion of sustainable land management policies and practices;
- (c) controlling the shooting, poisoning, and taking of these birds and their eggs;
- (d) raising awareness of the plight of these birds, the threats they face, and the measures needed to conserve them;
- (e) monitoring populations throughout the region to establish population trends and carry out appropriate research; and
- (f) exchanging information in order to develop and implement best-practice approaches to the conservation and sustainable management of these species;

2. *Further calls* upon Parties to the Convention and non-party Range States to consider whether a CMS instrument would better help deliver these objectives and, if so, to participate actively in its development and conclusion with the assistance of the Scientific Council and the Secretariat;

3. *Encourages* existing multilateral environmental agreements that can help eliminate or reduce the threats faced by migratory raptors and owls in the region to improve liaison and find initiatives upon which they can work co-operatively; and

4. *Urges* international organisations and non-governmental organisations, including regional economic organisations, having biodiversity conservation as part of their mandate, to provide appropriate assistance, including technical and financial support, for the conservation and sustainable management of migratory raptors and owls in the region.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.13

ORIGINAL: ENGLISH

### CLIMATE CHANGE AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Conscious* of the findings of the Inter-governmental Panel on Climate Change's *Third Assessment Report - Climate Change 2001*, especially in relation to the vulnerability of habitats and species to the direct and indirect consequences of unprecedented changes to the global climate;

*Further conscious* of the role that the Convention has in facilitating achievement of the 2010 biodiversity target under the Convention on Biological Diversity (CBD) and the need to work collaboratively with the United Nations Framework Convention on Climate Change (UNFCCC);

*Also aware* of the findings of the CBD Technical Report on interlinkages between biological diversity and climate change and that this Report is to be followed up by one issued in 2006 on the integration of biodiversity considerations in the implementation of climate change adaptation activities at the local level through to the international level;

*Recognizing* that climate change may significantly affect the behaviour, distribution and abundance of migratory species and may change the ecological character of their habitats;

*Aware* that climate change issues were considered at the 5th Conference of the Parties which resulted in a request that the Scientific Council establish a small working group to review, amongst other things, the scientific work done by other bodies on climate change;

*Further aware* that the Convention considers it important to base its decisions on the best and most recent scientific data available;

*Noting* that the desk study<sup>1</sup> into the effects of climate change on migratory species commissioned by the UK Government earlier this year found that:

1. migratory species have been, and will continue to be, adversely affected by climate change;
2. knowledge of the likely impacts of future climate change varies greatly between taxonomic groups, and confident predictions on breeding performance and survival need to be underpinned by more research; and

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<sup>1</sup> Climate Change and Migratory Species, UNEP/CMS/Inf.8.19.

3. changes to water regimes and loss of vulnerable habitats are likely to affect the greatest number of migratory species, and in many cases a reduction in human impacts will help species adapt to these changes;

*Further noting* that the 13<sup>th</sup> Meeting of the Scientific Council considered the issue of the effects of climate change upon migratory species and supported Resolution 8.13 *Climate Change and Migratory Species*; in addition, a round table, convened after the Scientific Council to discuss these effects of climate change, heard detailed evidence of the extent of the likely impacts and the significant implications for conserving migratory species; and

*Conscious* that the possible effects of climate change with relevance to some migratory species and their habitats have also been recognized by other MEAs, notably the Convention on Wetlands of International Importance and the desirability for CMS to take account of the work done by them;

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

1. *Requests* the Scientific Council to afford climate change high priority in its future programme of activities, and to:
  - (a) Identify priorities for future research;
  - (b) Identify which migratory species, based on best available evidence, are particularly threatened by climate change;
  - (c) Review the range states list for CMS species as changes in distribution are seen as a consequence of climate change; and
  - (d) Strengthen links with other MEAs, including UNFCCC, that have undertaken research into the impacts of climate change on biodiversity and to take account of that research;
2. *Instructs* the Secretariat to work with the Scientific Council and secretariats of the CMS daughter agreements and their scientific advisory bodies on producing guidance that would help CMS Parties introduce adaptation measures to help counteract the effects of climate change on migratory species;
3. *Calls* on Parties and non-Party range states to implement, as appropriate, adaptation measures that would help reduce the foreseeable adverse effects of climate change on Appendix I species; and
4. *Encourages* the initiation of collaborative international research projects into the effects of climate change on migratory species and their habitats so as to better understand implications and appropriate policy responses.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL  
UNEP/CMS/Resolution 8.14\*

ORIGINAL: ENGLISH

### BY-CATCH

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Concerned* that by-catch remains one of the major causes of mortality of migratory species from human activities in the marine environment;

*Recognising* that by-catch has been highlighted as a priority threat to be mitigated in a number of CMS subsidiary Agreements and Memoranda of Understanding;

*Noting* that the sixth meeting of the Conference of the Parties adopted Resolution 6.2 (By-catch) with a view to stimulating remedial measures by the Parties;

*Further noting* that the seventh meeting of the Conference of the Parties adopted Recommendation 7.2 (Implementation of Resolution 6.2 on By-catch) with a view to guiding implementation of Resolution 6.2;

*Recognising* that Article II of the Convention requires all Parties to take action to avoid migratory species from becoming endangered and that Article III requires Parties to prevent, reduce or control factors that are endangering or are likely to further endanger species on Appendix I; and

*Concerned* that despite the progress made so far by the Parties, by-catch remains a key factor that is threatening many species listed on Appendix I and Appendix II of the Convention (including seabirds, sharks, turtles, marine mammals and sturgeons) and that significant additional efforts are required to ensure that by-catch is reduced or controlled to levels which are not threatening the conservation status of these species;

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

1. *Invites* CMS Parties to endorse the proposed FAO 'Technical Guidelines on the Interactions between Sea Turtles and Fisheries' at the 27<sup>th</sup> meeting of the Committee on Fisheries (COFI) and, in the meantime, implement, as appropriate, the by-catch elements of the draft guidelines as a priority;

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\* Revised version March 2006.

2. *Calls* on CMS Parties:

- (a) to implement the FAO International Plan of Action (IPOA) for Reducing Incidental Catch of Seabirds in Longline Fisheries and, the IPOA for Conservation and Management of Sharks, and develop and implement national plans of action as required by those IPOAs;
- (b) to require the implementation of proven by-catch solutions for these areas of work;
- (c) that are also members of relevant Regional Fisheries Management Organisations (e.g., CCSBT, ICCAT, IOTC, WCPFC) to work within them to reduce by-catch in these fisheries through *inter alia* the development of by-catch action plans, independent observer schemes, assessments of the scale of the problem, awareness raising, and promoting technical mitigation; and
- (d) to agree to the appointment of a Scientific Councillor with expertise in by-catch to coordinate all of the Scientific Council's work on the subject;

3. *Requests* the CMS Secretariat to:

- (a) source funds for:
  - i. a study to assist developing countries to determine relative levels of by-catch in their commercial and artisanal fisheries when they so require; and
  - ii a series of specialist by-catch mitigation workshops in developing country Parties and non-Parties with substantial commercial fisheries in coordination with interested Parties;
- (b) report progress on these actions to the Standing Committee;

4. *Requests* the Scientific Council to:

- (a) identify emerging and best practice techniques of by-catch mitigation as a priority in coordination with relevant international competent bodies in order to avoid the duplication of effort; and
- (b) make this information readily available to key Range States for migratory species threatened by by-catch and report progress to the CMS Standing Committee; and

5. *Urges* the secretariats of Agreements or Memoranda of Understanding which include actions to address by-catch (such as ACAP, ACCOBAMS, ASCOBANS, the African Atlantic Coast Marine Turtles MoU and IOSEA) to identify any Range States not yet members to these instruments and encourage them to become parties or signatories, as appropriate, and report progress to the Standing Committee.





## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Recommendation 8.16

ORIGINAL: ENGLISH

### MIGRATORY SHARKS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Acknowledging* the obligations of the global community to conserve, protect and manage migratory sharks as underpinned by, *inter alia*, the Convention on Biological Diversity, CMS, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention on the Law of the Sea, the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the FAO International Plan of Action for the Conservation and Management of Sharks, and FAO's Committee on Fisheries;

*Recognising* that under CMS, Range States should take action to conserve, protect and manage migratory species, and endeavour to conclude Agreements to promote the conservation and management of migratory species;

*Noting* that several shark species are already listed in Appendices I and II;

*Aware* of the vital ecosystem role played by sharks, and the significant and continuing mortality of sharks listed on Appendix I and II through a range of impacts, including habitat destruction, target fisheries, illegal, unreported and unregulated (IUU) fishing, and as fisheries by-catch; and

*Noting* the importance of cooperation between Range States in furthering research, awareness raising, trade monitoring and by-catch reduction of migratory sharks, and that these activities could greatly strengthen conservation outcomes for migratory sharks;

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

1. *Requests* all Parties to strengthen measures to protect migratory shark species against threatening processes, including habitat destruction, IUU fishing and fisheries by-catch;
2. *Encourages* the FAO Committee on Fisheries to promote greater uptake of the International Plan of Action for the Conservation and Management of Sharks as a matter of urgency;
3. *Calls* upon Range States of migratory sharks listed on Appendix I or II to develop a global migratory sharks conservation instrument, in accordance with Articles III and V of the Convention, noting that discussions on the development of the instrument could, *inter alia*:

- (a) consider the potential value of developing subsidiary regional and/or species specific conservation management plans to the instrument;
- (b) involve, to the greatest extent possible, governments, intergovernmental organisations, non-governmental organisations and local communities;
- (c) identify, as appropriate, effective mechanisms to mitigate threats such as by-catch, entanglement in marine debris, and IUU fishing;
- (d) identify viable and practical alternatives to consumptive uses of migratory sharks while recognising the cultural and economic importance of these species for some communities; and
- (e) develop mechanisms to facilitate developing country participation in the implementation of the future instrument; and

4. *Requests* the Secretariat to bring this recommendation to the attention of the FAO Committee on Fisheries, and CITES, and to explore future avenues of cooperation with these organisations as well as with Range States of migratory sharks that will lead to enhanced protection, conservation and management of these sharks.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Recommendation 8.17\*

ORIGINAL: ENGLISH

### MARINE TURTLES

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Resolution 3.2 (Geneva, 1991) on the review of species listed in Appendix I;

*Recalling further* Resolution 6.1 (Cape Town, 1999), Resolution 7.1 (Bonn, 2002) and Resolution 8.29 (Nairobi, 2005), especially their annexed tables that designate marine turtles as species for continued concerted action;

*Noting* that the objectives of the *Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia* (IOSEA) are for Range States in the region, and other concerned States, to conserve and replenish depleted marine turtle populations for which they share responsibility;

*Noting also* the Signatories of the *Memorandum of Understanding Concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa* (African Atlantic Coast Marine Turtles MoU) have agreed to work closely together to improve the conservation status of the marine turtles and the habitats on which they depend;

*Recalling* Resolution 7.6 (Bonn, 2002) on improving the conservation status of the leatherback turtle, and Resolution 7.7 endorsing the Secretariat's proposal to explore the possible development of an instrument for marine turtles in the Pacific Ocean;

*Recognising* the valuable contribution made by existing Pacific conservation programmes and instruments to the conservation of marine turtle stocks;

*Endorsing* the conclusions of The Bellagio Blueprint for Action on Pacific Sea Turtles, 2003, which calls for the development of a regional conservation arrangement for marine turtles in the Pacific;

*Welcoming* the financial and in-kind support from Signatory States and the Convention on Migratory Species for the IOSEA Secretariat's operation and implementation of the Conservation and Management Plan; and

*Welcoming also* the decision at the IOSEA Third Meeting of Signatory States to hold the regional Year of the Sea Turtle campaign in 2006 and noting that 2006 has also been designated as Year of the Sea Turtle in the Pacific region;

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\* Revised version March 2006.

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

1. *Encourages* Parties and Range States within the geographic scope of the IOSEA or the African Atlantic Coast Marine Turtles MoU, to become signatories to the respective MoU and to actively implement their respective Conservation and Management Plans;
2. *Encourages* Parties and Range States in the Pacific to cooperate to develop and conclude a Memorandum of Understanding and associated Conservation Plan for the conservation and management of marine turtles in that region under the CMS;
3. *Encourages* existing Pacific regional conservation programmes and instruments relevant to marine turtles to participate in the development and implementation of a regional conservation arrangement for marine turtles in the Pacific; and
4. *Encourages* Signatories of the African Atlantic Coast Marine Turtles MoU to consider also recognising 2006 as their year of the sea turtle to complement the IOSEA, and Pacific regions' Year of the Sea Turtle of 2006, recognising that such events usefully focus attention on the conservation and protection of sea turtles on a regional basis.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 8.18

ORIGINAL: ENGLISH

**INTEGRATION OF MIGRATORY SPECIES INTO NATIONAL BIODIVERSITY  
STRATEGIES AND ACTION PLANS AND INTO ON-GOING AND FUTURE  
PROGRAMMES OF WORK UNDER THE  
CONVENTION ON BIOLOGICAL DIVERSITY**

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Resolution 7.9 (Bonn, 2002) which invited the Secretariat to collaborate with the Secretariat of the Convention on Biological Diversity (CBD) in generating guidance on integrating migratory species into national biodiversity strategies and action plans (NBSAPs) and into on-going and future programmes of work under the CBD;

*Recalling* the adoption by the CBD Conference of the Parties (COP) at its sixth meeting of the CBD Strategic Plan and *further recalling* that the CBD COP stated that the CBD Strategic Plan would be implemented through the CBD programmes of work, implementation of NBSAPs, and other national, regional and international activities;

*Also recalling* that the CBD COP at its seventh meeting decided to develop a framework to enhance the evaluation of achievements and progress in the implementation of the CBD Strategic Plan and, in particular, the 2010 biodiversity target and that, as a part of this framework, it decided to establish goals and sub-targets to help assess progress towards the target and promote coherence among the programmes of work of the Convention;

*Noting* the adoption of the CMS Strategic Plan 2006-2011 whose purpose is to ensure a coherent and strategic approach to the implementation of the Convention at national, regional and global levels and which represents the Convention's planned contribution to achieving the 2010 target;

*Recognizing* that implementation of the strategic plans of both Conventions and achieving the 2010 target will require greater cooperation between the two conventions and that the integration of migratory species into NBSAPs and on-going and future programmes of work under the CBD represents the basis for such cooperation; and

*Recalling* also the need to develop a revised CBD-CMS Joint Work Programme;

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

1. *Invites* CMS Parties to take the necessary steps at the national level to ensure that migratory species are integrated into NBSAPs, as well as into their other activities to implement the on-going and future programmes of work under the CBD;
2. *Invites* CMS Parties to make use of the indicative list of actions contained in Annex I, and the indicative list of categories of relevant information on migratory species in Annex II, of this resolution as a basis to promote such integration, and to contribute to the achievement of the 2010 biodiversity target;
3. *Requests* CMS national focal points to cooperate fully with CBD national focal points, NBSAP managers and other national bodies responsible for CBD implementation with a view to ensuring coordination in the implementation of both conventions;
4. *Invites* the CMS Secretariat to continue to collaborate with the CBD Secretariat with a view to developing common guidelines to integrate migratory species into NBSAPs, making use of the preliminary guidance provided in Annex I to this resolution, and to report on progress made to the CMS Scientific Council at its 14<sup>th</sup> meeting and to appropriate meetings of the CBD SBSTTA;
5. *Further invites* the CMS Secretariat to continue to collaborate with the CBD Secretariat to ensure that on-going and future CBD programmes of work appropriately integrate migratory species at the global level when they are respectively reviewed or developed; and
6. *Endorses* the revised CBD-CMS Joint Work Programme (2006-2008) contained in Annex III to this resolution, *invites* CMS national focal points to undertake the Joint Work Programme's relevant activities in collaboration with their CBD counterparts or other national bodies responsible for CBD implementation, and *also invites* the Secretariat to collaborate with the CBD Secretariat to implement the activities identified in the Annex and others that may be mutually agreed in light of future developments in either forum.

## **Annex I**

### **Guidance for integrating migratory species into National Biodiversity Strategies and Action Plans (NBSAPs) and other national-level activities to implement on-going and future CBD work programmes**

To promote the integration of migratory species into NBSAPs, CMS focal points should, if they have not already done so:

- (i) Identify the agency or multi-agency body responsible for NBSAP management, establish contact and arrange to participate fully in the national biodiversity planning process;
- (ii) Familiarize themselves with the CBD provisions, existing NBSAP guidelines, CBD decisions relevant to the implementation of its Articles 6 to 20 (including the programmes of work, tools and guidance, and the framework for monitoring progress towards the 2010 target), the arrangements and procedures for developing implementing and reviewing the NBSAP, and the current status of the NBSAP;
- (iii) Provide relevant NBSAP managers or bodies with information on those migratory species for which the country is a Range State, in particular those already listed on one or both CMS Appendices, those whose conservation status is unfavourable, those which require international agreements for their conservation and management or those that would significantly benefit from the international cooperation that could be achieved by an international agreement;
- (iv) Provide information on participation in CMS Agreements and the national commitments deriving from these;
- (v) Provide further information on migratory species relevant to the national implementation of CBD Articles 6 to 20, to be considered in the development of a NBSAP (An indicative list of categories of such information is contained in Annex II to this Resolution);
- (vi) Provide, as an on-going activity, information on the further identification and monitoring of migratory species, measures taken to conserve such species and their habitats, and other information relevant to the implementation of CBD Articles 6 to 20, as such information becomes available through the implementation of measures undertaken within the framework of CMS and its Agreements, including its Strategic Plan 2006-2011;
- (vii) Provide relevant CMS documentation and information, including: amendments to the Appendices, resolutions and recommendations, reports of meetings of CMS and Agreement bodies, details of new and future Agreements and details of outreach and communication activities;
- (viii) Provide access to previous CMS national reports and invite the participation of NBSAP bodies and actors in the preparation of future CMS national reports;
- (ix) Identify and contact the CBD focal points or other bodies responsible for implementing the different CBD programmes of work in the country with a view to jointly identifying where measures already taken or which could be taken under CMS could contribute to the development of national indicators, goals and sub-targets for, and/or to the further implementation of, the programme of work in question; and
- (x) Identify those national measures undertaken in response to the CMS Strategic Plan 2006-2011 that also contribute to the goals and targets of the CBD Strategic Plan and the 2010 biodiversity target, and bring these to the attention of the CBD national focal point or other bodies responsible for implementation of the CBD.

## Annex II

### Indicative list of categories of information on migratory species to be considered in the development of a NBSAP<sup>1</sup>

- Available information including CMS Range State lists, on the presence within the country of migratory species listed in the CMS appendices, and their status and trends;
- Details of measures taken:
  - for the *in situ* conservation of migratory species, including for the conservation of habitats and the maintenance of viable populations; for habitat restoration and the recovery of threatened species; for controlling alien species that threaten migratory species; for the preservation and application of traditional knowledge relevant to the conservation and sustainable use of migratory species; to develop relevant legislation or regulatory provisions; or to regulate or manage processes or activities that represent a significant adverse effect on migratory species;
  - for the ex situ conservation of migratory species; and
  - for the sustainable use of migratory species;
- Details of:
  - Existing or potential economically and socially sound measures that aim to the conservation and sustainable use of migratory species;
  - Existing or necessary research and training measures, in particular co-operative programmes;
  - Public education and awareness activities that focus on migratory species;
  - Relevant impact assessment measures designed to avoid or minimize adverse impacts of proposed projects on migratory species, including those addressing potential threats from power transmission lines and wind farms;
  - Applications for access to genetic resources or associated traditional knowledge involving migratory species and accompanying benefit sharing arrangements according to international and domestic law;
  - Measures promoting access to and transfer of technology relevant to the conservation and sustainable use of migratory species or which make use of genetic resources derived from migratory species;
  - Measure taken to facilitate the exchange of information relevant to the conservation and sustainable use of migratory species and of relevant international technical and scientific cooperation;
  - Financial resources needed for the conservation and sustainable use of migratory species and of financial resources received for this purpose from the CBD financial mechanism and other bilateral, regional and multilateral channels.

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<sup>1</sup> Adapted from CBD Articles 6-20 and CMS Articles II and III.



## **Annex III**

### **The CBD-CMS Joint Work Programme (2006-2008)**

1. The CBD-CMS Joint Work Programme (2006-2008) comprises a list of activities to be undertaken by the Parties, and by the Conventions' institutions, including the secretariats and other actors. The elements include the following.

#### *Parties*

2. The identification of specific national action will depend on the specific circumstances of each country. Those responsible for the national implementation of each convention should adopt a flexible approach, based on proactive cooperation between the CBD national focal point and the CMS national focal points, which will maximize the chances of identifying the key issues, the opportunities available and the synergies to be captured with regard to the implementation of both conventions. The indicative list includes:

- a. The integration of migratory species into the national-level implementation of the CBD's programmes of work, primarily through national biodiversity strategies and action plans;
- b. The investigation, and, as appropriate, implementation of joint activities, to promote implementation of CBD Article 6(b) on mainstreaming biodiversity into national planning and sectoral activities;
- c. The preparation of case studies on all aspects of measures taken that involve migratory species, as a response to the various calls for these from either Conference of the Parties;
- d. The harmonization and/or interoperability of national data management systems under each convention, in order to facilitate access to relevant information by those responsible for the implementation of both conventions; and
- e. The coordination of communication, public education and outreach activities.

#### *Convention bodies*

3. For the Convention bodies, the thematic framework of the CBD-CMS Joint Work Programme includes (1) the ecosystem and migratory range approaches; (2) tools to measure the achievement of the 2010 target; (3) protected areas, including site networks; (5) impact assessment; (6) sustainable use; (7) information management; and (8) national reporting. Initial activities which could be undertaken by the scientific bodies and/or the Secretariats, with the possible assistance of liaison groups, expert groups, specialist organizations or individual experts, within the thematic framework of the CBD-CMS Joint Work Programme include:

- a. Reviewing the relationship between the CBD ecosystem approach and the CMS migratory range approach in order to provide further guidance on the implementation of both;
- b. Collaborating to meet the goals of both conventions' strategic plans, including the 2010 target, and on how to best monitor and assess the respective achievements in the context of migratory species;
- c. Considering the experience gained using CMS Agreements as catalysts for networks of protected areas between countries to conserve migratory and other species, as well as their habitats;
- d. Integrating migratory species considerations into environmental impact assessments procedures;
- e. Collaborating to explore the applicability to migratory species of the Addis Ababa Principles and Guidelines on Sustainable Use for the Sustainable Use of Biodiversity;
- f. Facilitating data accessibility and interoperability among the CMS Information Management System and Global Register of Migratory Species tools and the CBD Clearing-house Mechanism including its national nodes; and
- g. Collaborating to explore how the national reporting systems of both Conventions can be used to measure the implementation of the CBD-CMS Joint Work Programme.



# CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.20

ORIGINAL: ENGLISH

## DATE, VENUE AND FUNDING OF MEETINGS OF THE CONFERENCE OF THE PARTIES AND OF THE SCIENTIFIC COUNCIL

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise";

*Recognising* the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties and Scientific Council in different regions of the world; and

*Conscious* that it may be advantageous for the Scientific Council to meet several months prior to the meeting of the Conference of the Parties, to allow ample time for the Scientific Council's recommendations to be considered and that such an arrangement might also make it easier for some Parties to host smaller gatherings of the Scientific Council or Conference of the Parties;

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

1. *Instructs* the Secretariat to evaluate the cost and personnel implications of organising separately the meetings of the Scientific Council and Conference of the Parties, and requests the Standing Committee to decide whether or not the meetings should be decoupled, on an experimental basis, taking into account the Secretariat's assessment;
2. *Invites* Parties that may have an interest in hosting the Ninth Meeting of the Conference of the Parties, and/or the proximate meeting of the Scientific Council, to inform the Secretariat accordingly no later than 31 December 2006; and
3. *Instructs* the Standing Committee at its first meeting following the 31 December 2006 deadline to review the offers received and, subject to receipt of sufficient information, to decide upon the most suitable venue(s).



# CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.21\*

ORIGINAL: ENGLISH

## INSTITUTIONAL ARRANGEMENTS: STANDING COMMITTEE AND SCIENTIFIC COUNCIL

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Noting* that the Rules of Procedure of the Standing Committee include prescriptions on the representation and participation of Parties, particularly in Rule 6, Rule 9 and Rule 12;

*Encouraging* regional representatives to coordinate and provide the Secretariat with reports on regional activities, notably during the sessions of the Standing Committee;

*Recalling* Resolutions 6.7 and 7.12 adopted by the Conference of the Parties at its sixth (Cape Town, 1999) and seventh (Bonn, 2002) meetings, concerning institutional arrangements for the Scientific Council;

*Noting* that the Scientific Council, at its 13<sup>th</sup> meeting held in Nairobi from 16-18 November 2005, produced its implementation plan for the CMS Strategic Plan 2006-2011; and

*Noting further* the recommendation of the 13<sup>th</sup> meeting of the Scientific Council concerning the appointment of a new expert councillor for Asiatic fauna, as a consequence of the retirement from the Council of Dr. Noritaka Ichida, and the appointment of new expert councillors for African fauna, fish and by-catch, respectively;

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

1. *Takes note* of the list of elected regional representatives for the Standing Committee, as follows:

<i>Region</i>	<i>Representative</i>	<i>Alternate</i>
Europe:	- United Kingdom	- Monaco
	- Ukraine	- Hungary
Africa:	- Tanzania	- Ghana
	- Chad	- Senegal
America and Caribbean	- Peru	- Bolivia
Asia:	- Saudi Arabia	- Pakistan
Oceania:	- Australia	- New Zealand

\* Revised version March 2006.

2. *Confirms* the continued application of all of the arrangements for the Scientific Council defined by Resolution 6.7 and 7.12, unless otherwise stipulated by this resolution;
3. *Notes* with appreciation the Scientific Council Strategy Implementation Plan 2006-2011, and invites the Council to report on its implementation at the 9<sup>th</sup> Meeting of the Conference of the Parties;
4. *Strongly encourages* Parties that have not already done so to duly nominate, in accordance with Article VIII of the Convention, a representative to serve on the Scientific Council and to provide all necessary contact details to the Secretariat, and to avail themselves of the possibility to appoint an alternate Councillor to attend Council meetings in the absence of the primary Councillor and/or to bring additional national expertise to the Council's deliberations;
5. *Notes* that Article VIII of the Convention provides also for the appointment by the Conference of the Parties of suitably qualified experts;
6. *Decides* to appoint for the 2006-2008 triennium the following five experts, with a view to providing expertise in specific areas:
  - (a) Dr. Colin Limpus (Australia) - marine turtles;
  - (b) Mr. John O'Sullivan (United Kingdom) - birds;
  - (c) Dr. William Perrin (United States) - aquatic mammals;
  - (d) Dr. Taej Mundkur (India) – Asiatic fauna;
  - (e) Dr. Roberto Schlatter (Chile) - Neotropical fauna; and
7. *Agrees* the appointment of three additional Conference-appointed councillors for (i) African fauna, (ii) fish and (iii) by-catch, whose selection shall be confirmed by the Standing Committee at its next meeting, following the Secretariat's invitation to Parties to nominate appropriate candidates.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution.8.22

ORIGINAL: ENGLISH

### ADVERSE HUMAN INDUCED IMPACTS ON CETACEANS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recognising* that, under Article II paragraph 1 of the Convention, Parties acknowledge the importance of Range States agreeing to take action for the conservation of migratory species whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitats;

*Recognising* that, under Article II paragraphs 2 and 3 of the Convention, Parties acknowledge the need to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention;

*Acknowledging* Resolution 8.13 (Climate Change and Migratory Species) and Resolution 8.14 (By-catch) also adopted by the 8<sup>th</sup> Meeting of the Conference of the Parties;

*Recognising* that Article III paragraph 4 (b) of the Convention requires Parties to endeavour *inter alia* to prevent, remove, compensate for or minimise, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of migratory species listed in Appendix I;

*Recalling* several resolutions and recommendations adopted in the framework of CMS, the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and the International Whaling Commission (IWC), that recognized ship strikes, marine noise, entanglement and by-catch, and pollution, as well as habitat and feeding ground degradation, as potential threats to the conservation of cetacean populations and recognizing the particular competence of ACCOBAMS and ASCOBANS in their respective regions;

*Recalling* the Convention on Biological Diversity (CBD), 1992, and the Jakarta Mandate on Marine and Coastal Biological Diversity adopted by the CBD Conference of the Parties in 1995;

*Recalling* that the Parties to the CBD committed themselves to achieve by 2010 a significant reduction of the current rate of biodiversity loss (decision VI/26 adopted by CBD CoP6), and that this target has been endorsed in the Plan of Implementation adopted at the 2002 World Summit on Sustainable Development (paragraph 44);

*Noting* that the CBD has recognized CMS as the lead partner in the conservation and sustainable use of migratory species over their entire range (decision VI/20 adopted by CBD CoP6);

*Recalling* the obligation of States Party to the United Nations Convention on the Law of the Sea (UNCLOS) to protect and preserve the marine environment (cf. art. 192 ff) and to cooperate on a global and regional basis to conserve marine mammals (cf. art. 65 and 120), paying special attention to highly migratory species, including cetaceans listed in Annex I of UNCLOS;

*Taking into account* the lack of data on the distribution and migration of some populations of migratory cetaceans and the adverse human-induced impacts on cetaceans;

*Acknowledging* that human induced impacts on cetaceans are increasing; and

*Underlining* that other marine migratory mammals, reptiles, birds or fish species will also benefit from this resolution;

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

1. *Urges* Parties and non-Parties which exercise jurisdiction over any part of the range of cetacean species listed on the appendices of CMS, or over flag vessels which are engaged outside national jurisdictional limits to cooperate as appropriate with relevant international organizations; and to promote the integration of cetacean conservation into all relevant sectors by coordinating their national positions among various conventions, agreements and other international fora;
2. *Encourages* the further use of CMS existing and future cetacean-related agreements by all relevant stakeholders;
3. *Requests* the CMS Secretariat and Scientific Council to:
  - a. Cooperate with the IWC which also has competency for the conservation and management of cetacean populations, working through the Memorandum of Understanding between the two bodies, by collaborating with the IWC work programmes which address human induced impacts to cetaceans, and by working with the organisation's Scientific and Conservation Committees to further identify priority impacts and regions requiring urgent attention;
  - b. Review, in collaboration with the scientific advisory bodies of CMS cetacean-related Agreements, the extent to which CMS and CMS cetacean-related Agreements, are addressing the following human induced impacts through their threat abatement activities:
    - i. entanglement and by-catch;
    - ii. climate change;
    - iii. ship strikes;
    - iv. pollution;
    - v. habitat and feeding ground degradation;
    - vi. marine noise;

- c. Prioritise the impacts and regions requiring most urgent attention and develop recommendations for how these priorities can be addressed by CMS;
  - d. Liaise with other relevant international bodies including the International Maritime Organization (IMO), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the Cartagena Convention and the UNEP Regional Seas Programme, the United Nations Informal Consultation on Protection of the Oceans and the Law of the Sea (UNICPOLOS) to determine their work programmes on these issues and to ensure that there is a full exchange of information and collaboration with CMS and its Scientific Council and that there is no duplication of effort or gaps between these bodies;
  - e. Make this information readily available to Parties and report progress to the CMS Standing Committee at its 2007 meeting; and
  - f. Propose a work programme to the ninth meeting of the CMS Conference of the Parties of further strategic action that considers the work of the following organizations: CMS cetacean-related Agreements, IMO, IWC including its Scientific and Conservation Committees, OSPAR, UNICPOLOS, the UNEP Regional Seas Programme, and promotes collaboration and synergies between them;
4. *Instructs* the Secretariat and, where appropriate and feasible, the Chairperson and members of the Standing Committee and Scientific Council to draw this resolution to the attention of other relevant intergovernmental organizations, such as the United Nations Environment Programme (UNEP), namely its Governing Council and Regional Seas Programme, UNICPOLOS, IMO, United Nations Food and Agricultural Organisation (FAO) and its Committee on Fisheries Industries (COFI) and Regional Fisheries Management Organisations (RFMOs), for the purpose of information and co-operation, and to keep the Parties informed of progress on this Resolution; and
5. *Invites* the Contracting Parties, without prejudice to their obligations under the Convention, to strive to ensure wherever possible that their activities within the scope of this resolution avoid harm to cetaceans.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Recommendation 8.23

ORIGINAL: ENGLISH

### CENTRAL EURASIAN ARIDLAND MAMMALS

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recognising* that the large mammal fauna of the arid lands of Eurasia and North Africa have many species with threatened populations that are in a profoundly unsatisfactory state of conservation;

*Noting* with satisfaction the progress made by the Sahelo-Saharan Antelopes Concerted Action;

*Conscious* that the arid lands, with their exceptional natural and cultural heritage and their unique migration phenomena, are a crucial area for the action of the Convention;

*Grateful* to the Republic of Mongolia for drawing attention to the particular plight of the fauna of the temperate arid lands of Eurasia;

*Welcoming* the support of the other Parties situated within the temperate desert, semi desert, steppe and associated mountains of Eurasia;

*Noting* that several species found in that biome are on Appendix I of the Convention;

*Noting also* that several more species are on Appendix II of the Convention;

*Further noting* that single-species Convention instruments already exist for two taxa belonging to the temperate Eurasian aridland fauna; and

*Acknowledging* the recommendation of the 12th and 13<sup>th</sup> meetings of the Scientific Council to undertake a Concerted Action on Central Asian and Caucasian mammals;

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

1. *Requests* the Scientific Council, in cooperation with the Secretariat, the Republic of Mongolia and other concerned Parties to initiate a CENTRAL EURASIAN ARIDLAND CONCERTED ACTION and associated Cooperative Action, that will in due course cover all threatened migratory large mammals of the temperate and cold deserts, semi-deserts, steppes and associated mountains of Central Asia, the Northern Indian sub-continent, Western Asia, the Caucasus and Eastern Europe. The Action will include an Action Plan and status reports for all species concerned, and will initially be centred on *Camelus bactrianus*, *Bos grunniens*, *Uncia uncia*, and subject to its inclusion on Appendix I, on *Cervus*



*elaphus bactrianus*, for the CONCERTED ACTION; and on *Equus hemionus* s.l., *Gazella subgutturosa*, *Procapra gutturosa* for the Cooperative Action. The action will also take into account, and link to, other existing Convention instruments as well as actions already taken by Range States and Convention partners;

2. *Encourages* Range States and other interested Parties to prepare, in cooperation with the Scientific Council and the Secretariat, the necessary proposals to include in Appendix I or Appendix II threatened species that would benefit from the Action;
3. *Encourages* the Secretariat to pursue efforts to bring into the Convention Range States of the Central Eurasian fauna that are not yet Parties, and to liaise with other concerned Conventions to enhance synergies;
4. *Urges* non-Party Range States to support the Action, in recognition of its global significance; and
5. *Requests* the Scientific Council and the Secretariat to report on the progress of the action to the next Conference of the Parties.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.24

ORIGINAL: ENGLISH

### NATIONAL REPORTS FOR THE EIGHT AND NINTH MEETINGS OF THE CONFERENCE OF PARTIES

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Pursuant* to Article VI (3) of the Convention which obligates Parties to submit national reports on the measures they are taking to implement the provisions of the Convention;

*Noting* that 51 reports were submitted to the seventh meeting of the Conference of the Parties out of 79 that were due;

*Noting* that by 31 August 2005, 50 reports had been submitted to the eighth meeting of the Conference of the Parties as detailed in Conference Document 8.5;

*Emphasising* the important role of national reports as vital indicators of the implementation of the Convention; and

*Underlining* that reporting should be kept concise, focused, avoid duplication and be out-come orientated so that there is more time for the implementation of conservation measures;

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

1. *Urges* all Contracting Parties that have not yet done so to submit at the earliest date, but no later than 31 December 2005, national reports for the triennium 2003-5;
2. *Instructs* the Secretariat to perform an analysis of the reports received by 31 December 2005 and to make the results available to the Parties, the members of the Standing Committee meeting and the Scientific Council by the end of March 2006, so that the findings can help inform their activities and decision-making;
3. *Urges* all Contracting Parties, in accordance with the provisions of Article VI of the Convention, to submit national reports for the triennium 2006-8 to the Secretariat at least six months before the ninth meeting of the Conference of the Parties;

4. *Requests* the Secretariat to advise Contracting Parties of the date for submission of their national reports for the ninth meeting of the Conference of the Parties and to issue reminders if the reports are not received by the said date; and

5. *Further* requests the Secretariat to adapt the national report format for reports to the ninth meeting of the Conference of the Parties to ensure Contracting Parties are able to report on-line on the outcomes of taking forward the measures set out in the Strategic Plan for 2006-11. This format, to be agreed by the Standing Committee in consultation with the Scientific Council, should also seek, via the framework of the Biodiversity Liaison Group and in consultation with UNEP-WCMC, to advance harmonization of reporting with other international biodiversity agreements through the development of common reporting modules.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Recommendation 8.26

ORIGINAL: ENGLISH

### CONSERVATION OF GRASSLAND BIRD SPECIES AND THEIR HABITATS IN SOUTHERN SOUTH AMERICA

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Aware* of international responsibilities with regards to the conservation of threatened grassland migratory bird species, which are particularly relevant to the Convention on the Conservation of Migratory Species of Wild Animals (CMS);

*Noting* that CMS calls for international cooperation to conserve migratory species, and that CMS Article IV encourages CMS Contracting Parties to conclude Agreements regarding populations of migratory species;

*Also aware* that three South American grassland bird taxa were added to Appendix II of CMS by the Seventh Meeting of the Conference of the Parties, namely *Sporophila ruficollis*, *Pseudocolaptes auratus* and *Polystictus pectoralis*;

*Conscious* that seven South American grassland bird species (*Alectrurus risora*, *A. tricolor*, *Sporophila cinnamomea*, *S. hypochroma*, *S. palustris*, *S. zelichi*, and *Agelaius flavus*) are included in Appendix I, that their inclusion in Appendix II has been recommended by the Scientific Council during its 13<sup>th</sup> meeting, and that urgent action should be taken to achieve and maintain a favourable conservation status for these species and their habitats; and

*Desiring* to see a Memorandum of Understanding adopted as a matter of priority, being an important contribution to the general aims of CMS, and in particular to achieve and maintain a favourable conservation status for these species and their habitats;

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

1. *Welcomes* the activities developed for the conservation of grassland bird species and their habitats in southern South America;
2. *Encourages* the Range States involved, whether or not a Party to CMS, to develop a Memorandum of Understanding for the Conservation of Grassland Bird Species and their Habitats in southern South America;
3. *Calls* on the Secretariat to support this initiative as appropriate; and
4. *Looks forward to* the adoption and implementation of a Memorandum of Understanding as a key initiative in the conservation of grassland birds and their habitats in southern South America.



## CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.27\*

ORIGINAL: ENGLISH

### MIGRATORY SPECIES AND HIGHLY PATHOGENIC AVIAN INFLUENZA

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Aware* that migratory species are victims and vectors of a range of contagious (e.g., viral, bacterial and fungal) diseases and some of these diseases may be transmitted to resident species, domestic stock, captive wild animals and humans. Some diseases have the potential to reduce biodiversity, especially in the case of threatened species;

*Aware* of the emerging issue of outbreaks of Highly Pathogenic Avian Influenza (HPAI) (subtype H5N1), which have had major impacts on livelihoods linked to the keeping of domesticated birds (mainly poultry) and on nature conservation values (including mortality of waterbirds on at least four internationally important Ramsar sites in Eurasia, and *conscious* of the increasing number of countries in which HPAI has recently been detected following its westward spread through Eurasia;

*Very conscious* that, if the current subtype of HPAI either genetically reassorts or adaptively mutates into a form transmissible between humans, this could have the global health, social and economic consequences of a human influenza pandemic;

*Mindful*, however, that the limited number of currently known cases of human infection with the current strain of HPAI is restricted to certain parts of Asia and have been through contact with infected poultry and none through contact with wild birds, and *recognizing* that public attitudes and support for wetland and species (particularly waterbirds) conservation and sustainable use, could be negatively affected by concerns as to the possible role of waterbirds in the spread of HPAI (subtype H5N1);

*Concerned*, however, that in most countries there is a significant lack of information and, in some cases, public misinformation, on important issues related to the spread of HPAI, the risks it may pose, and how to anticipate and respond to outbreaks of HPAI, and *noting* in particular the difficulties that developing countries face in assessing and responding to the threat of HPAI, especially given the significance in many of these countries of both domesticated and wild birds as the basis of rural livelihoods;

*Concerned* also that ill-informed responses may have unfortunate and possibly disastrous long-term consequences for conservation, especially for some of the species which are globally threatened, and already have small or localised populations and particularly those species listed in Appendix I of the Convention and in Column A, Category 1 of Table 1 of the Action Plan of the Agreement on the Conservation of African Eurasian Migratory Waterbirds;

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\* Revised version March 2006.

*Noting* that HPAI is considered to have been spread between countries by a number of different known vectors, including through the movement of avian livestock, cage birds and bird by-products, legal and illegal trade in birds, equipment associated with these respective industries, and movement of people, and *noting* that the migration of waterbirds has been suspected to be a vector as well, although direct evidence is lacking and *aware* that the relative significance of these different modes of spread has varied and evidence of causal links in many cases is weak or lacking;

*Welcoming* the involvement in this issue of the Food and Agriculture Organisation (FAO), the World Health Organisation (WHO), and the World Organisation for Animal Health (OIE), notably through the publication in May 2005 of a *Global Strategy for the Progressive Control of Highly Pathogenic Avian Influenza* and its implementation, *inter alia*, through regional Technical Cooperation Programmes on Emergency Assistance for Early Detection and Prevention of Avian Influenza;

*Aware* of the Convention's leading participation in various coordinating mechanisms, including the Scientific Task Force on Avian Influenza convened in late August 2005 by the Convention, which comprises representatives and observers from nine international organisations, namely CMS, AEWA, Ramsar Convention, FAO, WHO, Wetlands International, BirdLife International, International Council for Game and Wildlife Conservation (CIC) and Wildlife Conservation Society (WCS), *recognising* the role of the IUCN Veterinary Specialist Group and *also noting* Resolution 3.18 on Avian Influenza of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds and Resolution IX.25 of the Ramsar Convention on managing wetlands and waterbirds in response to highly pathogenic avian influenza;

*Recalling* that the Global Flyways Conference (Edinburgh 2004) called, in particular, for urgent action to assess disease risk, and establish monitoring programmes in relation to migratory waterbird movements, the trade of wild birds, and implications for human health;

*Acknowledging* the opportunities for information exchange provided by the Special Round-Table on the spread of HPAI held on 19 November 2005 at Nairobi, Kenya, during the 8th Conference of the Parties to the Convention on Migratory Species, and *encouraged by* the participation of all African and other CMS Scientific Councillors;

*Recognizing* that exploration of possible scenarios of the current HPAI spread, including identification of areas of higher relative risk and development of possible policy responses to outbreaks will benefit from analysis of extensive and long-term data sets relating to bird movements, waterbird counts, trade and movements of people, but *noting* the urgency to access and analyze such data, networks, and other information, and to fill outstanding gaps in the scientific understanding of these factors;

*Recalling also* that, although outbreaks of H5N1 in Hong Kong in 1997, in Japan in 2004, of H7N1 in Italy in 1999, of H7N3 in Chile in 2002 and of H7N7 in The Netherlands, Belgium and Germany in 2003 were all successfully stamped out using rigorous control and biosecurity measures, HPAI now appears to be endemic in some parts of Asia, highlighting the practical difficulties of control in countries with limited veterinary capacity;

*Recognizing* the potential risk of transmission of HPAI between captive birds and other animals at wetland centres and zoological gardens and wild waterbirds visiting these sites, being mindful both of animal welfare requirements and the important role such sites play in wetland communication, education and public awareness;

*Recognizing also* ongoing national actions and plans for monitoring habitats and bird populations for HPAI; and also *noting* that, although development of surveillance schemes and contingency planning will need to be determined nationally, there are significant benefits from international cooperation;

*Aware* of the outcomes of the recent WHO/FAO/World Bank meeting in Geneva of 7-9 November 2005 on 'Avian Influenza and human pandemic influenza' which identified the significant gap of knowledge concerning the role that wild birds might play in the spread of HPAI, *noting* the need to strengthen research and monitoring related to waterbird migration and trade in birds, as well as disease processes in wild bird populations, especially research identified by the Scientific Task Force on Avian Influenza;

*Recognising* the need for rapid and continued sharing of information given the potential significance of this information in terms of bird conservation and population dynamics, so as to enable or improve risk assessments and be better prepared to improve conservation of waterbirds and future management of avian disease outbreaks; and

*Aware* of the decision of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (Resolution 3.6) to request the support of the CMS and other stakeholders to establish long-term funding regimes in order to develop long-term monitoring of waterbird populations *inter alia* via the International Waterbird Census and its derived outputs, and further to Ramsar Resolution VIII.38, as a means of informing a wide range of national and international conservation policies including risk assessment for HPAI;

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

1. *Calls* for fully integrated approaches, at both national and international levels, to address HPAI and other animal borne diseases by bringing ornithological, wildlife, and wetland management expertise together with those traditionally responsible for public health and zoonosis, including veterinary, agricultural, virological, epidemiological, and medical expertise;

*Wild bird information (knowledge needs)*

2. In response to the emerging issue of HPAI H5N1, given its potential significance for conservation of migratory species, and the need to be better prepared for the future management of avian disease outbreaks, *calls* upon Contracting Parties, non-contracting Parties, international and national organisations, in cooperation with FAO, OIE and other competent authorities in domesticated and captive birds, to support and build capacity for research (see annex) related to disease processes in migratory bird species, long-term monitoring of their movements and populations and rapid development of surveillance programmes for HPAI in populations of wild birds; and to strengthen ongoing efforts to improve, integrate and analyse existing data sets across different flyways to determine precise migratory routes, fluxes and population dynamics of species, and to disseminate the results;

### *Specific Instructions*

3. *Supports* the conclusions of WHO, FAO and OIE that attempts to eliminate HPAI in wild bird populations through lethal responses such as culling are not feasible and may exacerbate the problem by causing further dispersion of infected birds;
4. *Emphasises* that destruction or substantive modification of wetland and other habitats with the objective of reducing contact between domesticated and wild birds does not amount to wise use as urged by Article 3.1 of the Ramsar Convention and Articles 1 and 8 of the Convention on Biological Diversity, and may exacerbate the problem by causing further dispersion of infected birds;
5. *Calls* on Contracting Parties and urges non-contracting Parties to strictly apply internationally agreed quarantine and health standards for the cross-border transport of bird products and captive birds of all kinds and further *calls* for a crackdown on the illegal transport of bird products and captive birds of all kinds, both nationally and internationally;
6. *Suggests* that African Contracting Parties and non-contracting Parties coordinate their responses to the threats posed by the spread of HPAI through the New Partnership for Africa's Development amongst others;
7. *Urges* that hunting communities, in the framework of existing hunting activities, contribute to monitoring the spread of HPAI and co-operate actively with national authorities in the event that measures, *inter alia* special temporary hunting regulations are considered or put into force;

### *Strategic advice*

8. *Notes* the overriding importance of enhanced biosecurity measures, including adequate farming and aquaculture standards, and the need for competent authorities to develop strategies that limit the risk of disease transmission between wild and domestic animals (through enhanced biosecurity measures) and humans;
9. *Underlines* the importance of developing and implementing national contingency or action plans related to the potential risk of disease transmission, and the need for national preparedness to respond effectively to instances of detection of HPAI in birds, notably in wetland-dependent species;
10. *Requests* Contracting Parties and urges non-contracting Parties to develop and implement programmes of education and public awareness on HPAI, especially aimed at actually or potentially affected stakeholders, in particular those engaged in outdoor activities and the poultry industry;

### *Funding Needs*

11. *Urges* the Contracting Parties to:
  - (a) support the establishment of an internationally or regionally coordinated well-structured long-term monitoring and surveillance programme for migratory birds, as appropriate, to assess, *inter alia*, current and new disease risks, making best use of, and building on existing schemes; and



- (b) rapidly fill specific gaps in knowledge through provision of support to establish programmes to study migratory patterns of targeted species at flyway level (including bird-ringing/banding, colour-marking, satellite tracking and isotope study);

12. *Requests* the Executive Secretary to explore possibilities for establishing partnerships so as to support the development of long-term funding for monitoring schemes, including the International Waterbird Census and its derived outputs, that are relevant to the Convention's interests;

13. *Requests* the Executive Secretary working with the Scientific Council and in cooperation with the Scientific Task Force on Avian Influenza to approach urgently FAO, OIE and WHO in response to their call for further research into fully understanding the role of wild birds in spreading HPAI, and seek the necessary resources to perform this work;

#### *CMS Engagement*

14. *Requests* the Executive Secretary working with the Scientific Council and its Working Group on Migratory Species as Vectors of Diseases, to assist, with relevant international agencies and the Scientific Task Force on Avian Influenza, in sharing information, including practical advice that will assist countries to respond to this serious and rapidly developing situation, and to report back on progress on research and other relevant information to each Scientific Council meeting, to the Standing Committee and to COP9 and to publish this information on a regular basis on the CMS and partner websites for wider availability;

15. *Requests* the Executive Secretary to ensure continued leadership of the Convention in the Scientific Task Force on Avian Influenza, through appropriate representatives of the Scientific Council and the Secretariat, and *urges* the Scientific Council, with and through the Scientific Task Force on Avian Influenza, to provide relevant input on practical measures to reduce the risk of disease transmission between wild, captive and domesticated birds, to those agencies developing contingency and wetland management plans related to HPAI; and

16. *Requests* the Executive Secretary, working with the Scientific Council and its Working Group on Migratory Species as Vectors of Diseases to make recommendations regarding the nature and extent of risks associated with other diseases in migratory species and possible areas of action to be taken by Contracting Parties in addressing this.

**Annex: Key research needs related to the spread of Highly Pathogenic Avian Influenza in relation to migratory birds and their habitats**

1. Identification and mapping of the precise nature of migration routes, including stop over sites, flux and timing for key migratory waterbirds so as to expand and/or refine existing ecological monitoring of these populations.
2. Clarification of virus behaviour and survival in the aquatic habitats which are waterbird breeding, staging and non-breeding (wintering) areas.
3. Clarification of viral incubation periods, the infectious period in birds and the symptoms affecting individual wild birds, including implications for migratory movements, as well as determining survival rates of birds and persistence of viruses in birds.
4. Establishment of informed assessments of the possibility of transmission between populations of wild birds and domestic flocks, including by non-waterbird species found near poultry-keeping areas.
5. Surveillance of the prevalence of HPAI in wild bird populations.
6. Development of combined risk assessments based on the known epidemiological behaviour of the virus, risks of transmission, routes and timing of migratory species, as well as known poultry and captive bird husbandry techniques.
7. Research on methods for improvement of farming standards and the development of strategies to limit the risk of any disease transmission between wild and domesticated birds.



# CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Recommendation 8.28

ORIGINAL: ENGLISH

## COOPERATIVE ACTIONS FOR APPENDIX II SPECIES

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Noting* that there are species or populations of species listed in Appendix II that have an unfavourable conservation status and which require cooperation at the international level for their conservation and management;

*Aware* that not all such species are currently the object of an Agreement or can reasonably be expected in the short term, to become the object of an Agreement to assist with their conservation; and

*Noting further* the conclusions and recommendations of the 13<sup>th</sup> meeting of the Scientific Council (Nairobi, November 2005);

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

1. *Recommends* that the Parties undertake cooperative action to improve the conservation status of these species;
2. *Instructs* the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species for which, or for populations of which, conclusion of an Agreement is not anticipated during the forthcoming triennium, but which require attention within the triennium;
3. *Directs* the Secretariat to assist the Scientific Council in establishing this review process, ensuring that a regular update of status is provided by the relevant focal point Councillor; and
4. *Endorses* the list of species to be the object of cooperative actions for the period 2006-2008, as it appears in the table attached to this recommendation.

## SPECIES DESIGNATED FOR COOPERATIVE ACTIONS DURING 2006-2008

Scientific name
<i>Miniopterus schreibersii</i>
<i>Otomops martiensseni</i>
<i>Eidolon helvum</i>
<i>Lagenorhynchus australis</i>
<i>Lagenorhynchus obscurus</i>
<i>Phocoena spinipinnis</i>
<i>Phocoena dioptrica</i>
<i>Cephalorhynchus commersonii</i>
<i>Cephalorhynchus eutropia</i>
<i>Neophocaena phocaenoides</i>
<i>Sousa chinensis</i>
<i>Tursiops aduncus</i>
<i>Stenella attenuata</i>
<i>Stenella longirostris</i>
<i>Lagenodelphis hosei</i>
<i>Orcaella brevirostris</i>
<i>Loxodonta africana</i> (Central African populations)
<i>Equus hemionus</i> (s.l.)
<i>Gazella subgutturosa</i>
<i>Procapra gutturosa</i>
<i>Crex crex</i>
<i>Coturnix coturnix coturnix</i>
<i>Cygnus melanocorypha</i>
<i>Acipenser baerii baicalensis</i>
<i>Acipenser gueldenstaedtii</i>
<i>Acipenser medirostris</i>
<i>Acipenser mikadoi</i>
<i>Acipenser naccarii</i>
<i>Acipenser nudiventris</i>
<i>Acipenser persicus</i>
<i>Acipenser ruthenus</i>
<i>Acipenser schrenckii</i>
<i>Acipenser sinensis</i>
<i>Acipenser stellatus</i>
<i>Acipenser sturio</i>
<i>Huso dauricus</i>
<i>Huso huso</i>
<i>Pseudoscaphirhynchus fedtschenkoi</i>
<i>Pseudoscaphirhynchus hermanni</i>
<i>Pseudoscaphirhynchus kaufmanni</i>
<i>Psephurus gladius</i>



# CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/Resolution 8.29\*

ORIGINAL: ENGLISH

## CONCERTED ACTIONS FOR APPENDIX I SPECIES

Adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005)

*Recalling* Resolution 3.2 regarding Appendix I species adopted by the Conference of the Parties at its third meeting (Geneva, 1991);

*Recognising* that Resolution 3.2 decided *inter alia* that at each meeting of the Conference of the Parties a formal review process would be established for a selected number of species listed in Appendix I;

*Recalling further* that Resolution 3.2, as updated by Resolution 4.2 (Nairobi, 1994), Resolution 5.1 (Geneva, 1997), Resolution 6.1 (Cape Town, 1999), Resolution 7.1 (Bonn, 2002) instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention;

*Noting* that the Scientific Council, at its 12<sup>th</sup> and 13<sup>th</sup> meetings held in Glasgow (April 2004) and in Nairobi (November 2005) reviewed the implementation of concerted actions for Appendix I species; and

*Noting further* the recommendation of the Scientific Council at its 13th meeting that the following species be the subject of concerted actions: Terrestrial mammals: *Camelus bactrianus*, *Bos grunniens*, *Cervus elaphus bactrianus*, *Gorilla gorilla*, Birds: *Puffinus mauretanicus*, *Calidris canutus rufa*;

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

1. *Resolves* that the concerted actions and preparation of review reports envisaged within the framework of Resolution 3.2 be carried out for the above-mentioned species and others, as appropriate, during the 2006-2008 triennium, and that the Conference of the Parties review the results at its next meeting; and

2. *Endorses* the recommendation of the Scientific Council at its 13<sup>th</sup> meeting that activities for species covered by Resolution 7.1 be continued for a further three years (2006-2008). The list of species for which concerted actions should either be continued or commenced, as appropriate, is as appears in the table attached to this resolution.

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\* Revised version March 2006.

SPECIES DESIGNATED FOR CONCERTED ACTIONS BY THE 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>  
MEETINGS OF THE CONFERENCE OF THE PARTIES TO CMS

Year of adoption	Resolution	Scientific name	Common name
1991	3.2	<i>Addax nasomaculatus</i>	Addax
	3.2	<i>Gazella dorcas</i>	Dorcas gazelle
	3.2	<i>Gazella leptoceros</i>	Slender-horned gazelle
	3.2	<i>Chlamydotis undulata</i>	Houbara bustard
	3.2	<i>Numenius tenuirostris</i>	Slender-billed curlew
	3.2	-----	Marine Turtles
1994	4.2	<i>Chloephaga rubidiceps</i>	Ruddy-headed goose
	4.2	<i>Oxyura leucocephala</i>	White-headed duck
	4.2	<i>Grus leucogeranus</i>	Siberian crane
	4.2	<i>Otis tarda</i>	Great bustard
	4.2	<i>Gazella dama</i>	Dama gazelle
	4.2	<i>Oryx dammah</i>	Scimitar-horned oryx
	4.2	<i>Monachus monachus</i>	Mediterranean monk seal
1997	5.1	<i>Falco naumanni</i>	Lesser kestrel
	5.1	<i>Phoenicopterus andinus</i>	Andean flamingo
	5.1	<i>Phoenicopterus jamesi</i>	Puna flamingo
	5.1	<i>Anser erythropus</i>	Lesser white-fronted goose
	5.1	<i>Pontoporia blainvillei</i>	La Plata dolphin, Franciscana
	5.1	<i>Hippocamelus bisulcus</i>	South Andean deer
1999	6.1	<i>Sarothrura ayresi</i>	Whitewinged flufftail
	6.1	<i>Hirundo atrocaerulea</i>	Blue swallow
	6.1	<i>Acrocephalus paludicola</i>	Aquatic warbler
	6.1	<i>Lontra felina</i>	Southern marine otter
	6.1	<i>Lontra provocax</i>	Southern river otter
	6.1	<i>Spheniscus humboldti</i>	Humboldt penguin
	6.1	<i>Aythya nyroca</i>	Ferruginous duck
2002	7.1	<i>Uncia uncia</i>	Snow leopard
	7.1	<i>Balaenoptera physalus</i>	Fin whale
	7.1	<i>Balaenoptera borealis</i>	Sei whale
	7.1	<i>Physeter macrocephalus</i>	Sperm whale
	7.1	<i>Eubalaena australis</i>	Southern right whale
	7.1	<i>Balaenoptera musculus</i>	Blue whale
	7.1	<i>Megaptera novaeangliae</i>	Humpback whale
	7.1	<i>Platalea minor</i>	Black-faced spoonbill
	7.1	<i>Eurynorhynchus pygmeus</i>	Spoon-billed sandpiper
	7.1	<i>Sterna bernsteini</i>	Chinese crested tern
2005	8.29	<i>Camelus bactrianus</i>	Bactrian camel
	8.29	<i>Bos grunniens</i>	Wild yak
	8.29	<i>Cervus elaphus bactrianus</i>	Bukhara deer
	8.29	<i>Gorilla gorilla</i>	Gorilla
	8.29	<i>Puffinus mauretanicus</i>	Balearic shearwater
	8.29	<i>Calidris canutus rufa</i>	Red knot



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Resolution 9.1

Original: English

### **CONCERTED AND COOPERATIVE ACTIONS**

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

*Recalling* Resolution 3.2 regarding Appendix I species adopted by the Conference of the Parties at its third meeting (Geneva, 1991);

*Recognizing* that Resolution 3.2 decided *inter alia* that at each meeting of the Conference of the Parties a formal review process would be established for a selected number of species listed in Appendix I;

*Noting* that there are species or populations of species listed in Appendix II that have an unfavourable conservation status and which require cooperation at the international level for their conservation and management;

*Aware* that not all species listed in Appendix II are currently the subject of an Agreement nor can they reasonably be expected, in the short term, to become the subject of an Agreement to assist with their conservation;

*Recalling further* that Resolution 3.2, as updated by Resolution 4.2 (Nairobi, 1994), Resolution 5.1 (Geneva, 1997), Resolution 6.1 (Cape Town, 1999), Resolution 7.1 (Bonn, 2002), Resolution 8.29 (Nairobi, 2005), and that Recommendation 6.2 (Cape Town 1999) as updated by Recommendation 7.1 (Bonn, 2002) and Recommendation 8.28 (Nairobi, 2005) instructs and recommends, respectively, the Secretariat and the Scientific Council to encourage and assist Parties to take concerted and cooperative actions to implement the provisions of the Convention and improve the conservation status of migratory species;

*Acknowledging* that the Scientific Council at its 14<sup>th</sup> and 15<sup>th</sup> meetings held in Bonn (March, 2007) and Rome (November, 2008) reviewed the implementation of concerted and cooperative actions for Appendix I and Appendix II species respectively;

*Noting* the conclusions and recommendations of the Scientific Council at its 14<sup>th</sup> and 15<sup>th</sup> meetings, particularly the identification of the following species to be the subject of concerted actions: *Platanista gangetica gangetica*, *Pelecanus crispus*, *Anser cygnoides* and *Marmaronetta angustirostris*; and

*Noting further* the recommendations of the 14<sup>th</sup> and 15<sup>th</sup> meetings of the Scientific Council that subject to their inclusion in Appendix I and Appendix II, respectively, *Tursiops truncatus ponticus*, *Acinonyx jubatus*, on the one hand, and *Lycaon pictus* on the other hand, also be subject to concerted and cooperative actions, as appropriate;

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

1. *Resolves* that concerted and cooperative actions be carried out for the species listed within this Resolution to improve their conservation status, as appropriate, during the 2009-2011 triennium, and that the Conference of the Parties review the results at its next meeting;
2. *Instructs* the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species or populations of such species for which the conclusion of an Agreement is not anticipated during the forthcoming triennium, but which nonetheless require attention within the reporting period;
3. *Directs* the Secretariat to assist the Scientific Council in establishing this review process, ensuring that a regular update of status is provided by the relevant focal point Councillor;
4. *Ratifies* the recommendation of the Scientific Council at its 15<sup>th</sup> meeting that concerted actions for species covered by Resolution 8.29 be continued for a further three years (2009-2011), and that concerted actions be commenced specifically for those species mentioned in the preamble. The complete list of species for which concerted actions should either be continued or commenced, as appropriate, is as appears in the first table attached to this Resolution; and
5. *Endorses* the list of species object of cooperative actions for the following 2009-2011 triennium, as it appears in the second table attached to this Resolution.



## SPECIES DESIGNATED FOR CONCERTED ACTIONS DURING 2009-2011

Year of adoption	Resolution	Scientific name	Common name
1991	3.2	<i>Addax nasomaculatus</i>	Addax
	3.2	<i>Gazella dorcas</i>	Dorcas gazelle
	3.2	<i>Gazella leptoceros</i>	Slender-horned gazelle
	3.2	<i>Chlamydotis undulata</i>	Houbara bustard
	3.2	<i>Numenius tenuirostris</i>	Slender-billed curlew
	3.2	-----	Marine Turtles
1994	4.2	<i>Chloephaga rubidiceps</i>	Ruddy-headed goose
	4.2	<i>Oxyura leucocephala</i>	White-headed duck
	4.2	<i>Grus leucogeranus</i>	Siberian crane
	4.2	<i>Otis tarda</i>	Great bustard
	4.2	<i>Gazella dama</i>	Dama gazelle
	4.2	<i>Oryx dammah</i>	Scimitar-horned oryx
	4.2	<i>Monachus monachus</i>	Mediterranean monk seal
1997	5.1	<i>Falco naumanni</i>	Lesser kestrel
	5.1	<i>Phoenicopterus andinus</i>	Andean flamingo
	5.1	<i>Phoenicopterus jamesi</i>	Puna flamingo
	5.1	<i>Anser erythropus</i>	Lesser white-fronted goose
	5.1	<i>Pontoporia blainvillei</i>	La Plata dolphin, Franciscana
	5.1	<i>Hippocamelus bisulcus</i>	South Andean deer
1999	6.1	<i>Sarothrura ayresi</i>	Whitewinged flufftail
	6.1	<i>Hirundo atrocaerulea</i>	Blue swallow
	6.1	<i>Acrocephalus paludicola</i>	Aquatic warbler
	6.1	<i>Lontra felina</i>	Southern marine otter
	6.1	<i>Lontra provocax</i>	Southern river otter
	6.1	<i>Spheniscus humboldti</i>	Humboldt penguin
	6.1	<i>Aythya nyroca</i>	Ferruginous duck
2002	7.1	<i>Uncia uncia</i>	Snow leopard
	7.1	<i>Balaenoptera physalus</i>	Fin whale
	7.1	<i>Balaenoptera borealis</i>	Sei whale
	7.1	<i>Physeter macrocephalus</i>	Sperm whale
	7.1	<i>Eubalaena australis</i>	Southern right whale
	7.1	<i>Balaenoptera musculus</i>	Blue whale
	7.1	<i>Megaptera novaeangliae</i>	Humpback whale
	7.1	<i>Platalea minor</i>	Black-faced spoonbill
	7.1	<i>Eurynorhynchus pygmeus</i>	Spoon-billed sandpiper
	7.1	<i>Sterna bernsteini</i>	Chinese crested tern
2005	8.29	<i>Camelus bactrianus</i>	Bactrian camel
	8.29	<i>Bos grunniens</i>	Wild yak
	8.29	<i>Cervus elaphus bactrianus</i>	Bukhara deer
	8.29	<i>Gorilla gorilla</i>	Gorilla
	8.29	<i>Puffinus mauretanicus</i>	Balearic shearwater
	8.29	<i>Calidris canutus rufa</i>	Red knot
2008	9.1	<i>Acinonyx jubatus</i>	Cheetah
	9.1	<i>Platinista gangetica gangetica</i>	Ganges river dolphin
	9.1	<i>Tursiops truncatus ponticus</i>	Bottlenose dolphin (Black Sea sub-species)
	9.1	<i>Pelecanus crispus</i>	Dalmatian pelican
	9.1	<i>Anser cygnoides</i>	Swan goose
	9.1	<i>Marmaronetta angustirostris</i>	Marbled duck

SPECIES DESIGNATED FOR COOPERATIVE ACTIONS DURING 2009-2011

Scientific name
<i>Miniopterus schreibersii</i>
<i>Otomops martiensseni</i>
<i>Eidolon helvum</i>
<i>Lagenorhynchus australis</i>
<i>Lagenorhynchus obscurus</i>
<i>Phocoena spinipinnis</i>
<i>Phocoena dioptrica</i>
<i>Cephalorhynchus commersonii</i>
<i>Cephalorhynchus eutropia</i>
<i>Neophocaena phocaenoides</i>
<i>Sousa chinensis</i>
<i>Tursiops aduncus</i>
<i>Stenella attenuata</i>
<i>Stenella longirostris</i>
<i>Lagenodelphis hosei</i>
<i>Orcaella brevirostris</i>
<i>Loxodonta africana</i> (Central African populations)
<i>Equus hemionus</i> (s.l.)
<i>Gazella subgutturosa</i>
<i>Procapra gutturosa</i>
<i>Crex crex</i>
<i>Coturnix coturnix coturnix</i>
<i>Cygnus melanocorypha</i>
<i>Acipenser baerii baicalensis</i>
<i>Acipenser gueldenstaedtii</i>
<i>Acipenser medirostris</i>
<i>Acipenser mikadoi</i>
<i>Acipenser naccarii</i>
<i>Acipenser nudiventris</i>
<i>Acipenser persicus</i>
<i>Acipenser ruthenus</i>
<i>Acipenser schrenckii</i>
<i>Acipenser sinensis</i>
<i>Acipenser stellatus</i>
<i>Acipenser sturio</i>
<i>Huso dauricus</i>
<i>Huso huso</i>
<i>Pseudoscaphirhynchus fedtschenkoi</i>
<i>Pseudoscaphirhynchus hermanni</i>
<i>Pseudoscaphirhynchus kaufmanni</i>
<i>Psephurus gladius</i>
<i>Lycaon pictus</i>



## **CONVENTION ON MIGRATORY SPECIES**

Distr: GENERAL

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### **PRIORITIES FOR CMS AGREEMENTS**

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

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*Recognising* that migratory species can best be conserved through joint international cooperative efforts, linking species- and ecosystem-based approaches at national level, coordinated across a migratory range;

*Recalling* that Articles IV and V of the Convention provide for the conclusion of AGREEMENTS, in particular for migratory species in an unfavourable conservation status;

*Further recalling* Resolution 2.6 (Geneva, 1988), which recommends the use of non-binding instruments such as resolutions of the Conference of the Parties on proposals submitted by Parties and Memoranda of Understanding as a potential first step towards the conclusion of AGREEMENTS in accordance with Articles IV and V of the Convention;

*Recognising with satisfaction* the considerable progress made since the Eighth Meeting of the Conference of the Parties (Nairobi, 2005) with regard to the conclusion and implementation of AGREEMENTS and agreements under CMS auspices;

*Conscious* that these initiatives not only assist the targeted species and their habitats, but also consolidate the position of CMS as a worldwide lead partner in the conservation and sustainable use of migratory species over their entire range, and introduce non-Parties to the benefits of membership of the Convention;

*Welcoming* the Secretariat's increased efforts pursuant to Resolutions 7.7 (Bonn, 2002) and 8.5 (Nairobi, 2005) to foster partnerships with collaborating organisations and governments to support the coordination of MoUs concluded under CMS auspices;

*Aware* that Ramsar Resolution X.22 recognizes the importance of the work of CMS, AEWA and other non-statutory initiatives relating to migratory waterbirds and their flyways, encouraging Parties and other governments actively to support and participate in waterbird flyway initiatives and those who have yet to join such AGREEMENTS and initiatives including AEWA to do so, and urges Ramsar, CMS, AEWA and the Arctic Council to establish a mechanism for sharing knowledge, expertise and experience of best practices across the various 'north-south' migratory waterbird flyway initiatives and AGREEMENTS;

*Aware also* that the 2004 Waterbirds around the World global flyways conference adopted the Edinburgh Declaration as an agenda for action on migratory waterbirds;

*Recognising* that effective coordination to support the implementation of MoU Action Plans, and regular Range State meetings to monitor implementation and conservation outcomes, are cost effective means that will make a significant contribution to the Convention's achievement of the 2010 biodiversity target;

*Further recognising* that the development and servicing of both AGREEMENTS and agreements under the Convention will be subject to the availability of necessary funds;

*Acknowledging* with gratitude the generous financial and in-kind contributions made as noted in document UNEP/CMS/Conf.9.34, as well as developmental support provided in the last triennium by a number of Parties, non-Parties, and organisations to support Agreement development, the establishment of MoU coordinators and regular meetings of MoU Range States;

*Expressing* particular gratitude to the authorities of Abu Dhabi UAE for their offer to host and fund a co-ordination unit for the MoUs on Dugongs, African Eurasian Raptors and the Western area of IOSEA and *noting* that the Signatory States of these agreements have expressed support for this offer; and

*Referring* to the report of the Secretariat as reflected in the documents UNEP/CMS/Conf.9.9, as well as reports of the Secretariats of the various AGREEMENTS and agreements concluded under CMS auspices;

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

1. *Decides* that the focus for the triennium 2009-2011 should be the implementation and operationalisation of the existing AGREEMENTS and agreements under CMS auspices and on taking forward the work on the future shape of CMS;
2. With regard to binding and non-binding instruments already concluded:
  - (a) *Expresses* its satisfaction with the achievements made to conclude and implement CMS instruments, both binding and non-binding in their legal nature;
  - (b) With regard to binding AGREEMENTS:
    - (i) *Commends* the conclusion of the Agreement on the Conservation of Gorillas and their Habitats and *welcomes* its entry into force;
    - (ii) *Also welcomes* the adoption of the Agreement's Action Plan at the first meeting of the Parties;
    - (iii) *Urges* all Range States that have not yet done so to sign, ratify or accede to, as appropriate, the Agreement;

- (iv) *Acknowledges* the leading role of the Republic of Congo and the support of the Royal Belgian Institute for Natural Sciences (IRSNB) and the GRASP Partnership in the preparation of the Gorilla Agreement, and the financial and in kind support to the process provided by the Governments of France, Germany, Monaco and the UK; and
- (v) *Calls* for a prompt implementation of the Agreement's Action Plan within the framework of the Year of the Gorilla;
- (c) With regard to non-binding agreements:
  - (i) *Welcomes* the entry into effect of the Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope (*Saiga tatarica tatarica*), and its signature by three range states;
  - (ii) *Endorses* the conclusion and entry into effect since COP8 of the:
    - (ii.i) Memorandum of Understanding on the Conservation of the Ruddy-headed Goose (*Chloephaga rubidiceps*) by Argentina and Chile as a contribution to the Wildlife Conservation Protocol signed between both countries and the first ever CMS agreement targeted towards the conservation of an American migratory bird species;
    - (ii.ii) Memorandum of Understanding concerning the Conservation of Southern South American Migratory Grassland Bird Species and their Habitats among the Range States of Argentina, Bolivia, Brazil, Paraguay and Uruguay, and *recognises with pleasure* the initiation of the drafting process of the Action Plan at the first meeting of the Signatory States in October 2008;
    - (ii.iii) Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region, as well as its appended Whale and Dolphin Action Plan, developed with the collaboration of the South Pacific Regional Environment Programme;
    - (ii.iv) Memorandum of Understanding on the Conservation and Management of Dugongs (*Dugong dugon*) and their Habitats throughout their Range, and its associated Conservation and Management Plan;
    - (ii.v) Memorandum of Understanding concerning Conservation Measures for the Eastern Atlantic Populations of the Mediterranean Monk Seal (*Monachus monachus*) and its associated Recovery Plan;
    - (ii.vi) Memorandum of Understanding concerning the Conservation of the Manatee and Small Cetaceans of Western Africa and Macaronesia, as well as its two associated Conservation Plans targeted toward the conservation of the African manatee, and small cetaceans, respectively;
    - (ii.vii) Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia, and its associated Action Plan; and the

- (ii.viii) Memorandum of Understanding on the Conservation of High Andean Flamingos and their Habitats and *welcomes* its signature by three Range States during this meeting as evidence of their strong commitment to flamingo conservation efforts at regional and national levels;
- (d) *Reiterates* the measures set out in paragraph 43 of Resolution 8.2 to ensure that the Agreements should use similar systems for planning and reporting in order to ensure that they are fully integrated and strategically aligned with the Convention;
- (e) *Urges* all Range States to sign, ratify or accede to the appropriate AGREEMENTS or agreements, and to take an active part in their implementation;
- (f) *Encourages* the Secretariat to continue exploring partnerships with interested organisations specialised in the conservation and management of migratory species for the provision of developmental support and coordination services for MoUs concluded under CMS auspices;
- 3. *Decides* that the development of additional Agreements in the future should be linked to the outcome of the work initiated by Resolution 9.13 on the Future Shape of CMS;
- 4. *Acknowledges* the importance of maintaining the momentum in regard to instruments already under development, and in support of Target 2.5 of the CMS Strategic Plan 2006-2011:

#### **A. BIRDS**

##### **(a) Waterbirds Flyways**

- 5. *Decides* to establish an open-ended working group on global bird flyways within the framework of the Scientific Council to act as a think tank on flyways and frameworks, and tasked with reviewing scientific and technical issues for conservation of migratory birds and their habitats, and relevant international instruments, initiatives and processes, as the basis for future CMS policy on flyways and contributing to the work on the future shape of CMS:

##### **(i) Central Asian Flyway**

- (i.i) *Welcomes* the launch of the Central Asian Flyway Action Plan for the Conservation of Migratory Waterbirds and their Habitats (January 2008), as stated in UNEP/CMS/Conf.9.27, for one of the world's most vital routes for migratory birds, covering 175 species, 13 of which are already listed on Appendix I of the Convention;
- (i.ii) *Urges* the immediate execution of the Action Plan through the completion of pilot projects in view of the recognised necessity of having a Central Asian Flyway conservation instrument;
- (i.iii) *Appeals* to all Range States for a sustained commitment, both in terms of conservation interest and resource provision, in order to implement effectively the above mentioned Action Plan; and

- (i.iv) *Supports* the Secretariat's call for the Range States to meet in 2009-2010 in Central Asia in order to: review the Action Plan, agree on future projects subject to external funding, establish coordination arrangements for Central Asian Flyway management and conservation, and explore the possibility of the preparation of a CMS instrument or extending an existing instrument, either legally binding or non binding, under Article IV of the Convention concerning the conservation of these species and requests the Secretariat to involve the relevant regional Agreements, in particular the Secretariat of the AEWA in the view of a possible close collaboration with the AEWA using all available synergies.
- (ii) *East Asian-Australasian Flyway*
  - (ii.i) *Welcomes* the establishment of the East Asian-Australasian Flyway Partnership (EAAFP) and *recognises* this Partnership as fulfilling the conditions of a non-binding agreement under Article IV paragraph 4 of CMS, as noted *inter alia* in the 31st Meeting of CMS Standing Committee (September 2006);
  - (ii.ii) *Expresses* the hope that EAAFP will serve as a bridge to a more permanent arrangement under CMS auspices, as CMS will deploy its experience in the development of similar intergovernmental instruments under Article IV of the Convention, notably the Agreement on the conservation of African-Eurasian Migratory Waterbirds (AEWA) and the Agreement on the Conservation of Albatrosses and Petrels (ACAP);
  - (ii.iii) *Requests* the Secretariat to take an active role, subject to its resources, in the technical and other work of the Partnership; and
  - (ii.iv) *Further requests* that EAAFP present a report to the next Conference of the Parties, and if appropriate, to the intervening meeting of the Standing Committee in order to update on the development of the partnership. A representative should also be invited to attend the Scientific Council;
- (iii) *American Flyways*
  - (iii.i) *Expresses* the interest of advancing the development of an international framework to address conservation priorities for migratory birds and their habitats, covering areas for breeding, wintering and resting sites throughout the Americas. The initiative will consider the existing South American instruments such as the Ruddy-headed Goose, Grassland Birds and Andean Flamingos MoUs, as well as other existing initiatives;
- (iv) *Pacific Flyway*
  - (iv.i) *Recognizes* the importance of conservation of migratory birds and their habitats in the Pacific Flyway that are under threat, notably from global climate change; and

- (iv.ii) *Requests* the Secretariat, through the Working Group on the Scientific Council, to review the status of species priorities in the flyway to identify the appropriate instruments for their conservation;

(b) ***Asian Houbara Bustard***

- (i) *Thanks* the Government of the Kingdom of Saudi Arabia for its role in developing the draft of an Article IV instrument for the conservation of the Asian Houbara Bustard;
- (ii) *Recalls* that an Agreement under CMS for this species has been under discussion amongst range states, and that a detailed text and action plan for a binding Agreement acceptable to virtually all range states, have resulted from this extensive period of discussion;
- (iii) *Further recalls* that a special session at the previous COP in 2005 was set aside for discussion of the final text by range states, and that it was decided on that occasion that the Agreement would be finalised and opened for signature by mid-2006;
- (iv) *Suggests* a deadline of September 2009 for the final conclusion of this agreement with participation of all range states and in collaboration with relevant organisations; and
- (v) In the absence of action by that deadline, *Instructs* the CMS Secretariat to open the current text for signature in November 2009.

**B. FISH**

(c) ***Sharks***

- (i) *Acknowledges* the positive outcomes of the First Meeting to Identify and Elaborate an Option for International Cooperation on Migratory Sharks under the Convention on Migratory Species (Mahe, Seychelles, 11-13 December 2007), held as a response to Recommendation 8.16 and Resolution 8.5 adopted by the Eighth Meeting of the Conference of the Parties (Nairobi, 2005);
- (ii) *Further acknowledges* with thanks the work of the Intersessional Steering Group on Migratory Sharks in reviewing the outcome of the first meeting and providing guidance to the further development of the process;
- (iii) *Welcomes* the convening of the second negotiation meeting to be held at the FAO premises in Rome immediately after COP9 to consider alternative texts for binding and a non-legally binding Article IV instruments, prepared by the CMS Secretariat and the Intersessional Steering Group comprising Australia, Chile, Costa Rica, EC, New Zealand, Seychelles and USA;
- (iv) *Urges* Range States to ensure its definite conclusion and entry into effect as a key initiative to conserve sharks through a second meeting and further phases of the negotiation process to be held after the 9<sup>th</sup> meeting of the Conference of the Parties;



(d) ***Sturgeons***

- (i) *Takes note* of the recommendations of the Scientific Council;
- (ii) *Welcomes* the progress made on protection of sturgeons in the framework of the Bern Convention, which has established Action Plans on Danube sturgeons and Atlantic sturgeons;
- (iii) *Acknowledges* the initiative of the World Sturgeon Conservation Society to arrange a world sturgeon conference in Wuhan, China, in 2009; and
- (iv) *Endorses* the need to take steps to ensure the further protection of those threatened sturgeon species that are not already subject to international-level protection activities;

**C. MARINE REPTILES**

(e) ***Pacific Marine Turtles***

- (i) *Supports* the development of an appropriate CMS instrument on marine turtles for the Pacific region pursuant to Recommendation 8.17;
- (ii) *Applauds* the efforts being made by CMS and the South Pacific Regional Environment Programme (SPREP) towards the development of a CMS-based binding or non-binding instrument under Article IV of CMS for turtle conservation, following the success of the Year of the Turtle 2006; and
- (iii) *Urges* Range States, Parties and non-Parties, as well as interested organisations, to generously support this effort by providing financial and in kind resources, to the development of the cited CMS instrument;

**D. MARINE MAMMALS**

(f) ***Cetaceans in the Indian Ocean and South-East Asia***

- (i) *Reiterates* its supports for the development of an appropriate CMS instrument on cetaceans in South-East Asia, taking account of Resolution 7.7 and Recommendation 7.4, and further discussion at the 14<sup>th</sup> meeting of the Scientific Council (Bonn, 2007);
- (ii) *Notes* that extending the geographic scope of the instrument to cover the Indian Ocean would significantly increase the number of CMS Parties involved, thus facilitating the negotiation process for the instrument;
- (iii) *Requests* Range States of the region to identify a lead country to support the instrument's preparatory phase as a condition of CMS's continued support for the initiative; and
- (iv) *Urges* Parties, interested States and organisations to generously provide financial and in kind support to these efforts;

**E. TERRESTRIAL MAMMALS**

**(g) *Sahelo-Saharan Antelopes***

- (i) *Welcomes* the progress being made as part of the Sahelo-Saharan Concerted Action, in particular, the workshop to launch the proposed Termit-Tim Toumma Protected Area project (Niger, 2006) with all local communities, as well as the lead partner in this initiative, the Sahara Conservation Fund, and subsequent development of the proposed protected area, in partnership between the Niger Government (MELCD), CMS and other major partners (the Government of France, the European Commission and the Sahara Conservation Fund);
- (ii) *Endorses* the statement of the 14<sup>th</sup> meeting of the Scientific Council that the establishment of a system of surveillance for this area is to be considered as top priority;
- (iii) *Calls upon* Range States to contribute financially or in kind to the implementation of the Sahelo-Saharan Antelopes Conservation Action;
- (iv) *Appeals* to all Range States to support the development of a Memorandum of Understanding concerning the conservation of the Sahelo-Saharan Antelopes as a complement to the operating action plan; and
- (v) *Recognizes* the declaration of the Working Group on Terrestrial Mammals of the Scientific Council at its 14<sup>th</sup> meeting that there is a need to extend the Sahelo-Saharan Antelopes Concerted Action to other species of large mammals occurring within the range such as the Saharan Cheetah, in particular, and the Soemmering's Gazelle, the African Wild Ass and the Barbary sheep, as a possibility;

**(h) *Central Eurasian Aridland Mammals***

- (i) *Notes* with satisfaction the progress made as part of the Central Eurasian Aridland Concerted Action;
- (ii) *Appeals* to Range States and other interested Parties to support the development of a Memorandum of Understanding or other binding or non-binding instrument to complement the Concerted Action;
- (iii) *Welcomes* the interest being shown by Range States in an instrument for the conservation of the Mongolian Gazelle as stated in the 14<sup>th</sup> Meeting of the Scientific Council; and
- (iv) *Reiterates* its support to the Secretariat's intention to continue to provide advice to the Range States as they develop an Action Plan and a cooperative arrangement for the Mongolian Gazelle in order to address the threats it is subject to, primarily smuggling, hunting, and the harm it inflicts in itself while traversing fences across State borders;

(i) ***Subsaharan and African Bats***

- (i) *Endorses* the study on the feasibility of developing appropriate instruments on bats presented to the 11<sup>th</sup> and 12<sup>th</sup> meetings of the Scientific Council, as reiterated in the 14<sup>th</sup> meeting of the same body;
- (ii) *Recalls* the interest expressed during the 13<sup>th</sup> meeting of the Scientific Council to develop an appropriate instrument for Subsaharan and African bats under CMS auspices; and
- (iii) *Appeals* to Range States to form a working group in consultation with the Scientific Council, the EUROBATs Secretariat and the CMS Secretariat to explore how such an instrument, either binding or non-binding, could be prepared;
- (iv) *Encourages* the conduct of preparatory studies in key Range States;

(j) ***Central African Elephants***

- (i) *Requests* that preparatory work on the development or extension of an appropriate instrument on the conservation of elephants in Central Africa is undertaken in accordance with Recommendation 9.5;

6. *Decides* to conduct reviews of the existing CMS Agreements and related projects on:

- (a) Terrestrial Mammals;
- (b) Marine Species; and
- (c) Birds.

in the context of the intersessional process regarding the Future Shape of CMS initiated by Resolution 9.13; and

7. *Decides* to accept with gratitude the offer from the Abu Dhabi authorities to host and provide substantial funds for an interim co-ordination unit for the MoUs on Dugongs, African Eurasian Raptors, and the Western area of IOSEA starting in 2009; and *requests* the CMS Secretariat to continue to conduct negotiations to develop a satisfactory structure for the unit in Abu Dhabi, within the parameters set out in the paper submitted to the Standing Committee in September 2008 (CMS/StC33/2/Rev.2) and in consultation with the Standing Committee, the Abu Dhabi and UAE authorities, UNEP and other stakeholders.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 9.3

Original: English

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### **CMS INFORMATION PRIORITIES**

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

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*Noting* the progress made in the current implementation of the CMS Information Management Plan (IMP), as well as *seeking* to indicate the priorities for further implementation during the forthcoming triennium, part of which are new activities not necessarily included in the original Plan;

*Acknowledging* the primary role of the IMP/IMS (Information Management System) in the analysis and synthesis of Party reports;

*Recognizing* that IMP/IMS work should in future be led by a strengthened Science, Data and Marine Unit, and form part of a wider remit for scientific and conservation data management and be supported by other units with responsibility for website management and liaison with other bodies; and

*Acknowledging* the suggestion contained in the CMS Synopsis of IT Status Review (UNEP/CMS/Inf. 9.18) that the CMS IMS should be maintained as the *de facto* home of information management for CMS without precluding the possibility of integrating it within a common Multilateral Environmental Agreement knowledge management portal;

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

1. *Requests* the Secretariat to continue to make progress in the implementation of the Plan and related initiatives to facilitate the implementation of activities identified in Objective 1 of the Convention's Strategic Plan 2006-2011;
2. *Recommends* that the CMS Secretariat liaise in the first instance with the Secretariats of CMS Agreements and MOUs to develop a common format for outcome-oriented National Reports and a common system for on-line reporting and subsequently with the Secretariats of other Multilateral Environmental Agreements and *encourages* Parties to promote in the appropriate forums of other MEAs such moves towards harmonisation of reporting procedures and methods;

3. *Recommends* the continued implementation of the Knowledge Management project under the leadership of UNEP particularly with regard to the development and interconnection of outcome-oriented online reporting facilities for the CMS family; and
4. *Requests* the Scientific Council to oversee the implementation of this resolution during the next triennium.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 9.4

Original: English

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### **THE FUTURE OF NATIONAL REPORTS**

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

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*Noting* the progress made by the CMS Secretariat since COP8 in amending the national reporting format;

*Pursuant* to Article VI (3) of the Convention which obliges Parties to submit national reports on the measures they are taking to implement the provisions of the Convention;

*Also noting* that 58 reports had been submitted to the Eighth Meeting of the Conference of the Parties;

*Further noting* that 60 reports were submitted to the Ninth Meeting of the Conference of the Parties out of 102 that were due, as detailed in Conference Document 9.10; of the current total of 110 Parties, 8 were not yet required to submit reports;

*Emphasising* the important role of national reports as vital indicators of the implementation of the Convention;

*Underlining* that reporting should be kept concise and focused, avoid duplication and be outcome orientated so that there is more time for the implementation of conservation measures; and

*Welcoming* the development of the specifications for online reporting which would make significant advances both in the reporting process and harmonization of reports within the CMS Family;

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

1. *Urges* all Contracting Parties that have not yet done so to submit at the earliest date, but no later than 31 December 2008, national reports for the triennium 2005-2008;
2. *Instructs* the Secretariat to perform an analysis of the reports received by 31 December 2008 and to make the results available to the Parties, the members of the Standing Committee meeting and

the Scientific Council by the end of April 2009, so that the findings can help inform their activities and decision-making;

3. *Urges* all Contracting Parties, in accordance with the provisions of Article VI of the Convention, to submit national reports for the triennium 2009-2011 to the Secretariat at least six months before the Tenth Meeting of the Conference of the Parties;
4. *Requests* the Secretariat to advise Contracting Parties of the date for submission of their national reports for the Tenth meeting of the Conference of the Parties and to issue reminders if the reports are not received by the said date;
5. *Further requests* the Secretariat to advance harmonization of reporting with other international biodiversity agreements through the development of common reporting modules, via the framework of the Biodiversity Liaison Group and in consultation with UNEP-WCMC;
6. *Requests* the Secretariats and Parties of CMS Agreements to collaborate in the implementation and harmonization of online reporting implementation;
7. *Also requests* UNEP to continue to seek opportunities to support the Convention through the Knowledge Management and related projects;
8. *Requests*, for the triennium 2009-2011, the Secretariat to provide to the Parties, the format of the report, oriented to the collection of the results obtained, at least 18 months before COP10; and
9. *Requests* the CMS Secretariat to continue to liaise with the CBD Secretariat and the other biodiversity-related conventions and relevant institutions with a view to adopting suitable indicators to measure the achievement of the 2010 target.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 9.5

Original: English

**OUTREACH AND COMMUNICATION ISSUES**

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

*Aware of* the contribution that the Convention on Migratory Species can make to the achievement of the 2010 target and beyond to significantly reduce the loss of biodiversity by that date;

*Conscious* of the need to raise awareness on migratory species, threats to their movement, and CMS's activities to mitigate them;

*Recalling* Article IX, paragraphs 4 (b) and (j) of the Convention stating that it is function of the Secretariat to liaise and promote liaison among the Parties, the advisory and technical bodies set up under Agreements and other international organizations concerned with migratory species, and to provide the general public with information concerning this Convention and its objectives; and

*Further recalling* objective 3 of the CMS Strategic Plan 2006-2011, to “broaden awareness and enhance engagement in the conservation of migratory species amongst key actors” and related targets;

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

1. *Endorses* the annexed CMS Outreach and Communication Plan 2009-11, and *urges* the Secretariat to undertake the activities listed in Section A and D of the annex for the next triennium;
2. *Agrees to* provide resources to support the Plan and the CMS Budget for 2009-11; and
3. *Invites* CMS Parties, CMS Agreements and UNEP and encourages partners to assist the Secretariat in the implementation of the plan and by providing additional voluntary contributions particularly to initiate new activities listed in Section E giving priority to mutually supportive activities to enhance synergies and strengthen communication strategies on the importance of migratory species and avoid duplication of efforts.



## ANNEX

### A. Opportunities and Priorities for the Next Triennium 2009 – 2011



1. The objectives of the current Outreach and Communications Plan evolve from Resolution 8.8 and the implementation of activities as part of a new communications strategy. The main outreach strengths are CMS's unique mandate to conserve a great diversity of species and their habitats across the globe while addressing new challenges or threats. Biodiversity is considered as extremely valuable natural resource that enables life on earth to flourish. Highlighting the role of migratory species and putting it into a general context of current and future conservation challenges provides CMS with the chance to present itself as the leading centre of expertise while emphasizing the impact on existing ecosystems and eventually humans. There is a need to highlight the importance of migratory species as indicators for biodiversity and their importance for the preservation of healthy ecosystems. In this context, CMS can provide expert advice on urgent issues of major concern. In addition, the work of the Secretariat should be linked to the achievement of the Millennium Development Goals. In the light of the Strategic Plan 2009-2011: the Secretariat identifies the following opportunities for:

- (i) **Outreach and communication activities by the Secretariat reflect its contribution to the overarching target to achieve by 2010 a significant reduction of the current rate of biodiversity loss at the global, regional and national level as a contribution to poverty alleviation and to the benefit of all life on Earth.** As ecosystems, ecological processes, species and genes contribute to human health and well-being, **the UN General Assembly declared 2010 as the International Year of Biodiversity** to bring greater attention to the importance of biodiversity and efforts to reduce the current rate of biodiversity loss. The Millennium Ecosystem Assessment which reviews the consequences of ecosystem change emphasized that humanity's future depends on healthy, functioning ecosystems. As CMS provides a global platform to address threats to migratory species and their habitats, the Secretariat will play its part in promoting the International Year of Biodiversity to emphasise its role and contribution as a lead expert in this field.
- (ii) **Widening the Convention's presence in the light of expansion in the number of Parties in several regions.** The first CMS agreements in South America were signed by Parties in 2006/7. The conclusion of six MoUs and one Agreement during the triennium highlights in particular the Secretariat's expertise in conserving marine mammals and migratory birds. Additional opportunities to work with CMS Agreements and new NGOs have arisen as a result of increased conservation activities in various regions. Especially during the Year of the Dolphin the Secretariat gained experience coordinating joint media relations and outreach activities among CMS, ACCOBAMS, ASCOBANS, WDCCS as partner NGO and private sector partner TUI.

- (iii) **Working more clearly with the UNEP Division of Communications and Public Information (DCPI), other UNEP Regional Offices and specialists**, particularly on CMS activities featured on the UNEP website, publications and media presentation for communications and outreach to different target audiences. The importance of migratory species and their habitats for human livelihoods are featured regularly in CMS publications. CMS co-launched a UNEP report on “Sustaining Life” in Bonn in April 2008 to point out the importance of migratory species for human health as part of a joint global UNEP communication policy.
  - (iv) **Aligning outreach work to complement the targets for new accessions to CMS and its Agreements.** Accession of new contracting parties and the adoption of new CMS tools and instruments on various species groups in different regions of the world are featured in CMS’s information material to emphasize the importance of the Convention for the achievement of the 2010 target. In order to highlight the continuing commitment of the Convention towards significantly reducing biodiversity loss beyond 2010, the Secretariat adopted the motto “Beyond 2010: Wildlife Renaissance” for COP9 as a theme to be reflected throughout the communications strategy.
2. Higher visibility of CMS will also attract additional interest and potential financial support from the private sector, which would enable the Secretariat to undertake more activities.
3. During 2009-2011, the Secretariat intends to develop the following products and other activities:
- (i) The CMS website is to be relaunched on 1 January 2010 based on the introduction of a content management system to host good quality data on migratory species, the management of this data, and its analysis, interpretation and delivery. Due to pressures from growth as a result of increasing numbers of Agreements, MoUs and Parties to the Convention, a content management system with integrated database is to meet increased expectations from technology.
  - (ii) The CMS Family Guide, which is used as an outreach tool to inform an interested public as well as countries considering accession to the Convention on developments on agreements, MoUs and CMS membership, will be produced in French and Spanish including regular updates to contents.
  - (iii) The publication “Great Migrations”, conceived as a coffee table book, will be an ideal tool to share the CMS message with a wide audience. It will be distributed widely, not only through CMS, but also in bookshops in Europe and the United States. CMS Ambassador Stanley Johnson will be the lead author and Stacey International has been identified as publisher. A grant obtained from UNEP Publications Fund will cover the costs. The launch date will be probably early 2010.
  - (iv) The range of the new (2008) CMS brochure, will be expanded by versions in French, Spanish and German.
  - (v) The development of a new short CMS promotional film for use in a variety of contexts, including exhibitions, public events, conferences, media and capacity building events.
  - (vi) Systematic use of the new CMS exhibition at meetings and other events, with CMS film and other audio-visual material fully integrated.

- (vii) The production of information material on the Year of the Gorilla such as leaflets in 4 languages, official poster, website, study on ecotourism, image film and calendar.
- (viii) Distribution of gorilla soft toys through selected corporate sponsor Planetfloris with a percentage earmarked to gorilla conservation (purchase on [www.yog2009.org](http://www.yog2009.org)).

## **B. Synergies and Resources**

4. Communication and outreach activities undertaken by CMS and its co-located Agreements would highly benefit from a new Information, Capacity Building and Fundraising Unit (ICFU). This unit would support a comprehensive communication strategy, channel individual efforts so far pursued by the Agreements and emphasize the efficiency of joint conservation actions under the CMS family. CMS would assume a leading role of developing and coordinating a common information policy and make use of its UNEP contacts to communicate the Convention's global expertise in conserving migratory species. A higher visibility and a better perception of conservation records of the CMS family could be achieved.

5. The unit would consist of three current staff members engaged in this work (1 x P4 CMS Information and Capacity Building Officer), 1 Senior Public Information Assistant (GS7), 1 (G4), and 1 new post (P2, centred on fundraising) to be financed by CMS. Financial resources for the unit would be contributed by ASCOBANS and EUROBATS (in place of a staff contribution) and through existing information and capacity building budgets of the 3 agencies.

6. The Unit would coordinate CMS Family websites, publications, press and media announcements, and the implementation of species campaigns and public events. It would be in charge of central fundraising for the CMS Family as a whole, and for relations with "Friends of CMS", the Host Country and UNEP. It would also manage all accession work for CMS, ASCOBANS and EUROBATS, ensuring that all approaches to Governments and outposted offices were comprehensive and co-ordinated. Training and implementation guides (including French and Spanish versions of the CMS guide) would be prepared. It is estimated that clustering resources for information, capacity building co-ordination, fundraising, media and publications in this new unit ICFU would lead to a substantial increase in efficiency.

7. ASCOBANS, EUROBATS and other Agreements/MoUs under CMS could be included in the work of FICFU that comprises outreach and communications, provided that English is the main working language. CMS respects the decision of the AEWA Standing Committee not to join this unit.

8. The CMS Budget & Manpower 2009-2011 Plan presents two options, the first proposes a 0% budgetary increase while the second envisages two new positions in the new FICFU: The new post of the Capacity Building Programme Support Officer (P2) would promote and expand current capacity building activities efforts of the Secretariat. The CMS Strategic Plan adopted by Parties at CoP8 (Para 35 - Objective 4) states that "*The Strategic Plan must also make provision for helping to develop the capacity of bodies involved in implementing the Convention and its legal instruments, especially in developing countries*".

9. Supporting developing countries and countries with economies in transition to comply with MEAs would also enable them to obtain the respective environmental, social and economic benefits. The new professional post to be supported by a Capacity Building Assistant (GS) would

significantly contribute to the enhancement of regional capacity for participating in CMS implementation activities, particularly in those regions where CMS is underrepresented, as set out in the Strategic Plan.

10. During the current triennium, as a result of limited staff resources, consultants and interns played an important role in supporting the Secretariat to achieve the objectives of the Strategic Plan concerning the implementation of the Outreach and Communications Plan and the Capacity Building Plan. The Executive Secretary would wish to offer UN officers, consultants and interns the thanks for new enthusiastic and productive contributions to conserving migrating species.

### **C. Resources**

11. Current estimates suggest that the internal CMS manpower costs of implementing the OCP over the triennium 2009-2011, using existing staff posts, would amount to about € 1.05m, including and the budget allocated to Outreach and Fundraising Projects. In addition, a further sum of approximately € 230,000 would be required to finance new posts, products, campaigns and other outreach under budgetary option 2 (see conf. 9-33). Additional resources for activities would have to be raised from donations by Parties, partners and business sponsors.

## D. Table of activities for Secretariat, Parties and Partners

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
3.1 Engagement and commitment of CMS Parties increased	4.7 Regional capacity enhanced particularly where CMS is under-represented	<ul style="list-style-type: none"> <li>- Creation of an electronic system for the prompt delivery of notifications and information notes to Parties (Focal Points)</li> <li>- Continuation of the regular coverage of CMS activities and conservation- related news on the CMS Website</li> <li>- Continuation of the production of other information material to keep Parties abreast of developments</li> <li>- Continuation of CMS newsletter in English, French, Spanish</li> </ul>	<ul style="list-style-type: none"> <li>- Support outreach activities and publications on the national level (30<sup>th</sup> Anniversary)</li> <li>- Translation of CMS documents into national languages</li> <li>- Support global species campaigns (Year of the Gorilla, International Year of Biodiversity, Year of the Bat) and spread key message on a political level</li> <li>- Provide links to CMS and relevant agreements on national websites</li> </ul>	<ul style="list-style-type: none"> <li>- Support and develop joint outreach activities and scientific meetings by involving national /regional authorities in (NGOs, Friends of CMS, corporate sponsors)</li> <li>Partners/ Ambassadors of global species campaigns, CMS Ambassadors: facilitate contacts to key actors and decision makers)</li> <li>- Provide links to supported projects featured on their web sites</li> <li>- Provide the CMS Secretariat with relevant information.</li> </ul>
3.2 Engagement of CMS non-Parties increased	4.1 CMS membership to increase by 10 Parties of importance for migratory species and new Agreements	<ul style="list-style-type: none"> <li>- Information material targeted to non-Parties including country profile, relevance of CMS, procedures for accession, relevant projects</li> <li>-Establishment of bilateral contacts with Ministries, Embassies (letters, meetings)</li> <li>- Brochures and information directed to NGOs, and universities and academic and scientific institutions of non-Parties</li> <li>- Organization of outreach workshops</li> </ul>	<ul style="list-style-type: none"> <li>- Provide financial support to organisation of workshops</li> <li>- Assist CMS Secretariat with establishing bi-lateral contacts</li> </ul>	<ul style="list-style-type: none"> <li>- Provide information on their websites on the importance of CMS and Agreements for non-Parties</li> <li>- Lobbying to promote implementation of conservation plans</li> <li>- Undertake joint activities for non-Parties</li> <li>- Assist with preparation and organisation of regional and national workshops</li> </ul>
3.3. Number of partners supporting CMS increased	4.3. Cooperative activities with MEAs and key partners increased	<ul style="list-style-type: none"> <li>- Display Exhibit at relevant meetings of MEAs and major IGOs, organize presentations/ side events and deliver statements at main biodiversity and environmental meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Exchange information between CMS focal points and other convening focal points, also by regular meetings.</li> </ul>	<ul style="list-style-type: none"> <li>- Support the network of CMS Parties and involve new bilateral partners in CMS work</li> <li>- Enter into partnership agreements</li> </ul>

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
	4.8. Extra-budgetary funding widely secured	<ul style="list-style-type: none"> <li>- Support launch of Oceans 3D: Voyage of a Turtle</li> <li>- Participation in and contribution to celebration of World Environment Day (5 June)</li> <li>- Maintain regular briefing of corporate partners by mailings</li> </ul>	<ul style="list-style-type: none"> <li>- Support national initiatives to celebrate World Environment Day</li> </ul>	<p>with CMS and establish Joint Programme of Work</p> <p>Ambassadors expected to cultivate links between CMS, science, society, politics and economy, for example through personal connections to decision and policy makers within states, NGOs, social organizations and institutions.</p> <p>Corporate Partners: Organise events to raise awareness on CMS to public and expert target groups</p>
3.4 Awareness of key media of CMS enhanced	4.4. Enhance visibility of CMS family	<ul style="list-style-type: none"> <li>- Reinforce media aspects of web site (creation of a special "Media Room" with press related information materials, French and Spanish summaries)</li> <li>- Interact with DCPI, UNEP Regional Offices RUNIC, and Deutsche Welle (German International Radio) to enhance distribution of press releases</li> <li>- Provide species information by linking to IUCN database</li> <li>- Use the specialized information channels of CMS and Agreements to highlight important common issues (coordinated web-based news releases)</li> <li>- Improve visibility of CMS in Host Country</li> <li>- Organise events to publicise CMS expertise: Thesis Award</li> </ul>	<ul style="list-style-type: none"> <li>- Promote cooperation with ministerial press departments to distribute joint press releases</li> <li>- Focal point to translate press releases into national languages and pass them to national media</li> <li>- Improve visibility of CMS at a national level</li> <li>- Provide the Secretariat with relevant articles issued in the national press</li> </ul>	<ul style="list-style-type: none"> <li>- Regularly provide information on CMS family activities in their newsletters and on Websites</li> <li>- Highlight joint activities with CMS</li> </ul>

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
		<ul style="list-style-type: none"> <li>- Produce image film on CMS and on the Year of the Gorilla</li> <li>- Maintain list of press contacts including international newspapers, IGO and NGO newsletters and magazines and specialized press</li> <li>- Issue press releases on CMS and Agreements events, initiatives, meetings and projects on a regular basis</li> </ul>		
3.5 Opinion leaders of sectors impacting migratory species influenced		<ul style="list-style-type: none"> <li>- Establish work programme for CMS ambassadors at the international, as well as at the national level</li> <li>- Prepare targeted brochures for decision-makers and politicians</li> <li>- Organize targeted contacts with opinion leaders on specific events</li> </ul>	<ul style="list-style-type: none"> <li>- Facilitate contacts with national conservation bodies, politicians and decision makers also through meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Assist CMS secretariat with the identification of CMS and campaign ambassadors on the national and international level.</li> <li>- Team-up with CMS Secretariat to reach out to relevant politicians and decision makers and/or enable joint activities (joint letters to ministers, joint press releases etc.)</li> </ul>
3.6 Information material in UN languages disseminated	4.4. Visibility of the CMS family strengthened	<ul style="list-style-type: none"> <li>- Provide updated versions of the “CMS Family Guide”, (to be translated into all UN languages)</li> <li>- Continue the electronic newsletter to include information on Agreements</li> <li>- Improve website to contain also specific information for the press, academia, NGOs and Parties</li> </ul>	<ul style="list-style-type: none"> <li>- Provide financial assistance for the preparation and publication of the “CMS Family Guide” and other relevant publications</li> <li>- Provide official translation of CMS brochures and important outreach material</li> </ul>	<ul style="list-style-type: none"> <li>- Disseminate CMS material at meetings/events.</li> <li>- Prepare joint publications on issues of common interests</li> <li>- Develop publications on species groups such as marine turtles, waterbirds etc. based on “Conserving Cetaceans”</li> </ul>



## **CONVENTION ON MIGRATORY SPECIES**

Distr. GENERAL

UNEP/CMS/Resolution 9.6

ORIGINAL: ENGLISH

### **COOPERATION WITH OTHER BODIES**

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

*Acknowledging* the importance of cooperation and synergies with other bodies, including MEAs, other inter-governmental bodies and non-governmental organisations, as well as the private sector;

*Recognising* the instrumental role of partner organisations in the development and implementation of CMS and its related initiatives and outreach campaigns, including the negotiation of the Convention itself;

*Appreciating* the value of such partnerships in reaching a wider audience and raising public awareness of the Convention and the importance of conserving migratory species on a global scale;

*Recalling* Resolution 8.11 adopted at CMS COP8 (Nairobi, 20-25 November 2005) on “Cooperation with other Conventions”;

*Having considered* documents UNEP/CMS/Conf 9.12 (Report of the Biodiversity Liaison Group) and UNEP/CMS/Conf 9.23 (Report on Activities with Partners), which highlight the formal arrangements entered into by CMS with a range of other bodies engaged with the conservation of migratory species;

*Noting* Decision IX/27 adopted by CBD COP9 (Bonn, 2008) which underlines the important role of the BLG in exploring options for enhancing synergies, avoiding duplication of efforts and improving the coherent implementation of the biodiversity-related conventions;

*Aware* that the United Nations General Assembly, following a recommendation made by CBD at its eighth COP, has declared 2010 to be “International Year of Biodiversity” (IYB);

*Noting* with satisfaction the joint endorsement by the CITES and CMS Standing Committees respectively at the fifty-seventh meeting held in July 2008 and at the thirty-fourth meeting held in December in Rome of the cooperation between CITES and CMS (Conf.9.23);

*Recognising* the importance of the harmonisation of nomenclature used in the CMS and CITES appendices as outlined in the proposal made by the CMS Scientific Council;



*Taking* note of the progress made towards the resumption of activities aimed at developing synergies and strengthening cooperation with the Ramsar Convention, the World Heritage Convention and IUCN, and work undertaken towards the expeditious conclusion of the negotiations order to move towards their early implementation;

*Awaiting* the conclusion of the Memoranda of Understanding with CITES and the Bern Convention on the Conservation of European Wildlife and Natural Habitats through their respective decision-making bodies to formalise collaboration on the conservation of migratory species;

*Aware* of the ongoing discussions with the Food and Agriculture Organization of the United Nations (FAO) concerning the establishment of a Memorandum of Cooperation; and

*Noting* that a number of Memoranda of Understanding have been concluded and their potential has yet to be fully explored, such as the partnership with UNCCD, which is particularly relevant to the Sahelo-Saharan antelopes and CMS Resolution 8.23;

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

1. *Expresses* its gratitude to the many partner organisations that have assisted in promoting CMS and its mandate, for example, by facilitating the negotiation and implementation of species agreements under the Convention;
2. *Reaffirms* the interest and importance for CMS of continuing to develop effective and practical cooperation with other biodiversity instruments and international organisations;
3. *Encourages* Contracting Parties and other governments and organizations to make use of the web-based UNEP/IUCN TEMATEA issue-based modular system when developing and implementing mutually supportive activities among CMS Agreements and biodiversity related Conventions so as to improve coherence in their implementation;
4. *Further encourages* the Secretariat to continue to foster such partnerships in order to further the effective delivery of conservation action and awareness-raising, subject to available human and financial resources;
5. *Recognises* that preferred instruments for such cooperation are renewable joint work plans with agreed and attainable targets included in clear timetable, drawn up by CMS and partner bodies and the necessity to report on progress and to assess effectiveness of results regularly;
6. *Mandates* the Executive Secretary to continue to participate in the activities of the BLG and to report to the Standing Committee on progress achieved;
7. *Requests* the Secretariat and the Parties concerned to pursue the implementation of CMS Resolutions 8.11 and 8.18;
8. *Agrees* that the priority for CMS in 2009-11 is to consolidate and develop its existing partnerships, following the addition of a number of new partners over the last 4-5 years;

9. *Asks* CMS to develop in this context a new partnership agreement with UNEP on practical conservation work to allow both organisations to assess where they could best focus their mutual support, taking account of their separate remits from the Governing Council and COP;
10. *Requests* the CMS Secretariat to elaborate concrete measures in collaboration with the CITES Secretariat towards the implementation of the existing Memorandum of Understanding and towards the 2010 target;
11. *Notes* also the proposal made by the CMS Scientific Council concerning harmonisation of nomenclature used in the CMS and CITES Appendices, and asks the CITES Animals Committee to consider the proposal at its next meeting in April 2009;
12. *Requests* the CMS Secretariat, CMS daughter agreements and the Scientific Council to enhance engagement with IUCN expert committees, CITES processes and committees, including the IUCN Species Survival Commission, the CITES Secretariat, CITES Animals Committee, and CITES meetings of the Conference of the Parties, as appropriate;
13. *Requests* the CMS Secretariat and partners to develop additional processes to streamline and coordinate their relationship, such as:
  - (i) Agreed work programmes between CMS and partner organisations that align closely with the CMS Strategic Plan and that are regularly reviewed; and
  - (ii) Joint or consolidated reporting of partner contributions (monetary, in-kind and professional) to CMS for formal submission into CMS processes;
14. *Requests* CMS partner organisations to promote and publicise the benefits to them, to CMS and to conservation arising from effective collaboration;
15. *Instructs* the Secretariat to develop a code of conduct for partnerships with the private sector following examples of the Ramsar Resolution 10.12 and the CBD Business and Biodiversity Initiative to be considered by the 36<sup>th</sup> Standing Committee;
16. *Invites* the Secretariats of Agreements concluded under the auspices of the CMS to share relevant information and contribute to the implementation of partnerships between CMS and other organisations where applicable;
17. *Congratulates* all who contributed to the achievements of the Year of the Turtle (2006) and Year of the Dolphin (2007/8), especially the many participants from civil society; and expresses its confidence that the “Year of the Gorilla 2009” based on the partnership with the Great Apes Survival Project (GRASP) will be as successful as previous campaigns, and endorses the CMS Secretariat’s participation in the International Year of Biodiversity 2010, which is being coordinated through CBD; and
18. *Recognises* that adequate resources are required to allow partnerships to be developed, and such resources could be provided in part through voluntary contributions from Parties.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Resolution 9.7

Original: English

### **CLIMATE CHANGE IMPACTS ON MIGRATORY SPECIES**

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

*Concerned* that climate change is already known to be affecting the habitat, behaviour, distribution and abundance of migratory species listed under the Convention;

*Recognising* that due to climate change, ranges of migratory species are changing and that CMS instruments may need to adapt to these variations;

*Acknowledging* the considerable threat that climate change poses for migratory species and their habitats based upon the findings of the 4<sup>th</sup> Assessment of the Intergovernmental Panel on Climate Change (IPCC) and its Synthesis Report and Summary for Policymakers, approved in November 2007;

*Recognising* the role of the Convention in working towards achieving the 2010 biodiversity target under the Convention on Biological Diversity (CBD) and the need to work collaboratively with other Multilateral Environmental Agreements (MEAs) including the United Nations Framework Convention on Climate Change and the United Nations Convention to Combat Desertification, as well as other relevant UN agencies including the Food and Agriculture Organization of the United Nations;

*Recalling* CMS Resolution 8.13, which calls upon Parties to implement adaptation measures to reduce the foreseeable adverse effects of climate change on migratory species and requests the Scientific Council to afford climate change a high priority in its future work programme;

*Welcoming* the report on Climate Change and Migratory Species commissioned by the UK government in 2005 highlighting the specific adverse effects and interactions of climatic change on populations of migratory species, as well as strategies for adaptation as recognised by Resolution 8.13;

*Aware* of the report on Indicators of the Impact of Climate Change on Migratory Species prepared by the British Trust for Ornithology in 2008, specifically that individual species groups such as Trans-Saharan migrant birds may be a suitable indicator for assessing the impact of climate change on a number of migratory species;

*Recognising* the need for close cooperation amongst Multilateral Environmental Agreements and the coordination of the activities resulting from the Convention on Biological Diversity COP Decisions VIII/30 and IX/16 on biodiversity and climate change, and Ramsar Convention Resolution VIII.3 and X.24 on climate change and wetlands;

*Noting* decisions IX/1 and IX/2 of the 9<sup>th</sup> meeting of the Conference of the Parties to the CBD concerning biodiversity and biofuels, and Ramsar COP10 Resolution X.25 on wetlands and biofuels;

*Acknowledging* recommendation 135 of the Convention on the Conservation of European Wildlife and Natural Habitats on addressing the impacts of climate change on biodiversity;

*Further noting* the ongoing work on climate change within the CMS Family, specifically the establishment of a working group on migratory species and climate change, which was initiated at CMS COP8;

*Recalling* Resolution 4.14 adopted at the 4<sup>th</sup> Meeting of Parties to AEWA, which, among other issues urges Contracting Parties to designate and establish comprehensive and coherent networks of adequately managed protected sites as well as other adequately managed sites, to accommodate range shifts and facilitate waterbird dispersal;

*Aware* that the Small Island Developing States (SIDS) and developing countries with small islands, which are important migratory sites for various species of birds, marine mammals, reptiles and fish, are highly vulnerable to impacts of climate change and thus require immediate support including capacity building to address these issues; and

*Welcoming* the forthcoming “Second Workshop on Cetaceans and Climate Change”, to be convened by the International Whaling Commission;

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

1. *Urges* Parties, despite the remaining uncertainty surrounding the full scale of the impacts of climate change on migratory species, not to delay related decision-making and action;
2. *Further urges* Parties to identify which migratory species are most likely to be directly or indirectly threatened or impacted by climate change or climate change mitigation or adaptation activities, based on best available evidence and by initially assessing Appendix I species and species listed on Appendix II already known to be affected by climate change; and to transmit relevant information to the Secretariat;
3. *Recommends* to Parties to reduce the above-mentioned threats, and to consider the impacts of climate change and land degradation, as well as the positive and negative impacts of climate change mitigation and adaptation activities on migratory species, in domestic land use and development planning;
4. *Further recommends* to Parties to design and implement adaptation strategies for migratory species threatened by climate change or climate change mitigation or adaptation activities, as well as related land degradation, and wherever possible act upon and fully implement advice relating to climate change as provided by the Scientific Council;
5. *Further urges* Parties to foster and promote capacity building to implement conservation action on migratory species threatened by climate change;

6. *Encourages* Parties to assist the Secretariat to establish an open-access database on scientific literature of relevance to climate change and migratory species;
7. *Further encourages* Parties to provide technical and financial support for Small Island Developing States and developing countries with islands to enable them to comply with recommendation 3 of this Resolution;
8. *Further urges* Parties to support increased capacity in the Secretariat to effectively address climate change issues in relation to migratory species, including support for the organization of a workshop at the regional level on climate change and migratory species;
9. *Requests* the Scientific Council, in its future work programme, to prioritise climate change adaptation concerning migratory species and to report back to CMS COP10; and in relation to this work to collaborate with other relevant work ongoing in other MEAs, such as by the Ramsar Scientific and Technical Review Panel;
10. *Encourages* other bodies that have relevant expertise on climate change as it affects migratory species to contribute to the work of the climate change working group of the Scientific Council;
11. *Instructs* the Secretariat to continue its close cooperation with the Scientific Council, the secretariats and scientific bodies of the CMS daughter agreements, and other biodiversity organizations and biodiversity related bodies, to produce scientific and technical advice to assist CMS Parties introduce adaptation measures to counteract the effects of climate change on migratory species; and
12. *Requests* Parties and the Secretariat to coordinate the incorporation of climate change impacts and relevant adaptation measures into species-specific Action Plans.



## **CONVENTION ON MIGRATORY SPECIES**

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ORIGINAL: ENGLISH

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### **RESPONDING TO THE CHALLENGE OF EMERGING AND RE-EMERGING DISEASES IN MIGRATORY SPECIES, INCLUDING HIGHLY PATHOGENIC AVIAN INFLUENZA H5N1**

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

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*Aware* that diseases of wildlife are a normal cause of mortality and morbidity, and *conscious* that emerging or re-emerging diseases of wildlife can have serious implications for the status of migratory and non-migratory species, especially when populations are small and fragmented;

*Noting* that the increased frequency of such diseases has been linked to processes of landscape fragmentation, unsustainable land-use choices, pollution and other types of ecosystem disruption, these being, in turn, the consequences of unsustainable pressure on resources as highlighted by the Millennium Ecosystem Assessment; and *further noting* that climate change is expected to result in changes in disease distribution and emergence due to altered physiological conditions for hosts and parasites, resulting in the spread of novel micro-organisms with unpredictable consequences or the re-emergence of pathogens in new geographic locations;

*Noting also* that domestic animals, wild animals and humans share many pathogens, with wildlife sometimes being natural reservoirs of pathogens that can cause disease in domestic livestock, and that such pathogens have the potential significantly to affect both public health, food production, livelihoods and wider economies;

*Recalling* the outcomes of Ramsar COP 10 on the theme of ‘*Healthy Wetlands, Healthy People*’, which stressed the functional linkages between the role that wetlands play in providing ecosystem services for the support of both human and wildlife populations; and that aquatic waterbirds and other migratory species can be valuable indicators of ecosystem health;

*Aware* that practical guidance to managing wildlife diseases is of value to Contracting Parties, and the Scientific and Technical Review Panel of Ramsar is currently tasked with developing guidance for wildlife diseases of importance to wetlands as high priority for the 2009-2012 cycle in Ramsar Resolution X.10;

*Aware* that diseases and the need for coordinated responses to them are becoming increasingly highlighted as an important issue in CMS Agreements, Memoranda and other international instruments for the conservation of migratory species, and that such coordinated

surveillance and response efforts require multiple stakeholders responsible for managing the health of humans, livestock and wildlife;

*Noting that* the CMS Secretariat and Food and Agriculture Organization of the UN (FAO)'s Animal Health Service have previously discussed developing a Scientific Task Force on Wildlife Disease, based on the guiding principles of the Scientific Task Force on Avian Influenza and Wild Birds;

*Aware also* of the important work of the FAO and others with regard to domestic animal health and human health, but concerned that national and international responses to wildlife health have, in many situations, yet to be acknowledged as an essential element of disease surveillance or monitoring programmes, epidemiological investigations, and/or outbreak responses;

*Welcoming* the development of national wildlife disease strategies by some Contracting Parties and other governments; *but also noting* that many developing countries lack functional animal health-related programmes and strategies, policies and the infrastructure needed to protect human health, agricultural and wildlife interests from endemic or introduced diseases through local movements, re-establishment programmes, or international trade;

*Aware* of the continued major concerns and implications of the spread of highly pathogenic avian influenza (HPAI) subtype H5N1 of Asian lineage, as reflected, *inter alia*, by CMS Resolution 8.27, AEWA Resolutions 3.18 and 4.15, and Ramsar Resolutions IX.23 and X.21 and the guidance annexed to the latter resolution: guidance on responding to the continued spread of highly pathogenic avian influenza H5N1; and *also aware* that national and international responses to the spread of HPAI H5N1 might provide useful models for adoption in response to the challenges of other emerging and re-emerging diseases that affect wildlife;

*Thanking* the CMS Secretariat and the FAO Animal Health Service for their coordination of the Scientific Task Force on Avian Influenza and Wild Birds documented in document Conf. 9.25; and *also thanking* Task Force members and observers for their valuable work in maintaining co-ordination with respect to policies and advocacy concerning the spread of HPAI H5N1; and

*Noting* that the CMS Working Group on Migratory Species as Vectors of Diseases established by the 12<sup>th</sup> meeting of the Scientific Council provides a means to develop responses to some of the issues highlighted by this Resolution but that integration of both wildlife and domestic animal issues is required to properly understand disease epidemiology as well as address disease transmission, control and prevention;

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

1. *Reaffirms* the provisions of Resolution 8.27 on Migratory Species and Highly Pathogenic Avian Influenza, and in particular:

- (i) the need for fully integrated approaches, at both national and international levels, to address HPAI and other animal-borne diseases by bringing ornithological, wildlife and wetland management expertise together with those traditionally responsible for public health and zoonosis, including veterinary, agricultural, virological, epidemiological, and medical expertise; and

- (ii) the need for governments to support coordinated, well-structured and long-term monitoring and surveillance programmes for migratory birds to assess, *inter alia*, current and new disease risks, making best use of, and building on existing schemes, including those developed since 2005;
2. *Calls* on the CMS Secretariat and the FAO Animal Health Service to co-convene a new task force, the Scientific Task Force on Wildlife Disease; and the Convention *requests* this task force, once convened, to work with the Scientific and Technical Review Panel of Ramsar in its work to develop guidance on responding to wildlife diseases of importance to people, domestic animals and wildlife that are dependent on wetlands;
3. *Also calls* on the CMS Working Group on Migratory Species as Vectors of Diseases to become part of the broader focused Scientific Task Force on Wildlife Disease and to provide guidance related to past accomplishments and future needs;
4. *Requests* FAO to a) identify diseases that have an impact on both domestic and wildlife species, and that are of greatest concern in regards to food security, economics and sustainable livelihoods; and b) integrate into their “One World One Health” approach, disease and management issues that can be brought to the attention of the Scientific Task Force on Wildlife Disease for consideration and action;
5. *Also requests* the CMS Secretariat and the FAO Animal Health Service to identify the relevant members and observers that would comprise the Scientific Task Force on Wildlife Disease, and to determine the relationship between the existing Scientific Task Force on Avian Influenza and Wild Birds and the proposed Scientific Task Force on Wildlife Disease;
6. *Urges* the Contracting Parties to integrate wildlife, livestock, human and ecosystem health issues into a) contingency planning, b) monitoring and surveillance, c) outbreak investigations and responses to morbidity and mortality events; and d) current and future capacity building activities;
7. *Congratulates* and *thanks* the members of the Scientific Task Force on Avian Influenza and Wild Birds for their unstinting efforts and output during the period 2005 – 2008 which have made a significant contribution to improving understanding and awareness of the causes of, and responses to, the spread of HPAI H5N1; and *requests that* the CMS Secretariat and FAO continue to act as co-convenors of the Scientific Task Force on Avian Influenza and Wild Birds with the engagement of the CMS Scientific Council, building on international activities already undertaken, and responding to new developments related to the spread of HPAI H5N1 and other subtypes as they occur;
8. *Endorses* the Scientific Summary of H5N1 Highly Pathogenic Avian Influenza: Wildlife and Conservation Considerations prepared by the Scientific Task Force on Avian Influenza and Wild Birds and attached as Appendix 1 of this resolution as similarly endorsed by AEWA Resolution 4.15 and Ramsar Resolution X.21; *calls on* other relevant bodies including FAO, UNEP and MEAs also to endorse this statement, and requests the Secretariat to ensure maximum circulation, translation and understanding of the statement;
- 8 bis. *Encourages* the Contracting Parties to utilise, as appropriate, in relation to issues for migratory species the guidance available in Ramsar Resolution X.21: guidance on responding to the continued spread of highly pathogenic avian influenza H5N1;
9. *Agrees* to provide appropriate funding in the CMS budget 2009 - 2011 for the work of CMS in relation to the Scientific Task Force on Avian Influenza and Wild Birds and related aspects of work on avian influenza including awareness-raising and capacity building activities; *urges* other organisational members of the Scientific Task Force on Avian Influenza and Wild Birds to continue



to contribute to its work, through financial or in-kind support; and *consents* to provide appropriate funding in the CMS budget 2009 – 2011 for the development of the Scientific Task Force on Wildlife Disease; and

10. *Requests* the CMS Secretariat to report progress and developments to COP 10.

## **APPENDIX 1: Scientific summary of highly pathogenic avian influenza H5N1: wildlife and conservation considerations**

### **Definition of avian influenza**

Avian influenza is a highly contagious disease caused by influenza A viruses, affecting many species of birds. Avian influenza is classified according to disease severity into two recognised forms: low pathogenic avian influenza (LPAI) and highly pathogenic avian influenza (HPAI). LPAI viruses are generally of low virulence, while HPAI viruses are highly virulent in most poultry species resulting in nearly 100% mortality in infected domestic flocks (Center for Infectious Disease Research & Policy 2007). The natural reservoir of LPAI viruses is in wild waterbirds – most commonly in ducks, geese, swans, waders/shorebirds and gulls (Hinshaw & Webster 1982; Webster *et al.* 1992; Stallknecht & Brown 2007).

To date, influenza A viruses representing 16 haemagglutinin (HA) and nine neuraminidase (NA) subtypes have been described in wild birds and poultry throughout the world (Rohm *et al.* 1996; Fouchier *et al.* 2005). Viruses belonging to the antigenic subtypes H5 and H7, in contrast to viruses possessing other HA subtypes, may become highly pathogenic having been transmitted in low pathogenic form from wild birds to poultry and subsequently circulating in poultry populations (Senne *et al.* 1996).

Notifiable avian influenza is defined by the World Organisation for Animal Health (OIE) as "an infection of poultry caused by any influenza A virus of the H5 or H7 subtypes or by any avian influenza virus with an intravenous pathogenicity index (IVPI) greater than 1.2 (or as an alternative at least 75% mortality)" as described by the OIE's Terrestrial Animal Health Code (OIE 2008). The OIE divides notifiable avian influenza into "highly pathogenic notifiable avian influenza (HPNAI) and low pathogenicity notifiable avian influenza (LPNAI):

- HPNAI viruses have an IVPI in 6-week-old chickens greater than 1.2 or, as an alternative, cause at least 75% mortality in 4-to 8-week-old chickens infected intravenously. H5 and H7 viruses which do not have an IVPI of greater than 1.2 or cause less than 75% mortality in an intravenous lethality test should be sequenced to determine whether multiple basic amino acids are present at the cleavage site of the haemagglutinin molecule (HA0); if the amino acid motif is similar to that observed for other HPNAI isolates, the isolate being tested should be considered as HPNAI;
- LPNAI are all influenza A viruses of H5 and H7 subtype that are not HPNAI viruses" (OIE 2008).

### **Genesis of highly pathogenic avian influenza viruses**

In wild waterbirds, LPAI viruses are a natural part of the ecosystem. They have been isolated from over 90 species of wild bird (Stallknecht & Shane 1988; Olsen *et al.* 2006; Lee 2008), and are thought to have existed alongside wild birds for millennia in balanced systems. In their natural hosts, avian influenza viruses infect the gastrointestinal tract and are shed through the cloaca; they generally do not cause disease although some behavioural anomalies have been reported, such as reduced migratory and foraging performance in Bewick's Swans *Cygnus columbianus bewickii* (van Gils *et al.* 2007). Instead, the viruses remain in evolutionary stasis as indicated by low genetic mutation rates (Gorman *et al.* 1992; Taubenberger *et al.* 2005).

When LPAI viruses are transmitted to vulnerable poultry species, only mild symptoms such as a transient decline in egg production or reduction in weight gain (Capua & Mutinelli 2001) are induced. However, where a dense poultry environment supports several cycles of infection, the viruses may mutate, adapting to their new hosts, and for the H5 and H7 subtypes these mutations can lead to generation of a highly virulent form. Thus, HPAI viruses are essentially products of intensively farmed poultry, and their incidence has increased dramatically with the greatly enhanced volume of poultry production around the world (GRAIN 2006; Greger 2006). In the first few years of the 21<sup>st</sup> century the incidence of HPAI outbreaks has already exceeded the total number of outbreaks recorded for the entire 20<sup>th</sup> century (Greger 2006). In general, they should be viewed as something artificial, made possible by intensive poultry production techniques.

After an HPAI virus has arisen in poultry, it has the potential both to re-infect wild birds and to cause disease in various mammalian taxa. If influenza A viruses adapt inside these new hosts to become highly transmissible, there could be devastating consequences, such as the human influenza pandemics of the 20th century (Kilbourne 2006). The conditions necessary for cross-infection are provided by agricultural practices that bring together humans, poultry and other species in high densities in areas where there is also the potential for viral transmission from infected poultry, poultry products and waste to wild birds, humans and other mammals in shared wetlands and in 'wet' (live animal) markets (Shortridge 1977; Shortridge *et al.* 1977).

### **Highly pathogenic avian influenza H5N1 of Asian lineage (HPAI H5N1)**

H5N1 HPAI of Asian lineage has infected domestic, captive and wild birds in more than 60 countries in Asia, Europe and Africa (OIE 2008). By November 2005, i.e., before widespread occurrence in western Eurasia and Africa, over 200 million domestic birds had died from the disease or been slaughtered in attempts to control its spread; the economies of the worst affected countries in southeast Asia have suffered greatly, with lost revenue estimated at over \$10 billion (Diouf 2005), and there have been serious human health consequences. By November 2008, the World Health Organisation had confirmed more than 380 human cases, over 60% of those fatal (World Health Organisation 2008).

Sporadic deaths in wild birds have been reported since 2002 and the first outbreak involving a large number of wild birds was reported in May 2005, in Qinghai province, China (Chen *et al.* 2005; Liu *et al.* 2005). Between 2002 and the present, the virus has infected a wide range of wild bird species (Olsen *et al.* 2006; USGS National Wildlife Health Center 2008; Lee 2008), but which species are important in H5N1 HPAI movement and whether the virus will become endemic and prevalent in wild bird populations is still unknown (Brown *et al.* 2006).

The virus has also infected a limited number of domestic, captive and wild mammals, including captive Tigers *Panthera tigris* and Leopards *Panthera pardus* and domestic pigs in southeast Asia, as well as domestic cats and a wild Stone Marten *Martes foina* in Germany. These cases were the result of 'spillover' infection from birds. There is no known reservoir of H5N1 HPAI virus in mammals, and there remains no sound evidence that the virus can be readily transmitted from mammal to mammal.

### **Emergence of H5N1 HPAI in poultry in southeast Asia (1996 – 2005)**

HPAI H5N1 first received widespread recognition following a 1997 outbreak in poultry in Hong Kong, PR China with subsequent spread of the virus to humans. During that outbreak, 18 human cases were recognised and six patients died. The outbreak ended when all domestic chickens held by wholesale facilities and vendors in Hong Kong were slaughtered (Snacken 1999). A precursor to the

1997 H5N1 strain was identified in Guangdong, China, where it caused deaths in domestic geese in 1996 (Webster *et al.* 2006).

Between 1997 and 2002, different reassortments (known as genotypes) of the virus emerged, in domestic goose and duck populations, which contained the same H5 HA gene but had different internal genes (Guan *et al.* 2002; Webster *et al.* 2006).

In 2002, a single genotype emerged in Hong Kong, PR China and killed captive and wild waterbirds in nature parks there. This genotype spread to humans in Hong Kong in February 2002 (infecting two, killing one) and was the precursor to the Z genotype that later became dominant (Sturm-Ramirez *et al.* 2004; Ellis *et al.* 2004).

Between 2003 and 2005, the Z genotype spread in an unprecedented fashion across southeast Asia, affecting domestic poultry in Vietnam, Thailand, Indonesia, Cambodia, Laos, the Republic of Korea, Japan, China and Malaysia. Later analysis showed that the H5N1 viruses that caused outbreaks in Japan and the Republic of Korea were genetically different from those in other countries (the V genotype) (Mase *et al.* 2005; Li *et al.* 2004; Webster *et al.* 2006).

In April 2005, the first major outbreak in wild birds was reported. Some 6,345 wild birds were reported dead at Lake Qinghai in central China. Species affected included Great Black-headed Gull *Larus ichthyaetus*, Bar-headed Goose *Anser indicus*, Brown-headed Gull *Larus brunnicephalus*, Great Cormorant *Phalacrocorax carbo* and Ruddy Shelduck *Tadorna ferruginea* (Chen *et al.* 2005; Liu *et al.* 2005).

### **Geographical spread of H5N1 HPAI out of Southeast Asia (2005 – 2006)**

In July 2005, Russia reported its first outbreaks; domestic flocks were affected in six regions of western Siberia and dead wild birds were reported in the vicinities of some of these outbreaks. Kazakhstan reported its first outbreak in August 2005 in domestic birds. In the same month, 89 wild birds described as migratory species were reported infected at two lakes in Mongolia.

Europe reported its first outbreaks in October 2005 when infection was detected in domestic birds in Romania and Turkey. In the same month, Romania reported sporadic cases in wild birds as did Croatia and European parts of Russia. In November, the virus spread to domestic birds in the Ukraine, and the Middle East reported its first case: a captive flamingo in Kuwait. During December, two outbreaks were reported in European Russia in wild swans (species unreported) in regions near the Caspian Sea.

In the first half of 2006, the spread of HPAI H5N1 continued across Europe (Sabirovic *et al.* 2006; Hesterberg *et al.* 2007; Hesterberg *et al.* in press) and the Middle East and into Africa. Between January and May, infection was reported in 24 European countries with the majority of cases occurring in February and March in wild birds. During the same period, outbreaks were reported across central Asia and the Middle East, affecting domestic birds in Azerbaijan, India, Bangladesh, Pakistan, Iran and Iraq, with Azerbaijan also reporting infected wild birds. The first reported outbreak in Africa occurred in January in poultry in Nigeria, and by the end of April, eight other African nations had reported outbreaks: Burkina Faso, Cameroon, Djibouti, Egypt, Ghana, Côte d'Ivoire, Niger and Sudan (OIE 2008).

By May 2006, reports of outbreaks in Europe, the Middle East and Africa had for the most part decreased in frequency. Small numbers of cases of infection were reported in Hungary, Spain and the Ukraine in June, Pakistan and Russia in July, and one case was identified in a captive swan in Germany in August. Egypt was exceptional, continuously reporting outbreaks throughout 2006. It is

also considered likely that outbreaks continued in poultry in Nigeria (UN System Influenza Coordinator & World Bank 2007).

Throughout the time H5N1 HPAI was spreading across central Asia, Europe, the Middle East and Africa, it maintained a stronghold in poultry in southeast Asia. In 2006, outbreaks were reported in Cambodia, PR China including Hong Kong, Indonesia, the Republic of Korea, Laos, Malaysia, Myanmar, Thailand and Vietnam (OIE 2008).

### **Period following the geographic spread westward (2007 – October 2008)**

Compared with 54 countries reporting 1,470 outbreaks to the OIE in 2006, 30 countries reported 638 outbreaks in 2007 (OIE 2008). In 2007, six European countries (Poland, Hungary, Germany, the United Kingdom, Romania and the Czech Republic) reported sporadic and relatively isolated outbreaks in poultry that were quickly controlled. Outbreaks in domestic birds were also reported in European parts of Russia and in Turkey. Infected wild birds were reported in Germany, France, the United Kingdom and the Czech Republic, and birds at a rehabilitation centre were affected in Poland. In the Middle East and central Asia, poultry outbreaks occurred throughout 2007. Some 350 outbreaks were reported from Egypt and Bangladesh alone. Poultry (and in some cases captive birds) were also affected in India, Kuwait, Saudi Arabia, Pakistan, Afghanistan and Israel with most outbreaks occurring between February and April, and again between October and December. In Africa, H5N1 HPAI was reported in domestic birds in Togo, Ghana and Benin, and is considered to have become endemic in Nigeria (OIE 2008; UN System Influenza Coordinator & World Bank 2007). Again, as in 2006, poultry outbreaks continued across southeast Asia. Sporadic cases in wild birds were reported in Japan and Hong Kong, PR China. By the end of 2007, the virus was considered to be endemic in poultry in Egypt, Indonesia and Nigeria, and possibly endemic in Bangladesh and China (UN System Influenza Coordinator & World Bank 2007).

Until the end of October 2008, no new countries had reported outbreaks. Outbreaks in domestic birds were reported in Bangladesh, China, Egypt, India, Indonesia, Nigeria, Pakistan, the Republic of Korea, Russia, Turkey and Vietnam between January and July, with outbreaks in Bangladesh, Germany, Laos, Togo and Vietnam in September and October. Infected wild birds were reported in four countries: Mute Swans *Cygnus olor* and a Canada Goose *Branta canadensis* in the United Kingdom in January and February; sick and dead swans in three areas of Japan in April and May; one apparently asymptomatic Pochard *Aythya ferina* in Switzerland in March; and one dead House Crow *Corvus splendens* in Hong Kong, PR China in October. Bangladesh reported its first human case of H5N1 infection in March. China, Egypt, Indonesia and Vietnam also reported human cases in 2008.

### **Significant outbreaks of HPAI H5N1 in wild birds**

Prior to HPAI H5N1, reports of HPAI in wild birds were very rare. The broad geographical scale and extent of the disease in wild birds is both extraordinary and unprecedented. The following table (Table 1) summarises the known major outbreaks of HPAI H5N1 in wild birds.

Table 1: Significant known outbreaks of highly pathogenic avian influenza H5N1 in wild birds\*

Year	Month(s)	Location(s)	Description of affected birds
2005	April	Lake Qinghai in central China	6,345 waterbirds, the majority of which were Great Black-headed Gulls <i>Larus ichthyaetus</i> , Bar-headed Geese <i>Anser indicus</i> and Brown-headed Gulls <i>Larus brunnicephalus</i>
	July	Lake Chany, Russia	Over 5000 wild birds including Pochard <i>Aythya ferina</i> , Mallard <i>Anas platyrhynchos</i> , and Teal <i>Anas crecca</i>
	August	Lake Erhel & Lake Khunt in Mongolia	89 waterbirds including ducks, geese and swans
	October – November	Romania & Croatia	Over 180 waterbirds, mainly swans
2006	January	Coastal area in the vicinity of Baku, Azerbaijan	Unspecified number of birds reported to the OIE as “various migratory birds”
	January – May	23 countries in Europe including Turkey and European Russia	Most cases occurred in ducks, geese and swans but a wide variety of species was infected including other waterbirds and raptors
	February	Rasht, Iran	153 wild swans
	May	Multiple locations in Qinghai province, China	Over 900, mainly waterbirds, and mostly Bar-headed Geese <i>Anser indicus</i>
	May	Naqu, Tibet	Over 2,300 birds – species composition unclear but 300 infected Bar-headed Geese <i>Anser indicus</i> were reported
	June	Lake Khunt in Mongolia	Twelve waterbirds including swans, geese and gulls
	Summer	Tuva Republic, Russia	Over 3100 wild birds mainly Great Crested Grebe <i>Podiceps cristatus</i>
2007	June	Germany, France and the Czech Republic	Over 290, mainly waterbirds, found mostly in Germany

Numerous species of wild birds, especially waterbirds, are susceptible to infection by the H5N1 HPAI virus. Close contact between poultry and wild birds can lead to cross-infection, from poultry to wild birds and from wild birds to poultry. Additionally, species that live in and around poultry farms and human habitations may hypothetically serve as “bridge species” that could transmit the virus between poultry and wild birds either by direct contact between wild birds and poultry kept outside or by indirect contact with contaminated materials. While there is no sound evidence that wild birds have carried the virus long distances on migration (Feare & Yasué 2006), analysis of genetic sequences and other largely indirect evidence suggests that wild birds are likely to have contributed to spread (Chen *et al.* 2006; Keawcharoen *et al.* 2008; Kilpatrick *et al.* 2006; Hesterberg *et al.* 2007; Weber & Stilianakis 2007). The relative importance of different modes of infection transfer, however, is unclear in the present state of knowledge.

Poor planning in response to development pressures has led to the increasing loss or degradation of wild ecosystems, which are the natural habitats for wild birds. This has resulted in closer contact between wild populations, domesticated birds such as chickens, ducks, geese, and other domestic fowl, and humans and has thus provided greater opportunities for the spread of HPAI H5N1 between wild and domestic birds, and thence to humans. The interplay between agriculture, animal (domestic and wild) health, human health, ecosystem health, and socio-cultural factors has been important in the emergence and spread of the virus.

\* Data sources include OIE disease information reports, FAO, the German Friedrich-Loeffler Institute epidemiological bulletins, and Russian, Bird Disease Laboratory – dates, locations and numbers may differ slightly in other sources.

## Avian influenza and wetlands

Given the ecology of the natural hosts of LPAI viruses, it is unsurprising that wetlands play a major role in the natural epidemiology of avian influenza. As with many other viruses, avian influenza virions survive longer in colder water (Lu *et al.* 2003; Stallknecht *et al.* 1990), and the virus is strongly suggested to survive over winter in frozen lakes in Arctic and sub-Arctic breeding areas. Thus, as well as the waterbird hosts, these wetlands are probably permanent reservoirs of LPAI virus (Rogers *et al.* 2004; Smith *et al.* 2004) (re-)infecting waterbirds arriving from southerly areas to breed (shown in Siberia by Okazaki *et al.* 2000 and Alaska by Ito *et al.* 1995). Indeed, in some wetlands used as staging grounds by large numbers of migratory ducks, avian influenza viral particles can be readily isolated from lake water (Hinshaw *et al.* 1980).

An agricultural practice that provides ideal conditions for cross-infection and thus genetic change is used on some fish-farms in Asia: battery cages of poultry are placed directly over troughs in pig-pens, which in turn are positioned over fish farms. The poultry waste feeds the pigs, the pig waste is either eaten by the fish or acts as a fertiliser for aquatic fish food, and the pond water is sometimes recycled as drinking water for the pigs and poultry (Greger 2006). These kinds of agricultural practices afford avian influenza viruses, which are spread via the faecal-oral route, an opportunity to cycle through a mammalian species, accumulating the mutations necessary to adapt to mammalian hosts. Thus, as the use of such practices increases, so does the likelihood that new influenza strains infectious to and transmissible between humans will emerge (Culliton 1990; Greger 2006).

As well as providing conditions for virus mutation and generation, agricultural practices, particularly those used on wetlands, can enhance the ability of a virus to spread. The role of Asian domestic ducks in the epidemiology of H5N1 HPAI has been closely researched and found to be central not only to the genesis of the virus (Hulse-Post *et al.* 2005; Sims 2007), but also to its spread and the maintenance of infection in several Asian countries (Shortridge & Melville 2006). Typically this has involved flocks of domestic ducks used for ‘cleaning’ rice paddies of unharvested grain and various pests, during which they can potentially have contact with wild ducks using the same wetlands. Detailed research (Gilbert *et al.* 2006; Songserm *et al.* 2006) in Thailand has demonstrated a strong association between the H5N1 HPAI virus and abundance of free-grazing ducks. Gilbert *et al.* (2006) concluded that in Thailand “wetlands used for double-crop rice production, where free-grazing duck feed year round in rice paddies, appear to be a critical factor in HPAI persistence and spread”.

## Wildlife conservation implications

Prior to H5N1HPAI, reports of HPAI in wild birds were very rare. The broad geographical scale and extent of the disease in wild birds is both extraordinary and unprecedented, and the conservation impacts of H5N1 HPAI have been significant.

It is estimated that between 5-10% of the world population of Bar-headed Goose *Anser indicus* died at Lake Qinghai, China, in spring 2005 (Chen *et al.* 2005; Liu *et al.* 2005). At least two globally threatened species have been affected: Black-necked Crane *Grus nigricollis* in China and Red-breasted Goose *Branta ruficollis* in Greece. Approximately 90% of the world population of Red-breasted Goose is confined to just five roost sites in Romania and Bulgaria, countries that have both reported outbreaks, as also have Russia and Ukraine where they also over-winter (BirdLife International 2007).

However, the total number of wild birds known to have been affected has been small in contrast to the number of domestic birds affected, and many more wild birds die of more common avian

diseases each year. Perhaps a greater threat than direct mortality has been the development of public fear about waterbirds resulting in misguided attempts to control the disease by disturbing or destroying wild birds and their habitats. Such responses are often encouraged by exaggerated or misleading messages in the media.

Currently, wildlife health problems are being created or exacerbated by unsustainable activities such as habitat loss or degradation, which facilitates closer contact between domestic and wild animals. Many advocate that to reduce risk of avian influenza and other bird diseases, there is a need to move to markedly more sustainable systems of agriculture with significantly lower intensity systems of poultry production. These need to be more biosecure, separated from wild waterbirds and their natural wetland habitats resulting in far fewer opportunities for viral cross-infection and thus pathogenetic amplification (Greger 2006). There are major animal and human health consequences (in terms of the impact on economies, food security and potential implications of a human influenza pandemic) of not strategically addressing these issues. However, to deliver such an objective in a world with an ever-growing human population and with issues of food-security in many developing countries, will be a major policy challenge.

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## CONVENTION ON MIGRATORY SPECIES

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### MIGRATORY MARINE SPECIES

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

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

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

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

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

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

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

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

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

resources and holding joint meetings if appropriate;

4. *Requests* the Scientific Council to:

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

5. *Further requests* the Scientific Council to report its findings to the 10<sup>th</sup> Conference of the Parties.

## ANNEX 1

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

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

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

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

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

**II. Progress and revised Secretariat programme**

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

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

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

Work is now focusing on completing:

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

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

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

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



## **CONVENTION ON MIGRATORY SPECIES**

Distr. GENERAL

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Original: English

### **CAPACITY BUILDING STRATEGY**

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

*Aware* that capacity building and training at systemic, institutional and individual level are of fundamental importance for the effective implementation of CMS;

*Also aware* of the need to strengthen coordination of capacity building efforts under CMS with those of UNEP, other Multilateral Environmental Agreements (MEAs) and other organizations in accordance with the Bali Strategic Plan, which is a key objective for UNEP;

*Noting* the need to identify priorities and requirements of the Parties in implementing capacity building, as well as of the role and involvement of the Secretariat in meeting this need;

*Noting further* that national capacity assessments have already been undertaken by some countries and that the outcome of these assessments could be useful inputs in identifying priorities for capacity building strategies under CMS;

*Conscious* of the role the Convention has in facilitating the achievement of the World Summit on Sustainable Development 2010 biodiversity targets under the Convention on Biological Diversity (CBD);

*Recognizing* that financial support for capacity building is imperative in order to implement workshops and training courses;

*Acknowledging* that past and current CMS capacity building initiatives are subject to review;

*Supporting* the use of computer-based learning including free and open access to data, information exchange and technology transfer as part of the Convention's capacity building activities; and

*Recalling* that the Convention's decision making on the scientific aspects of capacity building should be based on the best and most recent technical data available;

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

1. *Requests* the Parties to afford capacity building high priority in their national programmes and international cooperation in line with the adopted strategy for 2009-2011;
2. *Calls* on the Parties to provide financial support and fundraising guidance for the capacity building strategy adopted;
3. *Encourages* the Parties to identify priorities for future research, in particular which challenges for migratory species, based on best available evidence, benefit from capacity building; at the same time as strengthening links with MEAs and other implementing instruments that have undertaken research into the impacts of capacity building for conservation and sustainable development policy implementation and to take account of that research;
4. *Calls* on Parties and relevant partners to assist the Secretariat in the implementation of the capacity building strategy, by undertaking activities mentioned in document UNEP/CMS/Conf. 9.30 and by providing the financial contributions needed to support the implementation of current capacity building toolkits and to initiate new activities, in particular regional workshops and national training centres;
5. *Requests* the Secretariat to focus on cooperation with CMS agreements and other MEAs, highlighting common strategies, needs and actions by using TEMATEA and through consultation work of the Biodiversity Liaison Group;
6. *Further requests* UNEP to support the Secretariat in holding regional workshops and other capacity building events in conjunction with meetings already scheduled for the region;
7. *Instructs* the Secretariat to work with the Scientific Council and secretariats of the CMS daughter agreements and their scientific advisory bodies on producing guidance encompassing regional, sub-regional and thematic workshops and the knowledge management project to promote capacity building among Parties and consider and decide on the various options as well as on the main elements in the Capacity Building strategy for 2009-2011;
8. *Further instructs* the Secretariat to develop computer-based learning material in relevant languages including free and open access to data, information exchange and technology transfer; and
9. *Further encourages* the Secretariat and UNEP to identify possible regional, multilateral, bilateral collaborations and involve relevant stakeholders including other MEAs and the private sector in order to secure funding and enhancing training capacity.



**CONVENTION ON  
MIGRATORY  
SPECIES**

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**INTERSESSIONAL PROCESS REGARDING THE FUTURE SHAPE OF CMS**

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

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*Recalling* Resolution 8.2 of the Eighth Conference of the Parties (Nairobi, 2005) that adopted the CMS Strategic Plan 2006-2011;

*Noting* with gratitude the work undertaken by Parties and the Secretariat to implement this Strategic Plan;

*Reaffirming* the overall ambition and objectives of this Strategic Plan;

*Recognizing* that since 2005 considerable progress has been made, which includes *inter alia* one new regional species AGREEMENT and seven Memoranda of Understanding and several others under negotiation, a continued growth in the number of CMS Parties, which has risen from 93 at the time of the eighth Conference of the Parties in November 2005 to 110 at the ninth Conference of the Parties in December 2008, the establishment of working partnerships with NGOs operating from local bases around the world, and a significant growth in the role of the CMS in relation to marine animals;

*Welcoming* that, due to these positive results, the CMS is steadily becoming a worldwide lead partner in the conservation and sustainable use of migratory species over their entire range;

*Acknowledging* the review underway within the UN to consider how the Organisation can develop into a more integrated entity, to accomplish system-wide coherence throughout the processes of management and policy development (the “deliver as one” process);

*Acknowledging* the issues and options outlined in the CMS Secretariat’s papers (ref CMS/StC32/7) prepared for Standing Committee 32 and subsequently;

*Considering*, however, that alternative options should also be taken into account;

*Acknowledging* that this will create new challenges for the CMS, its related Agreements (AGREEMENTS and Memoranda of Understanding) and all of the bodies that require in-depth consideration as to what strategies including institutional changes would best support the effective conservation and management of more migratory species in a greater number of Parties and Range States; and

*Recalling* that the Conference of the Parties may under Article VII.5 (e) of the Convention make recommendations to the Parties for improving the conservation status of migratory species and review the progress being made under AGREEMENTS;

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

1. *Launches* an intersessional process to explore the possibilities of strengthening the contribution of the CMS and the CMS family to the worldwide conservation, management and sustainable use of migratory species over their entire range;
2. *Establishes* an ad hoc working group with the task of drafting proposals on the future strategies and structure of the CMS and the CMS family for the Tenth Conference of the Parties in 2011;
3. *Instructs* the ad hoc working group on the future shape of the CMS and the CMS family to take into account the following issues in its deliberations:
  - Possibilities and options to deliver a more integrated conservation programme under a broad umbrella of “CMS Multispecies Initiatives”, for instance, by focussing CMS Initiatives on main migratory species groups and, in this context, consulting with the related agreements and MoUs to see how such an approach could bring synergies and benefits;
  - Possibilities and options for various types of activities, such as the development of new agreements and the implementation of existing agreements;
  - Possibilities and options for strengthening the position of the CMS and Agreement Secretariats in the various regions of the world, which might be affected by the future shape of CMS, in cooperation with other Multilateral Environmental Agreements;
  - Possibilities and options for ensuring a sound science base of a growing CMS family and the resultant growing responsibility for a higher number of species;
  - Possibilities and options for strengthening the cooperation with other international organizations and with other interested partners, such as business organizations;
  - Financial and institutional implications (including Secretariat issues: staff, relevant competence, etc.) of all possibilities and options, in close collaboration with related CMS agreements;
  - Contents of the current Strategic Plan and the development of a new Strategic Plan 2012-2017, taking into account Strategic Plans of other biodiversity related conventions and related CMS Agreements; and
  - The findings of the open-ended working group on global bird flyways, which will be reviewed at the intersessional meeting of the Scientific Council;
4. *Requests* the Secretariat to support the ad hoc working group on the future shape of the CMS; and
5. *Adopt* the terms of references in the Addendum.

**CONVENTION ON  
MIGRATORY  
SPECIES**

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**TERMS OF REFERENCE FOR THE INTERSESSIONAL WORKING GROUP  
REGARDING THE FUTURE SHAPE OF CMS, ESTABLISHED ACCORDING TO  
RESOLUTION UNEP/CMS/RES.9.13**

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

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**Objectives**

1. The Working Group (WG) shall consider the issues set out in Resolution UNEP/CMS/Res.9.13 with a view to considering various options regarding the potential strategic evolution of CMS and the CMS family and make recommendations thereon. The overall objective of the proposals should be to strengthen CMS contributions to the worldwide conservation, management and sustainable use of migratory species over their entire range.
2. To that end, the WG shall examine possibilities for strategic development and organisation of the CMS and the CMS family, taking into account the issues mentioned in point 3 of Resolution UNEP/CMS/Res.9.13 “Intersessional process regarding the future shape of CMS”.
3. The WG shall precisely identify the institutional, legal, organisational and budgetary impacts of its proposals.
4. The WG shall examine whether external consultations are required. It shall also determine whether meetings of the WG are needed and, if so, at which steps of the process. Funding for consultations and meetings will be raised through voluntary contributions.
5. The Group will keep the Standing Committee informed of its work through reports to the meetings of the Committee, and present its initial findings to the Standing Committee in 2010.

**Composition of the WG**

6. The WG shall be composed of a core group of Parties to the Convention with the same geographical composition as the Standing Committee to be agreed during CMS COP9 or, if not possible, under the responsibility of CMS Standing Committee, no later than one month after COP9. The Chair and the Vice-Chair of the Standing Committee shall be additional members of the WG.

7. The WG will:
  - work in cooperation and consultation with the Party representatives and the Secretariat of the CMS regional Agreements, particularly:  
ACAP, AEWA, ACCOBAMS, ASCOBANS, EUROBATS, GORILLAS and MOU representatives who will be determined, under the responsibility of the Chair of the CMS Standing Committee, no later than two months after COP9; as well as the partner organisations representing civil society.
8. The WG will also liaise and seek the views of countries undertaking similar reviews within the Ramsar Convention and the UN family.
9. The Chair and Vice Chair shall be chosen among the members of the WG during CMS COP9 or, if not possible, chosen by the Standing Committee no later than two months after this COP.
10. Any range State represented in the WG will not be bound by the recommendations issued by the WG.
11. The WG shall endeavour to adopt recommendations by consensus. Nevertheless, a representative could be allowed to mention his/her position in the deliberations in case of divergence of views.
12. The WG will be served by the CMS Secretariat.

### **Consultations**

13. Contracting Parties shall be consulted by their regional representatives at each step of the process.
14. The WG members will agree on the modalities pertaining to the information and the consultation of the Parties to the Agreement they represent. The consultation process will take account of the deadlines and calendar of activities to be respected as detailed below.
- 14 bis NGOs and non-Parties who express an interest in participating can be consulted by the representative of the relevant region.
15. The CMS Secretariat will inform the biodiversity MEA Secretariats as well as UNEP and other international organisations identified by the WG as relevant, as soon as possible, about the intersessional process under way.
16. At the same time, the CMS Secretariat will invite these Agreements as well as UNEP and other organisations to designate a focal point who will provide, if required, advice and suggestions to the WG.

**Work process****First step (2009)**

17. The first step consists in conducting an assessment of the current situation regarding the organisation and activities of CMS and the CMS family. This assessment will underline the advantages and the drawbacks of the system in place, taking especially into account the issues mentioned in point 3 of Resolution UNEP/CMS/Res.9.13.

18. This assessment (report No. 1) shall be finalized before September 2009 for consideration by the Standing Committee Meeting No. 36.

19. The report No. 1 will be communicated to the CMS Standing Committee members at least one month before the CMS Standing Committee. The CMS Standing Committee will provide its comments and suggestions to the WG within one month after the Standing Committee meeting.

20. After review, the report will be made available, for information, to the Parties to CMS and to other related Agreements as well as UNEP. It will be made available, for information, simultaneously to the multilateral environmental agreements and the other international organisations concerned.

**Second step (2010)**

21. For each of the issues mentioned in point 3 of Resolution UNEP/CMS/Res.9.13 and in the light of the outcome of the assessment of CMS' current situation, the WG shall propose different options on the organisation and strategic activities that could improve current operations and, as appropriate, solve any difficulty encountered and foreseen in the functioning of CMS and CMS family.

22. The WG shall produce a report (report No. 2) of the second step before September 2010 for consideration by the Standing Committee No. 37.

23. The report No. 2 will be communicated to the CMS Standing Committee members at least one month before the CMS Standing Committee meeting. The CMS Standing Committee will provide its comments and suggestions to the WG within one month after the Standing Committee meeting.

24. After review, the report No. 2 will be made available for information to the Parties to the CMS and to other related Agreements, UNEP, as well as to the multilateral environmental agreements and the other international organisations concerned.

**Third step (2011)**

25. On the basis of the hypothesis developed as a result of the second step of the process, the WG shall propose three different options for the future organisation and the strategic development of CMS and the CMS family, outlining the pros and the cons of each.

26. These options will include considerations on their institutional, legal, organisational and budgetary implications.

27. A report on step 3 (report No. 3) will be communicated to the CMS Standing Committee members six months before COP10. The report will make provisional recommendations about the WG's preferred option. The Standing Committee members are expected to respond providing their coordinated comments and suggestions four months before COP10.

28. The report No. 3 will be made available, after review, to the Parties to CMS and to other related Agreements, UNEP, as well as to the multilateral environmental agreements and other international organisations concerned, before the deadline (set out in the COP Rules of procedure - currently two months) for transmission of draft resolutions for COP10.



## **CONVENTION ON MIGRATORY SPECIES**

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### **FINANCIAL AND ADMINISTRATIVE MATTERS AND TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

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

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*Recalling* Article VII, paragraph 4, of the Convention, which reads as follows:

“The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference”;

*Appreciating* that the financial position of the Convention has improved markedly since the previous COP as a result of the change in the currency for subscriptions substantial increases in additional voluntary contributions in cash and kind, and careful stewardship by the CMS Secretariat;

*Giving* special thanks to the Host Government (Germany,) to the Governments of Australia, Belgium, France, Italy, Monaco, Netherlands, Norway, Spain, Sweden and the United Kingdom, to the European Commission, and to CMS partners in the voluntary and private sectors, for their substantial additional voluntary contributions in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention during the previous triennium;

*Acknowledging* also the financial and other services provided in 2006-2008 through the United Nations Environment Programme (UNEP);

*Aware* that the permanent staff complement of the Secretariat has not been increased since COP7 in 2002 but that the workload has increased substantially in the last six years;

*Recognizing* the need to provide sufficient resources, including manpower, to enable the Secretariat of the Convention to continue to carry out the Convention’s work programme set out in the Strategic Plan 2006-2011 and to serve its Parties in all regions;

*Recognizing also* that the Fund balance at the end of 2008 is not projected to be at a high level and that several decisions taken at COP9 have significant implications for the Convention’s budget;

*Expressing thanks* to the Secretariat for producing two main budget options for adoption by the Ninth meeting of the Conference of the Parties, Rome 2008;

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities; and

*Noting* the increased number of Parties, other countries and also organisations attending the meeting of the Conference of Parties as observers, and the resulting additional expenditure to Parties so incurred;

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

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the budget for 2009 to 2011 attached as Annex I to the present resolution;
3. *Agrees* to the scale of contributions of Parties to the Convention as listed in Annex II to the present resolution and to the application of that scale pro rata to new Parties;
4. *Agrees* that all contributions to the Trust Fund shall be paid in Euro;
5. *Agrees* that there shall be maintained a working capital at a constant level of at least 15 per cent of estimated annual expenditure or \$500,000, whichever is higher;
6. *Requests* all Parties to pay their contributions as promptly as possible preferably not later than the end of March in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
7. *Agrees* that those Parties wishing to do so, may pay their contributions in three equal instalments;
8. *Agrees* to set the threshold of eligibility for funding delegates to attend the Convention's meetings at 0.200 per cent on the United Nations scale of assessment in the following order of priority for the allocation of funding:
  - (a) Countries lowest on the scale, and others with no unpaid pledges to the Convention, in ascending order up to the 0.200 per cent threshold;
  - (b) Countries with unpaid pledges to the Convention in ascending order on the scale, up to the 0.200 per cent threshold; and
  - (c) Non-Party developing countries, Range States and countries actively preparing accession that had not previously received a subsidy to attend a meeting of the Conference of the Parties to the Convention;



- 
9. *Approves* the medium-term plan for 2012 to 2014 attached as Annex III to the present resolution and the programme outlined in the Strategic Plan (Resolution 8.2, Nairobi, 2005);
10. *Instructs* the Executive Secretary to service the implementation of the 2006-2011 Strategic Plan (as adopted in resolution 8.2) as an entity within available resources;
11. *Confirms* the willingness that the CMS Secretariat continues to provide Secretariat services to ASCOBANS in the next triennium; and:
- (a) *Invites* the Meeting of the Parties of ASCOBANS to discuss the final draft review document in 2009, to decide on the best organizational solutions for ASCOBANS to be implemented from 1 January 2010, and to report their conclusions to the Standing Committee of CMS and to the Working Group for the Future Shape of CMS;
- (b) *Instructs* the Standing Committee to finalize in 2009, in consultation with the ASCOBANS Parties, the organizational arrangements for 2010 and onwards, taking into account that CMS will not bear any additional costs arising in connection with a definitive organizational solution for ASCOBANS;
12. *Instructs* the Standing Committee to establish a Finance and Budget Subcommittee for the consideration of all financial and budgetary matters, which shall:
- i) meet one day prior to the start of every regular meeting of the Standing Committee, and shall work intersessionally by electronic or other means;
  - ii) work with the Secretariat to prepare all financial and budgetary documents for consideration by the Standing Committee; and
  - iii) which will operate under the terms of reference attached as Annex IV to this Resolution;
13. *Instructs* the Executive Secretary to use all opportunities to improve the flow of income (including for conservation and implementation projects) and the savings throughout the period 2009–2011 (including arrears from contracting parties), in order, *inter alia*, to present a balanced budget for the next triennium 2012–2014;
14. *Requests* the Executive Secretary to seek for tender for Information Technology Services that could be alternatively provided by an external service provider in a more cost effective manner;
15. *Invites* Parties to consider the feasibility of financing Junior Professional Officers or providing interns, volunteers and technical experts to the Secretariat to increase its technical capacity in accordance with the United Nations rules and regulations and to agree on providing modest funding within the approved budget of the Convention to cover the difference in cost and applicable UNEP overhead charges for such staff;
16. *Encourages* all Parties to make voluntary contributions to the Trust Funds to support requests from developing countries to participate in and implement the Convention throughout the triennium;

17. *Requests* the Executive Secretary to provide Parties with a detailed list of core ongoing and future activities and projects not covered by the core budget, to assist Parties to identify those they intend to fund;
18. *Requests* the Secretariat to allocate the contributions of Parties that accede to the Convention after 1 January 2009 towards the funding of projects not covered by the core budget;
19. *Encourages* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;
20. *Takes note* of document UNEP/CMS/Conf.9.33 on the execution of the budget of the Convention in the triennium 2006-2008 and expresses its concern with regard to outstanding unpaid pledges to the Trust Fund and urges the Governments concerned to pay their contributions in a timely manner;
21. *Decides* that representatives from countries with contributions in arrears three years or more should be excluded from holding office in Convention bodies and denied the right to vote; and *requests* the Executive Secretary to explore with these Parties innovative approaches for the identification of possible funding to resolve their arrears prior to the next meeting;
22. *Approves* the creation of the following posts at P2 level, subject to the classification of the posts by the United Nations:  
  
Partnerships & Fundraising Officer  
Scientific Support Officer
23. *Requests* the Executive Director of UNEP to undertake a review of the grading of the Secretariat's posts by 2011, taking into account the outcome of the Working Group on Future Shape of CMS, to enable decisions on the grading of the posts to be taken by parties at COP10;
24. *Requests* the Secretariat to start developing, as soon as possible in this triennium, a costed work program using a results based process, to ensure that in future budgets, the resource requests will be linked more systematically to expected results;
25. *Requests* the Executive Director of UNEP to extend the duration of the Convention Trust Funds to 31 December 2011;
26. *Invites* the Executive Director of UNEP to consider, on a case-by-case basis, the allocation of financial resources from the income generated under the Programme Support Costs from the Trust Fund on voluntary contributions for the implementation of activities;
27. *Requests* the Executive Director of UNEP to continue to incorporate aspects of the Convention's program of work into the program of work of UNEP and consider, as appropriate, providing financial support to specific CMS activities in this context; and
28. *Approves* the terms of reference for the administration of the Trust Fund, as set forth in Annex V to the present resolution, for the period 2009 to 2011.

## ANNEX I TO RESOLUTION 9.14

## BUDGET ESTIMATES FOR 2009-2011 - CMS TRUST FUND IN EURO

BL	Budget Item	2009	2010	2011	Total 2009 - 2011
		EUR	EUR	EUR	EUR
<b>BL</b>	<b>EXECUTIVE OFFICE (HQ)</b>				
1101	Executive Secretary (D1); 97% (3% ASCOBANS)	166,840	170,177	173,580	510,597
1102	Deputy Executive Secretary (P5)	140,000	142,800	145,656	428,456
1103	Inter-Agency Liaison Officer (P4)	128,000	130,560	133,171	391,731
1104	Partnerships and Fundraising Officer (P2)		81,600	83,232	164,832
1301	Personal Assistant to the Executive Secretary (GS-6)	70,000	73,500	77,175	220,675
1302	Secretary to the Deputy Executive Secretary (GS-4) - Part Time	27,500	28,875	30,319	86,694
	<b>Subtotal</b>	<b>532,340</b>	<b>627,512</b>	<b>643,133</b>	<b>1,802,985</b>
	<b>Executive Management Support</b>				
2210	Outreach and Fundraising Projects	46,675	46,675	46,675	140,026
2290	Membership promotion	1,456	1,456	1,456	4,368
5401	Hospitality	500	500	500	1,500
	<b>Subtotal</b>	<b>48,631</b>	<b>48,631</b>	<b>48,631</b>	<b>145,894</b>
	<b>Institutions</b>				
3301	Standing Committee Meetings - Support to delegates	16,963	18,023		34,985
3302	Scientific Council Meetings - Support to delegates	32,652	32,652		65,304
3303	COP 10 - Support of Delegates			53,286	53,286
1201	Consultancies - Translation	69,883	69,883	87,354	227,121
1202	Consultancies - COP Servicing - (Salary/travel)			273,164	273,164
1203	Consultancies - Experts	4,368			4,368
1612	COP 10 Travel of CMS Staff			50,475	50,475
	<b>Subtotal</b>	<b>123,866</b>	<b>120,558</b>	<b>464,279</b>	<b>708,703</b>
	<b>Total Executive Office (HQ)</b>	<b>704,838</b>	<b>796,701</b>	<b>1,156,043</b>	<b>2,657,582</b>
	<b>INFORMATION, CAPACITY BUILDING &amp; FUNDRAISING UNIT (FICFU) - SHARED WITH ASCOBANS &amp; EUROBATS</b>				
1105	Head of Unit (P4)	128,000	130,560	133,171	391,731
1303	Senior Information Assistant (GS-7)	70,000	73,500	77,175	220,675
1304	Secretary (GS-4) -Part time	27,500	28,875	30,319	86,694
1305	Documents Clerk (GS-4)	55,000	57,750	60,638	173,388
	<b>Subtotal</b>	<b>280,500</b>	<b>290,685</b>	<b>301,302</b>	<b>872,487</b>
	<b>Information and Capacity Building Projects</b>				
2201	Capacity Building events	21,814	21,814	21,814	65,442

2205	Information Management and Technology	25,270	25,270	24,270	74,810
5201	Information and Publicity Materials	8,481	8,481	8,481	25,443
	<b>Subtotal</b>	<b>55,565</b>	<b>55,565</b>	<b>54,565</b>	<b>165,695</b>
<b>Total FICFU</b>		<b>336,065</b>	<b>346,250</b>	<b>355,867</b>	<b>1,038,182</b>
<b>SCIENCE, DATA AND MARINE UNIT(SDMU)</b>					
1106	Head of Unit (P4); 85% (15% ASCOBANS)	108,800	110,976	113,196	332,972
1107	Scientific Support Officer (P2)		81,600	83,232	164,832
1108	Associate Marine Mammals Officer (P2); 25% (75% ASCOBANS)	20,000	20,400	20,808	61,208
1306	Administrative Assistant (GS-4)	70,000	73,500	77,175	220,675
	<b>Subtotal</b>	<b>198,800</b>	<b>286,476</b>	<b>294,411</b>	<b>779,687</b>
<b>Conservation Projects</b>					
2230	Conservation grants and projects	56,696	56,696	56,696	170,088
	<b>Subtotal</b>	<b>56,696</b>	<b>56,696</b>	<b>56,696</b>	<b>170,088</b>
<b>Total SDMU</b>		<b>255,496</b>	<b>343,172</b>	<b>351,107</b>	<b>949,775</b>
<b>POLICY AND AGREEMENTS UNIT (PAU)</b>					
1109	Head of Unit (P4)	128,000	130,560	133,171	391,731
1307	Administrative Assistant (GS-5)	70,000	73,500	77,175	220,675
1308	Secretary (GS-4)	55,000	57,750	60,638	173,388
	<b>Subtotal</b>	<b>253,000</b>	<b>261,810</b>	<b>270,984</b>	<b>785,794</b>
<b>Implementation and Partnerships projects</b>					
2260	Agreements, MoUs and Partnerships	54,317	54,317	54,317	162,951
	<b>Subtotal</b>	<b>54,317</b>	<b>54,317</b>	<b>54,317</b>	<b>162,951</b>
<b>Total PAU</b>		<b>307,317</b>	<b>316,127</b>	<b>325,301</b>	<b>948,745</b>
<b>ADMINISTRATIVE AND FINANCIAL SERVICES UNIT</b>					
1110	AFMO (P4)	-	-	-	-
1309	Finance Assistant (GS-6)	-	-	-	-
1310	Finance Assistant (GS-5)	-	-	-	-
1311	Administrative Assistant (GS-5)	-	-	-	-
1312	Administrative Assistant (GS-5)	-	-	-	-
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>HQ Secretariat costs</b>					
1611	Travel: Staff on mission	67,000	67,000	66,000	200,000
4110	Office supplies	4,368	4,805	5,242	14,415
4210	Non-expendable equipment	8,735	9,609	10,482	28,827
5101	IT Equipment	18,000	18,000	18,000	54,000
5102	IT Services	72,000	72,000	72,000	216,000
5111	Maintenance of computers	1,747	2,184	2,620	6,551
5112	Maintenance of printers	5,242	5,678	6,115	17,035

5311	Communication costs (telephone, fax)	14,851	15,683	16,597	47,131
5312	Postage and courier	5,242	5,678	6,115	17,035
5313	Miscellaneous	2,184	2,620	3,057	7,861
	<b>Subtotal</b>	<b>199,368</b>	<b>203,257</b>	<b>206,229</b>	<b>608,854</b>
	SECRETARIAT EFFICIENCY SAVINGS - 5%	-9,968	-10,163	-10,311	-30,443
	SAVINGS - 2% OF SALARY COSTS	-25,677	-29,714	-30,581	-85,971
	<b>Total Savings</b>	<b>-35,645</b>	<b>-39,877</b>	<b>-40,892</b>	<b>-116,414</b>
	<b>Total AFSU</b>	<b>163,723</b>	<b>163,381</b>	<b>165,337</b>	<b>492,441</b>
	<b>TOTAL HQ</b>	<b>1,767,438</b>	<b>1,965,631</b>	<b>2,353,655</b>	<b>6,086,724</b>
<b>CMS'S REGIONAL OFFICES</b>					
	<b>ASIA</b>				
1111	CMS Senior Advisor and Head of IOSEA (P5) - 20%	19,200	19,200	19,200	57,600
	<b>TOTAL REGIONAL OFFICES</b>	<b>19,200</b>	<b>19,200</b>	<b>19,200</b>	<b>57,600</b>
	<b>GRAND TOTAL</b>	<b>1,786,638</b>	<b>1,984,831</b>	<b>2,372,855</b>	<b>6,144,324</b>
	Programme Support Cost (PSC), 13%	232,263	258,028	308,471	798,762
	<b>GRAND TOTAL, including PSC</b>	<b>2,018,901</b>	<b>2,242,859</b>	<b>2,681,326</b>	<b>6,943,086</b>
	LESS: DRAWDOWN FROM THE PROJECTED FUND BALANCE PLUS FUTURE MISCELLANEOUS INCOME (Post of Documents Clerk & IT services)	-123,055	-123,055	-123,054	-369,164
	<b>TOTAL TO BE SHARED BY PARTIES</b>	<b>1,895,846</b>	<b>2,119,804</b>	<b>2,558,272</b>	<b>6,573,922</b>
	Total to be shared by Parties 2006_2008	1,869,715	1,979,923	2,514,587	6,364,225
	<b>PERCENTAGE INCREASE OVER THE 2006-2008 BUDGET PLUS NEW PARTIES</b>	<b>1.4%</b>	<b>7.1%</b>	<b>1.7%</b>	<b>3.3%</b>
	<b>PERCENTAGE INCREASE OVER THE APPROVED MEDIUM TERM PLAN</b>	<b>-12%</b>	<b>-7%</b>	<b>-10%</b>	<b>-10%</b>

**ANNEX II TO RESOLUTION 9.14**

**SCALE OF CONTRIBUTIONS BY PARTIES TO THE UNEP/CMS TRUST FUND FOR 2009-2011**

N°	Party	UN Scale in %	2009	2010	2011	Total 2009-2011
		2008	EUR	EUR	EUR	EUR
1	Albania	0.006	238	266	321	826
2	Algeria	0.085	3,373	3,772	4,552	11,697
3	Angola	0.003	119	133	161	413
4	Antigua & Barbuda	0.002	79	89	107	275
5	Argentina	0.325	12,898	14,422	17,405	44,724
6	Australia	1.787	70,919	79,296	95,698	245,913
7	Austria	0.887	35,201	39,360	47,501	122,062
8	Bangladesh	0.01	397	444	536	1,376
9	Belarus	0.02	794	887	1,071	2,752
10	Belgium	1.102	43,734	48,900	59,015	151,649
11	Benin	0.001	40	44	54	138
12	Bolivia	0.006	238	266	321	826
13	Bulgaria	0.02	794	887	1,071	2,752
14	Burkina Faso	0.002	79	89	107	275
15	Cameroon	0.009	357	399	482	1,239
16	Cape Verde	0.001	40	44	54	138
17	Chad	0.001	40	44	54	138
18	Chile	0.161	6,389	7,144	8,622	22,156
19	Congo	0.001	40	44	54	138
20	Cook Islands	0.001	40	44	54	138
21	Costa Rica	0.032	1,270	1,420	1,714	4,404
22	Cote d'Ivoire	0.009	357	399	482	1,239
23	Croatia	0.05	1,984	2,219	2,678	6,881
24	Cuba	0.054	2,143	2,396	2,892	7,431
25	Cyprus	0.044	1,746	1,952	2,356	6,055
26	Czech Republic	0.281	11,152	12,469	15,048	38,669
27	Democratic Republic of the Congo	0.003	119	133	161	413
28	Denmark	0.739	29,328	32,792	39,575	101,696
29	Djibouti	0.001	40	44	54	138
30	Ecuador	0.021	833	932	1,125	2,890
31	Egypt	0.088	3,492	3,905	4,713	12,110
32	Eritrea	0.001	40	44	54	138
33	Estonia	0.016	635	710	857	2,202
34	Finland	0.564	22,383	25,027	30,204	77,613
35	France	6.301	250,061	279,601	337,434	867,096
36	Gabon	0.008	317	355	428	1,101
37	Gambia	0.001	40	44	54	138
38	Georgia	0.003	119	133	161	413
39	Germany	8.577	340,386	380,596	459,320	1,180,302
40	Ghana	0.004	159	177	214	550
41	Greece	0.596	23,653	26,447	31,917	82,017
42	Guinea	0.001	40	44	54	138
43	Guinea-Bissau	0.001	40	44	54	138
44	Honduras	0.005	198	222	268	688
45	Hungary	0.244	9,683	10,827	13,067	33,577
46	India	0.45	17,859	19,968	24,099	61,926
47	Iran	0.18	7,143	7,987	9,639	24,770
48	Ireland	0.445	17,660	19,746	23,831	61,238
49	Israel	0.419	16,628	18,593	22,439	57,660
50	Italy	5.079	201,565	225,376	271,993	698,934

51	Jordan	0.012	476	532	643	1,651
52	Kazakhstan	0.029	1,151	1,287	1,553	3,991
53	Kenya	0.01	397	444	536	1,376
54	Latvia	0.018	714	799	964	2,477
55	Liberia	0.001	40	44	54	138
56	Libya	0.062	2,461	2,751	3,320	8,532
57	Liechtenstein	0.01	397	444	536	1,376
58	Lithuania	0.031	1,230	1,376	1,660	4,266
59	Luxembourg	0.085	3,373	3,772	4,552	11,697
60	Madagascar	0.002	79	89	107	275
61	Mali	0.001	40	44	54	138
62	Malta	0.017	675	754	910	2,339
63	Mauritania	0.001	40	44	54	138
64	Mauritius	0.011	437	488	589	1,514
65	Monaco	0.003	119	133	161	413
66	Mongolia	0.001	40	44	54	138
67	Morocco	0.042	1,667	1,864	2,249	5,780
68	Netherlands	1.873	74,332	83,113	100,304	257,748
69	New Zealand	0.256	10,160	11,360	13,709	35,229
70	Niger	0.001	40	44	54	138
71	Nigeria	0.048	1,905	2,130	2,571	6,605
72	Norway	0.782	31,034	34,700	41,878	107,613
73	Pakistan	0.059	2,341	2,618	3,160	8,119
74	Palau	0.001	40	44	54	138
75	Panama	0.023	913	1,021	1,232	3,165
76	Paraguay	0.005	198	222	268	688
77	Peru	0.078	3,096	3,461	4,177	10,734
78	Philippines	0.078	3,096	3,461	4,177	10,734
79	Poland	0.501	19,883	22,231	26,830	68,944
80	Portugal	0.527	20,914	23,385	28,222	72,522
81	Republic of Moldova	0.001	40	44	54	138
82	Romania	0.07	2,778	3,106	3,749	9,633
83	Rwanda	0.001	40	44	54	138
84	Samoa	0.001	40	44	54	138
85	Sao Tome and Principe	0.001	40	44	54	138
86	Saudi Arabia	0.748	29,685	33,192	40,057	102,934
87	Senegal	0.004	159	177	214	550
88	Serbia	0.021	833	932	1,125	2,890
89	Seychelles	0.002	79	89	107	275
90	Slovakia	0.063	2,500	2,796	3,374	8,670
91	Slovenia	0.096	3,810	4,260	5,141	13,211
92	Somalia	0.001	40	44	54	138
93	South Africa	0.29	11,509	12,868	15,530	39,908
94	Spain	2.968	117,788	131,702	158,944	408,434
95	Sri Lanka	0.016	635	710	857	2,202
96	Sweden	1.071	42,504	47,525	57,355	147,383
97	Switzerland	1.216	48,258	53,959	65,120	167,337
98	Syrian Arab Republic	0.016	635	710	857	2,202
99	Tajikistan	0.001	40	44	54	138
100	The FYR of Macedonia	0.005	198	222	268	688
101	Togo	0.001	40	44	54	138
102	Tunisia	0.031	1,230	1,376	1,660	4,266
103	Uganda	0.003	119	133	161	413
104	Ukraine	0.045	1,786	1,997	2,410	6,193
105	United Kingdom of Great Britain and Northern Ireland	6.642	263,594	294,732	355,696	914,022

106	United Republic of Tanzania	0.006	238	266	321	826
107	Uruguay	0.027	1,072	1,198	1,446	3,716
108	Uzbekistan	0.008	317	355	428	1,101
109	Yemen	0.007	278	311	375	963
	<b>subtotal</b>	<b>46.577</b>	<b>1,848,450</b>	<b>2,066,809</b>	<b>2,494,315</b>	<b>6,409,574</b>
110	EU		47,396	52,995	63,957	164,348
	<b>GRAND TOTAL</b>		<b>1,895,846</b>	<b>2,119,804</b>	<b>2,558,272</b>	<b>6,573,922</b>



**ANNEX III TO RESOLUTION 9.14****MEDIUM TERM PLAN FOR 2009-2014 IN EURO**

<b>Description</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Professional Staff	838,840	1,018,433	1,038,417	1,069,570	1,101,657	1,134,707
Consultants	74,252	69,883	87,354	89,975	92,674	95,454
Administrative Support	445,000	467,250	490,613	505,331	520,491	536,106
Travel on Official Business	67,000	67,000	66,000	67,980	70,019	72,120
Subcontracts and Subprojects	157,688	157,688	157,688	162,419	167,291	172,310
Meetings and Trainings	98,155	99,215	424,465	437,199	450,315	463,824
Equipment	26,735	27,609	28,482	29,337	30,217	31,123
Operation and Maintenance	78,989	79,862	80,735	83,157	85,652	88,222
Reporting cost and Information material	8,481	8,481	8,481	8,735	8,997	9,267
Sundry(Communication)	26,644	28,786	31,011	31,942	32,900	33,887
Hospitality	500	500	500	515	530	546
2% of salary cost	-25,677	-29,714	-30,581	-31,498	-32,443	-33,416
Secretariat efficiency	-9,968	-10,163	-10,311	-10,621	-10,939	-11,268
subtotal	1,786,638	1,984,831	2,372,855	2,444,041	2,517,362	2,592,883
UNEP Administrative Costs	232,263	258,028	308,471	317,725	327,257	337,075
<b>Total</b>	<b>2,018,901</b>	<b>2,242,859</b>	<b>2,681,326</b>	<b>2,761,766</b>	<b>2,844,619</b>	<b>2,929,957</b>
Less: Reserve, Recoveries & New Parties	-123,055	-123,055	-123,054	0	0	0
<b>Budget to be shared by Parties</b>	<b>1,895,846</b>	<b>2,119,804</b>	<b>2,558,272</b>	<b>2,761,766</b>	<b>2,844,619</b>	<b>2,929,957</b>

note: 3 percent annual increase from 2011

## ANNEX IV TO RESOLUTION 9.14

### TERMS OF REFERENCE OF THE FINANCE AND BUDGET SUBCOMMITTEE

1. *Composition of the Subcommittee:*

- a) The Finance and Budget Subcommittee shall be composed of one country representative from each of the CMS regions, nominated by the region; and
- b) The Subcommittee shall elect a Chairman from among its members.

2. *Meetings and mode of operation of the Subcommittee:*

- a) The Subcommittee shall meet in closed session (i.e. attended only by members of the Subcommittee, Party observers, and the Secretariat) one day prior to each meeting of the Standing Committee;
- b) The members of the Subcommittee shall communicate by electronic means between meetings of the Standing Committee. For this purpose, the Secretariat shall establish a forum on its website for communications among the members and for the sharing of documents, which may be read by non-members, who would communicate their views to their regional representative on the Subcommittee.

3. *Responsibilities of members of the Subcommittee:*

Members of the Subcommittee shall seek and represent the views of their region in carrying out their duties, and shall report back to their regions.

4. *Responsibilities of the Subcommittee:*

To fulfil the mandate of Resolution Conf. 9.14; the Subcommittee shall:

- a) Broadly, consider all aspects of the financing and budgeting of the Convention and develop recommendations to the Standing Committee. The Subcommittee should focus on keeping the Convention fiscally solvent while providing for essential support services for the efficient and effective functioning of the Convention;
- b) Evaluate the programme of work of the Secretariat and other documents with budgetary implications relative to:
  - i) The duties and responsibilities of the Secretariat mandated in the text of the Convention;
  - ii) Ensuring that the activities undertaken by the Secretariat under the approved budget are consistent with Resolutions and Decisions of the Conference of the Parties;
- c) Consider administrative procedures and other aspects of the financing and budgeting of the Convention, and make recommendations for improving the efficiency with which funds are expended;
- d) Using the information developed through the processes described in paragraphs a)-c):
  - i) work with the Secretariat to prepare all financial and budgetary documents for

- consideration by the Standing Committee;
- ii) further develop the report format to ensure that the financial reports are easily understood and transparent, and that they enable informed decisions to be taken in relation to the financial performance of the Convention;
  - iii) make recommendations to the Standing Committee on all financial and budgetary documents and proposals developed through this process; and
  - iv) otherwise assist the Standing Committee in providing oversight of financial and budgetary matters, including the preparation of documents for meetings of the Conference of the Parties;
- e) The Secretariat shall issue to the Subcommittee members a quarterly report, to be sent electronically, which identifies and explains any projected expenditure that differs from the approved budget by more than 20 % for staff costs or non-staff costs relating to each activity, together with the proposed approach for managing any such projected over-expenditure.

## **ANNEX V TO RESOLUTION 9.14**

### **TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be three calendar years beginning 1 January 2009 and ending 31 December 2011.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations and other administrative policies or procedures promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund. In the case of voluntary contributions, the Executive Director of UNEP will be prepared to allocate to the CMS Trust Fund the programme support cost portion of funds received as voluntary contributions with a view to providing additional support for CMS Secretariat projects. Those allocations will be issued by the Executive Director based on the proposals of the Executive Secretary of CMS.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 2011, the Executive Director of UNEP shall be so advised in writing immediately after the ninth meeting of the Conference of the Parties. It is understood that whether to so extend the Trust Fund shall be decided by and at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 2009-2011 shall be derived from:
  - (a) The contributions made by the Parties by reference to annex II, including contributions from any new Parties; and
  - (b) Further contributions from Parties and contributions from States not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in euro. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined pro rata based on the contributions of other States Parties on the same level as the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis were to be more than 22 percent

of the budget, the contribution of that Party shall be 22 percent of the budget for the financial year of joining (or pro rata for a partial year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. Contributions shall be due on 1 January 2009, 2010 and 2011.

9. Contributions shall be paid into the following accounts:

(a) Contributions in euros:

UNEP Euro Account  
Account No. 616160755  
J.P. Morgan AG  
Gruneburgweg 2  
60322 Frankfurt/Main, Germany  
Bank code number 501 108 00  
SWIFT No. CHASDEFX  
IBAN: DE 565011080061616 03755

(b) Contributions in dollars:

UNEP Trust Fund  
Account No. 485 002 809  
J.P. Morgan Chase  
International Agencies Banking  
1166 Avenue of the Americas, 17th Floor  
New York, N.Y. 10036-2708, USA  
Wire transfers: Chase ABA number 021000021  
SWIFT number BIC-CHASUS33  
CHIPS participant number 0002

10. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

11. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

12. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

13. Budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period, prepared in euros (with dollar equivalents), shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.

14. The estimates for each of the calendar years covered by the financial period shall be divided into sections and objects of expenditure, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditures itemized

for each programme so as to correspond to the sections, objects of expenditure and budget lines described in the first sentence of the present paragraph.

15. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 2009 to 2014, inclusive, and shall incorporate the budget for the financial period 2009–2011.

16. The proposed budget and medium-term plan, including all necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties at which they are to be considered.

17. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at that ordinary meeting.

18. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, which shall seek the advice of the Standing Committee as to its priorities for expenditure.

19. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

20. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second calendar year, provided that the total budget approved by the Parties shall not be exceeded, unless specifically sanctioned in writing by the Standing Committee.

21. At the end of each calendar year of the financial period,<sup>1</sup> the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, the accounts for the year in euros. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period, in euros (with dollar equivalent). Those accounts shall include full details of actual expenditure compared to the original provisions for each budget line.

22. Those financial reports required to be submitted by the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

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<sup>1</sup> The calendar year 1 January to 31 December is the accounting and financial year, but the account's official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year must be closed, and it is only then that the Executive Director may submit the accounts of the previous calendar year.

23. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

24. The present terms of reference shall be effective from 1 January 2009 to 31 December 2011.



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 9.15

Original: English

### COMPOSITION AND ORGANISATION OF THE STANDING COMMITTEE

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

*Recalling* Resolutions 1.1, 2.5, 3.7 and 6.6 establishing and governing the CMS Standing Committee and, in particular, the composition of its membership;

*Acknowledging* the need for clear, concise and consolidated terms of reference governing the Standing Committee;

*Desiring* to ensure that the membership reflects the numbers and conservation interests of Parties in each main geographic region and, as far as possible, the richness and diversity of migratory species within each region; and

Also *desiring* to ensure as far as possible both continuity and efficient rotation in the membership of the Committee;

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

1. *Resolves* to re-establish the Standing Committee of the Conference of the Parties with the following terms of reference;

Within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

- (a) Provide general policy and operational direction to the Secretariat;
- (b) Provide advice and assistance to Parties concerning implementation of the Convention;
- (c) Carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary or explicitly assigned to it;
- (d) Provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings and on any other matters brought to it by the Secretariat in the exercise of its functions;



- (e) Oversee, on behalf of the Parties, the development and execution of the budget of the Secretariat as derived from the Trust Fund and other sources and also all aspects of fund-raising undertaken by the Secretariat in order to carry out specific functions authorised by the Conference of the Parties, and oversee expenditures of such fund-raising activities; and shall be supported, in this activity, by the subcommittee established through resolution 9.14 paragraph 12;
  - (f) Represent the Conference of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, the United Nations Environment Programme and other international organisations for consideration of matters relating to the Convention and its Secretariat;
  - (g) Submit at each ordinary meeting of the Conference of the Parties a written report on its work since the previous ordinary meeting;
  - (h) Draft resolutions or recommendations, as appropriate, for consideration by the Conference of the Parties;
  - (i) Act as the Bureau at meetings of the Conference of the Parties until such time as the Conference Rules of Procedure are adopted; and
  - (j) Perform any other function as may be entrusted to it by the Conference of the Parties;
2. *Establishes* the following rules for the Standing Committee:
- (a) The Membership of the Standing Committee shall be agreed at each meeting of the Conference of the Parties in accordance with the Conference's Rules of Procedure (but also see 2 (l) below) and shall comprise:
    - (i) three parties elected from each of the geographic regions (a) Africa and (b) Europe;
    - (ii) two parties elected from each of the geographic regions (a) Asia and (b) South and Central America and the Caribbean;
    - (iii) one party from each of the geographic regions (a) North America and (b) Oceania;
    - (iv) the Depositary and Host Government of the host of the Secretariat; and
    - (v) where appropriate, the Host Government of the next and previous meetings of the Conference of the Parties.
  - (b) Each meeting of the Conference of the Parties (COP) also shall elect twelve regional representatives to serve as alternate members and, in particular, to attend the meetings of the Standing Committee in the absence of the member of the region for which they are alternate member.
  - (c) The term of office of regional members and alternates shall expire at the close of the next ordinary meeting of the COP following the meeting at which they were originally elected. Regional members may not serve more than two consecutive terms of office.
  - (d) If an extraordinary meeting or a special meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organisation of the meeting.

- (e) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote.
  - (f) The Chairman of the Scientific Council shall be entitled to participate in meetings of the Standing Committee as a non-voting observer.
  - (g) The Chairman may invite any person or representative of any other country or organisation to participate in meetings of the Committee as an observer without the right to vote.
  - (h) The Secretariat shall inform all Parties of the date and venue of Standing Committee meetings.
  - (i) The Committee shall, by consensus, establish its own rules of procedure.
  - (j) The Secretary for the Committee shall be provided by the Secretariat of the Convention.
  - (k) The membership of the Committee shall be renewed at every ordinary meeting of the Conference of the Parties.
  - (l) If a regional representative or alternate resigns from the Standing Committee, the Secretariat shall organise a ballot among all Parties from that region to elect a successor, the voting system described in the COP ROPs being adopted *mutatis mutandis*.
3. *Requests* members of the Committee to make every effort to pay their own travel expenses;
4. *Requests* the Secretariat to make provision in budgets for the payment, upon request, of reasonable and justifiable travel expenses of nominated representatives from the group of countries which have been identified by the responsible organs of the Convention as being eligible for travel assistance and from the next host Party (should that also qualify for funding). Within the policy agreed by the Conference of the Parties, the Secretariat:
- (a) Shall make provisions for payment of travel costs for regional members from the group of the developing countries and countries with economies in transition (or alternate members deputising for them) to attend a maximum of one Standing Committee per calendar year;
  - (b) Shall refund travel expenses, upon request, to no more than one representative of a Party at any one meeting of the Standing Committee;
  - (c) May refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties or on behalf of the Secretariat;
  - (d) May pay refunds in United States dollars or euros;
  - (e) Shall receive claims for refunds, supported by receipts, which must be submitted to the Secretariat within thirty calendar days of the completion of the travel; and
  - (f) Shall endeavour, to the extent possible, to obtain external funding for travel expenses;

5. Resolves that the duties of the Regional Representatives on the Standing Committee are as follows:
  - (a) to maintain a fluid and permanent communication with the Parties of their region and the Secretariat;
  - (b) wherever possible, to request opinions from Parties of their regions on items under consideration by the Standing Committee; and
  - (c) to report on their activities and communications at meetings of the Committee, and at any regional meetings that take place during the COP or inter-sessionally; and
6. Decides that Resolutions 2.5, 3.7 and 6.6 are hereby repealed.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Resolution 9.17

Original: English

### **ARRANGEMENTS FOR HOSTING THE NINTH & TENTH MEETINGS OF THE CONFERENCE OF THE PARTIES**

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

*Acknowledging* with gratitude the offer which the Government of Italy made to host the 9<sup>th</sup> Meeting of the Conference of Parties in Rome in December 2008;

*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise";

*Desirous* of receiving an offer from a Government to host the 10<sup>th</sup> Meeting of the Conference of the Parties (and the Scientific Council); and

*Noting* that an initial invitation to submit offers to host COP10 was issued by the Secretariat in September 2008;

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

1. *Commends* the Government of the Republic of Italy for having taken the initiative to host the Ninth Meeting of the Conference of the Parties and expresses its deep gratitude for the significant resources contributed to the organization of the meeting.
2. *Invites* Parties as well as non-Parties that may have an interest in hosting the Tenth Meeting of the Conference of the Parties (and the Scientific Council), to inform the Secretariat no later than 31 December 2009.
3. *Instructs* the Standing Committee at its first meeting following the 31 December deadline to review the offers received and, subject to receipt of sufficient information, to decide upon the most suitable venue(s).



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 9.18

Original: English

### BY-CATCH

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

*Concerned* that despite considerable progress on implementing by-catch mitigation measures to reduce the adverse impacts of fishing on listed migratory species, by-catch still remains one of the major causes of mortality of listed migratory species from human activities in the marine environment;

*Noting* that different stakeholders apply different definitions of by-catch and that this may cause confusion and inconsistency in reporting bycatch and in the development and delivery of by-catch mitigation strategies;

*Further noting* the work already completed or underway under the auspices of CMS daughter agreements and other relevant bodies;

*Welcoming* the work underway through the implementation of Resolution 8.22 to identify gaps and overlaps between CMS and other relevant bodies with respect to their work on by-catch; and

*Recalling that* the Conference of the Parties adopted Resolutions 6.2 and 8.14 on by-catch with a view to stimulating remedial and pre-emptive measures by the Parties;

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

1. *Invites* Parties to improve reporting of by-catch information and data in their CMS National Reports, or via their reports to CMS daughter Agreements, particularly on by-catch mitigation methods that have proved to be effective;
2. *Urges* Parties that have not already done so, to implement the United Nations Food and Agriculture Organization's *International Plan of Action (FAO IPOA) for Reducing the Impacts of Longline Fisheries on Seabirds*, *IPOA for the Conservation and Management of Sharks* and the *FAO Guidelines to reduce sea turtle mortality in fishing operations*, and to develop and implement national plans of action as required by the IPOAs;
3. *Strongly encourages* Parties, through their participation in relevant fora, for example through regional fisheries management organisations (RFMOs), to raise the serious and ongoing

problem of by-catch of migratory species, especially as it refers to seabirds, sharks, marine turtles and marine mammals, with a view to improving mitigation measures for the reduction of by-catch as well as improving data collection through, *inter alia*, independent observer programmes;

4. *Encourages* Parties to apply appropriate fisheries management measures to mitigate by-catch of migratory species;

5. *Further encourages* Parties to provide financial and technical support to developing countries for the mitigation of by-catch of species listed on the appendices of CMS, focussing on work with indigenous and local communities that depend on fisheries for their livelihoods;

6. *Invites* Parties to consider making voluntary contributions or provision of in-kind support for the work of the 2007-2010 Work Programme on By-catch;

7. *Requests* the Scientific Council to:

- (a) continue to identify emerging and best practice by-catch mitigation techniques as relevant to the Convention-listed species as a priority and in coordination with relevant international competent bodies in order to avoid the duplication of effort; and
- (b) consider any scientific and technical information submitted by Range States or other relevant bodies, relating to impacts on migratory species from by-catch, in particular CMS daughter agreements;

8. *Requests* the CMS Secretariat, taking into account information already made available by CMS daughter agreements and other relevant international fora, to investigate the feasibility of producing:

- (a) an assessment of the impact of fisheries by-catch and discarding on the conservation status of migratory species covered by the Convention;
- (b) a review to identify priority fisheries, regions and species that would benefit from cooperative action through the CMS and relevant activities; and
- (c) advice to the Standing Committee of the likely cost and completion date of such an assessment and review by no later than the next meeting of the Committee;

9. *Requests* the CMS Secretariat, in conjunction with CMS daughter agreements (to avoid duplication of effort), to write to relevant RFMOs and other competent international bodies, inviting them to share with the CMS Secretariat available information on:

- (a) migratory species by-catch policy and management;
- (b) migratory species by-catch in the fisheries for which they have responsibility;
- (c) assessments of the impacts by their respective fisheries on seabirds, sharks, turtles and cetaceans;

- (d) adoption of monitoring, control and surveillance measures on by-catch in the fisheries relevant to migratory species; and
- (e) best practices on the basis of the performance reviews that are underway;

and *requests* the CMS Secretariat to transmit this information to the Scientific Council;

10. *Instructs* the CMS Secretariat to make the information gathered under paragraph 7(a) readily accessible to all relevant range states for migratory species threatened by by-catch, *inter alia* to assist in the application of by-catch mitigation techniques relevant to migratory species and report progress to each Standing Committee meeting;

11. *Further requests* the CMS Secretariat to:

- (a) improve cooperation and communication between CMS and the FAO, in particular the Committee on Fisheries, by extending invitations to the FAO to attend relevant CMS meetings; and
- (b) communicate with, and consider the results of, other ongoing efforts to document by-catch in fisheries, for example Project GLoBAL (Global Bycatch Assessment of Long-Lived Species), which attempts to document by-catch of birds, marine turtles, marine mammals and migratory sharks; and

12. *Invites* the Secretariats of CMS and relevant daughter agreements to improve cooperation and communication on by-catch-related issues.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 9.19

Original: English

**ADVERSE ANTHROPOGENIC MARINE/OCEAN NOISE IMPACTS ON CETACEANS  
AND OTHER BIOTA**

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

*Recognising* that anthropogenic ocean noise, depending on source and intensity, is a form of pollution, comprised of energy, that may degrade habitat and have adverse effects on marine life ranging from disturbance of communication or group cohesion to injury and mortality;

*Aware* that, over the last century, noise levels in the world's oceans have significantly increased as a result of multiple human activities;

*Recalling* the obligations of Parties to the United Nations Convention on the Law of the Sea (UNCLOS) to protect and preserve the marine environment and to cooperate on a global and regional basis concerning marine mammals, paying special attention to highly migratory species, including cetaceans listed in Annex I of UNCLOS;

*Recalling* CMS Resolution 8.22 on "Adverse human induced impacts on cetaceans", which urges Parties and non-Parties to promote the integration of cetacean conservation into all relevant sectors and requests the CMS Secretariat and Scientific Council to review, in collaboration with the scientific advisory bodies of CMS cetacean-related Agreements, the extent to which CMS and CMS cetacean-related Agreements, are addressing the human induced marine noise impacts through their threat abatement activities;

*Noting* that Resolution 1998-6 of the International Whaling Commission (IWC) identified the impacts of anthropogenic noise as a priority topic for investigation within its Scientific Committee, and that the Scientific Committee, in its report to the 56th meeting of the IWC, concluded that military sonar, seismic exploration, and other noise sources such as shipping pose a significant and increasing threat to cetaceans, both acute and chronic, and made a series of recommendations to member governments regarding the regulation of anthropogenic noise;

*Recalling* Resolution No. 4 "Adverse Effects of Sound, Vessels and other Forms of Disturbance on Small Cetaceans" adopted by the 5th Meeting of Parties 2006 to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS);

*Recalling* Resolution 2.16 "Impact Assessment of Man-Made Noise" and Resolution 3.10 "Guidelines to Address the Impact of Anthropogenic Noise on Marine Mammals in the ACCOBAMS Area" adopted by the 2<sup>nd</sup> and 3<sup>rd</sup> Meeting of Parties to the Agreement on the



Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS);

*Recalling* that according to Article 236 of UNCLOS, that Convention's provisions regarding the protection and preservation of the marine environment do not apply to warship, naval auxiliary, other vessels or aircraft owned or operated by a State and used, for the time being, only on government non-commercial service; and that each State is required to ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such vessels or aircraft owned or operated by it, that such vessels or aircraft act in a manner consistent, so far as is reasonable and practicable, with UNCLOS;

*Noting* that the Convention on Biological Diversity (CBD) decision VI/20 recognised CMS as the lead partner in the conservation and sustainable use of migratory species over their entire range;

*Acknowledging* International Union for Conservation of Nature (IUCN) Resolution 3.068 concerning undersea noise pollution (World Conservation Congress at its 3rd Session in Bangkok, Thailand, 17–25 November 2004);

*Welcoming* the activities of the International Maritime Organization (IMO) to address the impact of ship-generated noise on marine mammals and the recent establishment by the Marine Environmental Protection Committee (MEPC58, October 2008) of a high priority programme of work on *minimising the introduction of incidental noise from commercial shipping operations into the marine environment*;

*Aware* that some types of anthropogenic noise can travel faster than some other forms of pollution over more than hundreds of kilometres underwater unrestricted by national boundaries and that these are ongoing and increasing;

*Taking into account* the lack of data on the distribution and migration of some populations of migratory cetaceans and the adverse human-induced impacts on cetaceans;

*Aware* of the fact that incidents of stranding and deaths of some cetacean species have coincided with and may be due to the use of high-intensity mid-frequency active sonar;

*Taking note of* the ICES report CM 2005/ACE: 01 (Report of the Ad hoc Group on the Impact of Sonars on Cetaceans and Fish (AGISC) which recommends that further research should be conducted on this issue given the potential adverse impacts on individuals and groups of whales, in particular beaked whales, whilst this report recognises that sonar seems not to be a major current threat to marine mammal populations generally;

*Reaffirming* that the difficulty of proving possible negative impacts of acoustic disturbance on cetaceans necessitates a precautionary approach in cases where such an impact is likely;

*Recognising* that there is a need for a fundamental understanding of the complex marine ecosystem and that this can only be achieved through vessel-based marine scientific research or moored devices, which implies the application of scientific acoustical methods;

*Noting* the draft research strategy developed by the European Science Foundation on “*the effects of anthropogenic sound on marine mammals*”, which is based on a risk assessment framework;

*Noting* the OSPAR Code of Conduct for Responsible Marine Research in the Deep Seas and High Seas of the OSPAR Marine Area and the ISOM Code of Conduct for Marine Scientific Research Vessels; providing that marine scientific research is carried out in an environmentally friendly way using appropriate study methods reasonably available;

*Aware* of the calls on the IUCN constituency to recognise that, when there is reason to expect that harmful effects on biota may be caused by such ocean noise, lack of full scientific certainty should not be used as a reason for postponing measures to prevent or minimise such effects; and

*Recognising* with concern that cetaceans and other marine mammals, reptiles and fish species are vulnerable to noise disturbance and subject to a range of human impacts;

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

1. *Urges* Parties and invites non-Parties which exercise jurisdiction over any part of the range of marine species listed on the appendices of CMS, or over flag vessels which are engaged within or beyond national jurisdictional limits, to take special care and, where appropriate and practical, to endeavour to control the impact of emission of man-made noise pollution in habitat of vulnerable species and in areas where marine mammals or other endangered species may be concentrated, and where appropriate, to undertake relevant environmental assessments on the introduction of systems which may lead to noise associated risks for marine mammals.
2. *Calls* on Parties and invites non-Parties whenever possible to adopt mitigation measures on the use of high intensity active naval sonars until a transparent assessment of their environmental impact on marine mammals, fish and other marine life has been completed and as far as possible aim to prevent impacts from the use of such sonars, especially in areas known or suspected to be important habitat to species particularly sensitive to active sonars (e.g. beaked whales) and in particular where risks to marine mammals cannot be excluded, taking account of existing national measures and related research in this field.
3. *Invites* Parties to provide the CMS Secretariat with copies of relevant protocols/guidelines and provisions for the effective management of anthropogenic noise, taking security needs into account, such as those of relevant CMS daughter agreements, OSPAR, IWC, IMO, NATO and other fora, thereby avoiding duplication of work and *requests* the Secretariat to transmit this information to the Scientific Council with a view to the development by the Scientific Council of voluntary guidelines on activities of concern for presentation to COP10.
4. *Stresses* the need of Parties to consult with any stakeholder conducting activities known to produce underwater noise pollution with the potential to cause adverse effects on marine mammals and other biota, such as the oil and gas industry, shoreline developers, offshore extractors, marine renewable energy companies, other industrial activities and oceanographic and geophysical researchers recommending, how best practice of avoidance, diminution or mitigation of risk should be implemented. This also applies to military authorities to the extent

that this is possible without endangering national security interests. In any case of doubt the precautionary approach should be applied.

5. *Encourages* Parties to facilitate:

- regular collaborative and coordinated temporal and geographic monitoring and assessment of local ambient noise (both of anthropogenic and biological origin);
- further understanding of the potential for sources of noise to interfere with long-range movements and migration;
- the compilation of a reference signature database, to be made publicly available, to assist in identifying the source of potentially damaging sounds;
- characterisation of sources of anthropogenic noise and sound propagation to enable an assessment of the potential acoustic risk for individual species in consideration of their auditory sensitivities;
- studies on the extent and potential impact on the marine environment of high-intensity active naval sonars and seismic surveys in the marine environment; and the extent of noise inputs into the marine environment from shipping and to provide an assessment, on the basis of information to be provided by the Parties, of the impact of current practices; and
- studies reviewing the potential benefits of “noise protection areas”, where the emission of underwater noise can be controlled and minimised for the protection of cetaceans and other biota,

whilst recognising that some information on the extent of the use of military sonars (e.g. frequencies used) will be classified and would not be available for use in the proposed studies or databases.

6. *Urges* all Parties to endeavour to develop provisions for the effective management of anthropogenic noise in CMS daughter agreements and other relevant bodies and Conventions.

7. *Invites* Parties to report to COP10 about the progress made in implementing this Resolution.

8. *Instructs* the Secretariat, in conjunction with the Standing Committee and the Scientific Council to draw this resolution to the attention of other relevant intergovernmental organisations and initiatives, such as the United Nations Environment Programme (UNEP) Governing Council and Regional Seas Programmes, UNICPOLOS, IWC, FAO, HELCOM, Barcelona Convention, and OSPAR, Small Cetaceans and Manatees of Western Africa MoU, Pacific Island Region Cetacean MoU (CCPIR), and NATO (and any other relevant military organisation).

9. *Instructs* the Secretariat to draw this resolution to the attention of the IMO with a view to ensuring the minimisation of the harmful effects of shipping noise on cetaceans and other biota and invites the Secretariat and Parties to contribute to the work recently started by IMO MEPC on “Noise from commercial shipping and its adverse impacts on marine life”.

10. *Invites* the Parties to strive, wherever possible, to ensure that their activities falling within the scope of this resolution avoid harm to cetaceans and other biota.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 9.20

Original: English

**THE SAKER FALCON (*Falco cherrug*)**

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

*Welcoming* the coming into effect of the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia;

*Concerned* about the conservation status of the Saker Falcon (*Falco cherrug*) across its range;

*Recalling* the proposal made by the Government of Croatia to list the entire population of *Falco cherrug* on Appendix I of the Convention (Proposal I / 9 of COP9);

*Aware* of the cultural value of the species including for falconry to many Parties across its range; and

*Further aware* of the possibilities sustainable use may provide for the conservation of the species in important range states such as Mongolia;

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

*Urges* Parties to take action to improve the conservation status of the Saker Falcon across its range and to support a workshop to consider the status and conservation needs of the species, to be held in the United Arab Emirates as soon as possible in 2009;

*Further urges* Parties to assist in the delivery of a research programme, initially supported by Saudi Arabia, designed to re-evaluate vigorously the conservation status of the species across its range;

*Requests* the Scientific Council at its 16th meeting to review progress taking account of the decision reached at its 15<sup>th</sup> meeting on the basis of the proposal to list the entire population of *Falco cherrug* on Appendix I of the Convention; and

*Strongly recommends* that a Party proposes the species for listing on Appendix I of the Convention at the next Conference of Parties unless there is a transparent and significant improvement in the conservation status of the species across its full range by that time, in particular it is no longer being considered by IUCN as Vulnerable, Endangered or Critically Endangered.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Recommendation 9.1

Original: English

### **CENTRAL EURASIAN ARIDLAND MAMMALS**

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

*Recognising* that the large mammal fauna of the arid lands of Eurasia and North Africa have many species with threatened populations that are in a profoundly unsatisfactory state of conservation;

*Conscious* that the arid lands, with their exceptional natural and cultural heritage and their unique migration phenomena, are a crucial area for the action of the Convention;

*Grateful* to the Republic of Mongolia for drawing attention to the particular plight of the fauna of the temperate arid lands of Eurasia;

*Welcoming* the support of the other Parties situated within the temperate desert, semi desert, steppe and associated mountains of Eurasia;

*Recalling* that several species found in that biome are on Appendix I of the Convention;

*Recalling also* that several more species are on Appendix II of the Convention;

*Noting* that Recommendation 8.23 adopted by the Conference of the Parties at its Eighth Meeting (Nairobi, 20-25 November 2005) requested that the Scientific Council, in cooperation with the Secretariat, the Republic of Mongolia and other concerned Parties initiate a CENTRAL EURASIAN ARIDLAND CONCERTED ACTION and associated Cooperative Action, that would in due course cover all threatened migratory large mammals of the temperate and cold deserts, semi-deserts, steppes and associated mountains of Eurasia;

*Noting* with satisfaction the progress made by this CENTRAL EURASIAN ARIDLAND CONCERTED ACTION;

*Further noting* with satisfaction the progress made by single-species Convention instruments operating in the region;

*Taking into account* the intersessional process on the future shape of CMS, and *conscious* that the development of new instruments is to be linked to this process; and

*Acknowledging* the recommendation of the 14<sup>th</sup> and 15<sup>th</sup> meetings of the Scientific Council that the CENTRAL EURASIAN ARIDLAND CONCERTED ACTION and associated Cooperative Action be continued and further reinforced;

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

1. *Requests* the Scientific Council, in cooperation with the Secretariat, the Republic of Mongolia and other concerned Parties to pursue the CENTRAL EURASIAN ARIDLAND CONCERTED ACTION and associated Cooperative Action, that will in due course cover all threatened migratory large mammals of the temperate and cold deserts, semi-deserts, steppes and associated mountains of Central Asia, the Northern Indian sub-continent, Western Asia, the Caucasus and Eastern Europe. The Action will include an Action Plan and status reports for all species concerned, and will initially be centred on *Camelus bactrianus*, *Bos grunniens*, *Uncia uncia*, *Cervus elaphus bactrianus* and, subject to its inclusion on Appendix I, *Acinonyx jubatus*, for the Concerted Action; and on *Equus hemionus* s.l., *Gazella subgutturosa*, *Procapra gutturosa* and, subject to its inclusion on Appendix II, *Saiga tatarica* s.l. for the Cooperative Action. The action will also take into account, and link to, other existing Convention instruments as well as actions already taken by Range States and Convention partners;
2. *Encourages* Range States and other interested Parties to prepare, in cooperation with the Scientific Council and the Secretariat, the necessary proposals to include in Appendix I or Appendix II threatened species that would benefit from the Action;
3. *Encourages* the Secretariat to pursue efforts to bring into the Convention Range States of the Central Eurasian fauna that are not yet Parties, and to liaise with other concerned Conventions to enhance synergies;
4. *Urges* non-Party Range States to support the Action, in recognition of its global significance;
5. *Appeals* to Range States and other interested Parties to support the development of a Memorandum of Understanding or other binding or non binding instruments to complement the CENTRAL EURASIAN ARIDLAND CONCERTED ACTION and its Action Plan;
6. *Encourages* the Scientific Council and the Secretariat to envisage, in consultation with the Parties concerned, an extension of the action area to the South-western Eurasian hot deserts and associated biomes; and
7. *Requests* the Scientific Council and the Secretariat to report on the progress of the action to the next meeting of the Conference of the Parties.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Recommendation 9.2

Original: English

### **SAHELO-SAHARAN MEGAFUNA**

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

*Recognising* that the large mammal fauna of the arid lands of North Africa and Eurasia have many species with threatened populations that are in a profoundly unsatisfactory, and often critical, state of conservation;

*Conscious* that the arid lands, with their exceptional natural and cultural heritage and their unique migration phenomena, are a crucial area for the action of the Convention;

*Recalling* that several species found in that biome are on Appendix I of the Convention;

*Noting* that recommendation 4.5 adopted by the Conference of the Parties at its Fourth Meeting (Nairobi, 7-11 June 1994) requested that the Scientific Council, in cooperation with the Secretariat, establish a Concerted Action for Sahelo-Saharan Ungulates;

*Noting* with satisfaction the progress made by this Sahelo-Saharan Ungulates Concerted Action;

*Taking into account* the intersessional process on the future shape of CMS, and *conscious* that the development of new instruments is to be linked to this process; and

*Acknowledging* the recommendation of the 14<sup>th</sup> and 15<sup>th</sup> meetings of the Scientific Council that the SAHELO-SAHARAN UNGULATES CONCERTED ACTION be continued and extended to other species of large mammals occurring within the area of the Concerted Action;

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

1. *Requests* the Scientific Council, in cooperation with the Secretariat, and concerned Parties to pursue a SAHELO-SAHARAN MEGAFUNA CONCERTED ACTION that will 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. The Action will include an Action Plan and status reports for all species concerned, and will be centred on

*Oryx dammah*, *Addax nasomaculatus*, *Gazella dama*, *Gazella leptoceros*, *Gazella cuvieri*, *Gazella dorcas* and *Acinonyx jubatus*;

2. *Encourages* Range States and other interested Parties to prepare, in cooperation with the Scientific Council and the Secretariat, the necessary proposals to include in Appendix I or Appendix II threatened species that would benefit from the Action;
3. *Encourages* the Secretariat to pursue efforts to bring into the Convention, Range States of the Sahelo-Saharan fauna that are not yet Parties, and to liaise with other concerned Conventions to enhance synergies;
4. *Urges* non-Party Range States to support the Action, in recognition of its global significance;
5. *Appeals* to Range States and other interested Parties to support the development of a Memorandum of Understanding or other binding or non binding instruments to complement the SAHELO-SAHARAN CONCERTED ACTION and its Action Plan;
6. *Encourages* the Scientific Council and the Secretariat to envisage, in consultation with the Range States concerned, an extension of the action area to the deserts of the Horn of Africa and associated biomes; and
7. *Requests* the Scientific Council and the Secretariat to report on the progress of the action to the next Conference of the Parties.





## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Recommendation 9.3

Original: English

### TIGERS AND OTHER ASIAN BIG CATS

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

*Aware* that wild populations of tigers and other Asian big cat species (snow leopard, *Uncia uncia*, clouded leopard, *Neofelis nebulosa*, all subspecies of leopard *Panthera pardus* within its Asian range, Asiatic cheetah *Acinonyx jubatus venaticus* and Asiatic lion, *Panthera leo persica*) are threatened by the combined effects of poaching and habitat loss (fragmentation and destruction) caused by anthropogenic disturbances;

*Conscious* that three subspecies of *Panthera tigris* have become extinct within the last 50 years;

*Concerned* that, despite actions taken by Range States, which have stemmed the decline of some sub-populations, overall, the population of most sub-species of tiger, *Panthera tigris*, continue to decline in the wild;

*Further concerned* that tiger habitats throughout India, Indochina, and Southeast Asia are now 40 percent less than was estimated in 1995, and 90% less than was estimated at the beginning of the 20<sup>th</sup> century;

*Acknowledging* that, where wild tigers still exist, their habitat often encompasses national borders, such as the Sundabans between India and Bangladesh, between the far east of Russia, north Korea and northeast China, between southern China and Laos, between Cambodia, Vietnam and Laos, between Myanmar and Thailand, between India and Bhutan and between India and Myanmar, but that little is known about their movements across such borders. However, the movement of wild tigers between Nepal and India is well documented in several locations;

*Acknowledging* that tigers and other Asian big cat species depend on contiguous habitat with ample prey species to survive and that at the same time tigers and other Asian big cat species support the integrity of these ecosystems;

*Further acknowledging* that tigers, other Asian big cat species, and the conservation of their habitat are adversely affected by differences between the policies, laws and regulations in adjacent countries;

*Recognizing* that strengthened cooperation between Range States, together with financial support, is expected to contribute to more effective conservation of tigers and other Asian big cat species;

Noting that one Asian big cat species, the snow leopard *Uncia uncia* is listed in Appendix I of CMS;

Further noting that the Central Eurasian Aridland Concerted Action established by the Conference of the Parties at its Ninth Meeting (Rome, 1-5 December 2008) through Recommendation 9.1 includes five Asian big cat species, three, the snow leopard *Uncia uncia*, the Asiatic lion *Panthera leo persica* and the Asiatic cheetah *Acinonyx jubatus venaticus* over their entire range, and two, the tiger *Panthera tigris* and the leopard *Panthera pardus* over substantial parts of their range;

Also noting that all sub-species of *Panthera tigris* and other Asian big cat species have been listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) since 1975 (with the exception of the Asiatic lion and the Amur tiger, *Panthera tigris altaica*, which were included in 1977 and 1987, respectively) prohibiting commercial international trade in the species and their parts and derivatives;

Recalling Resolution Conf. 12.5, adopted by the Conference of the Parties to CITES at its 12<sup>th</sup> meeting, relating to conservation of and trade in tigers and other Asian big cat species listed in Appendix I of CITES;

Further recalling that CITES Resolution Conf. 12.5 states that long-term solutions to the protection, conservation and management of tigers and other Asian big cat species and their habitats require the adoption of bold and innovative actions based on a sound base of information;

Acknowledging the work of the Global Tiger Forum and the actions and reports of members of the Forum in reviewing the threats to the long-term survival of tigers in the wild and the recommended measures to address those threats; and

Commending the positive actions taken by some Range States to address tiger conservation issues and to facilitate cooperation with other Parties, but aware that much more far reaching measures are required;

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

1. Urges Parties and Range States to enhance mutual transboundary cooperation for the conservation and management of tigers and other Asian big cat species throughout the species' range and potential donor countries to provide or increase financial support for conservation of Asian big cat species;
2. Calls upon the Scientific Council to review, in consultation with international conservation bodies, including the IUCN Cat Specialist Group, the conservation and management of tigers and other Asian big cat species and to propose any appropriate actions required to the Conference of the Parties at its Tenth Meeting;
3. Requests the Scientific Council and the Secretariat to ensure that all means that can effectively contribute to an improvement of the conservation status of Asian big cats and to awareness raising on the threats that they face are taken within the framework of the Central Eurasian Aridland Mammals Concerted Action in keeping with the terms of Recommendation 9.1; and
4. Encourages the Secretariat to explore areas for complementing the ongoing efforts of existing international organisations and Conventions for the conservation of tigers and other Asian big cats, and to report to the Scientific Council and COP10.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Recommendation 9.4

Original: English

**STANDARDIZED NOMENCLATURE FOR THE CMS APPENDICES**

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

*Recalling* that with Recommendation 6.1 (Cape Town, 1999) the Conference of the Parties to CMS adopted standard references to be recognized and used as the bases on which the CMS Appendices and amendments thereto, should be prepared;

*Noting* that biological nomenclature is dynamic;

*Acknowledging* that the 14<sup>th</sup> Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (The Hague, June 2007) noted that in order to strengthen the global effort to meet the World Summit on Sustainable Development target of significantly reducing the rate of biodiversity loss by 2010, it would be sensible to try to ensure greater harmonization between biodiversity-related multilateral environmental agreements in the field of taxonomy and nomenclature, considering that biodiversity-related multilateral environmental agreements operate on the basis of some stability in the use of names, notably because implementing legislation which uses these names is often not easily changed;

*Further noting* that the case for such harmonization is made more compelling by the fact that of the 110 CMS Parties, only 4 are not also members of CITES;

*Noting also* that this objective was endorsed at the 2<sup>nd</sup> meeting of Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions (CSAB, Bonn, May 2008) and noted by the 6<sup>th</sup> meeting of the Liaison Group of the Biodiversity-related Conventions (Bonn, May 2008), and was thereby included in the CITES/CMS List of Joint Activities adopted by the 34<sup>th</sup> meeting of the CMS Standing Committee;

*Taking note* of the recommendations of the 15<sup>th</sup> meeting of the CMS Scientific Council (Rome, 27-28 November 2008) concerning revision of the reference nomenclature for terrestrial and aquatic mammalian species listed in CMS Appendices; and

*Noting* that Schedule 1 of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) takes account of the most recent taxonomic information on species of albatrosses and large petrels;

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

1. *Adopts* Perrin W.F., Wursig B. and Thewissen J.G.M. (Editors), (2009), Encyclopaedia of Marine Mammals, Second edition. Academic Press as the standard nomenclatural reference for Marine Mammals as recommended by the 15<sup>th</sup> meeting of the Scientific Council;
2. *Adopts* Wilson, D. E. & Reeder, D. M. (ed.) (2005): Mammal Species of the World. A Taxonomic and Geographic Reference. Third edition, John Hopkins University Press as the standard nomenclatural reference for terrestrial mammals, as recommended by the 14<sup>th</sup> meeting of the Scientific Council;
3. *Requests* the Scientific Council to consider the implications of adopting Dickinson, E.C. (ed.)(2003): The Howard and Moore Complete Checklist of the Birds of the World. Revised and enlarged 3<sup>rd</sup> Edition. London (Christopher Helm) together with the author's Corrigenda 4 (02.06.2005) to Howard & Moore Edition 3 (2003), as the Convention's standard nomenclatural reference for birds at its 16<sup>th</sup> meeting and report to the 10<sup>th</sup> meeting of the Conference of the Parties;
4. *Further requests* the Scientific Council to consider the implications of adopting the taxonomic list approved for inclusion on Annex I of ACAP as the Convention's standard nomenclatural reference for albatrosses and large petrels, and consider other relevant CMS Agreements in the process of harmonization of taxonomic and nomenclatural references;
5. *Requests also* the Secretariat to raise, at the next meeting of the Chairs of the scientific advisory bodies of biodiversity-related conventions (CSAB), the feasibility of establishing a nomenclature and taxonomy panel that could be convened periodically to review the relevant technical literature in order to work towards the harmonization of species nomenclature used by the biodiversity-related convention; and
6. *Instructs* the Secretariat to transmit this Resolution to the CITES Secretariat in order for it to be considered by the scientific bodies of that Convention.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Recommendation 9.5

English  
Original: French

### **COOPERATIVE ACTION FOR THE ELEPHANT (*Loxodonta africana*) IN CENTRAL AFRICA**

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

*Recalling* that Central African populations of *Loxodonta africana* are among the largest in Africa;

*Convinced* of the threat posed to these populations by poaching and accelerated habitat loss;

*Convinced also* that, owing to the predominantly transboundary character of their seasonal movement, these populations would greatly benefit from concerted management, in support of measures outlined by the Central African States through the COMIFAC sub-regional convergence plan; and

*Taking into account* the proposal of the Scientific Council in support of *Loxodonta africana* through Cooperative Action;

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

1. *Requests* the Secretariat to include in its programme of work the development of an appropriate instrument on the conservation of elephants in Central Africa, and to engage in relevant consultations with range states (COMIFAC);
2. *Invites* the Secretariat to establish a working group composed of representatives of Range States and CMS partner organizations on this issue. The Scientific Council will be an additional member of the working group;
3. *Further requests* the Secretariat to review the state of progress of work, both in the Scientific Council and the CMS Standing Committee during the intersessional period; and
4. *Encourages* the stakeholders to ensure a sound coordination amongst the CMS initiatives for this species in this region.