



# Convention on the Conservation of Migratory Species of Wild Animals



## Report of the 15th meeting of the Standing Committee

Bonn, Germany, 23 - 24 January 1997  
(Prepared by the Secretariat)

### Opening remarks

1. The Chairman opened the meeting noting that all members of the Standing Committee, with the exception of the representative of Africa (Niger), who had apparently encountered difficulties related to travel, were expected to attend. The representative of the Americas and the Caribbean was expected to arrive in time for the afternoon session. The Chairman welcomed the observers from Parties not members of the Committee, and noted with appreciation the presence of the German Foreign Office representative. The absence of a representative from UNEP, he had been informed, was due to the coincidence of the UNEP Governing Council meeting. Finally, he expressed gratitude to the German Government for the excellent arrangements for the meeting.

2. The representative of the German Foreign Office, Dr. Ritter von Wagner, confirmed that Germany would continue to support the Secretariat's activities and its presence in Bonn. The Foreign Office would also accommodate CMS meetings in its premises whenever this was requested, as far as possible. He added that Germany would continue to try to promote interest in the Convention from non-Parties, stressing that CMS would be significant only if its membership reflected more of the world. He expected that the Secretariat would benefit from its new location and from contact with other United Nations institutions. He explained that Bonn was becoming an international centre for UN activities, and that the Government was hoping to attract even more, citing the example of the Desertification Convention Secretariat, about which a decision was expected in Autumn 1997. Dr. Wagner also applauded the personal commitment to the Convention of the Co-ordinator, Mr. Müller-Helmbrecht.

3. The Chairman commented that the Convention had developed well in the last few years; adding that the new premises would improve working conditions and allow for planned expansion. He noted the generosity of the German Government, saying that this had far exceeded the ordinary duties of a depositary.

4. The Co-ordinator thanked Dr. Ritter von Wagner for his supportive comments and the offer to accommodate CMS meetings in the Foreign Office premises. He also thanked the Depositary, noting particularly the relevant officers in the Environment Ministry, who had laboured long and hard to secure the Secretariat's move to the new premises. He noted the Secretariat's proximity to the Environment Ministry's own offices, which would facilitate closer co-operation in the future. He apologised for any delay in the production and circulation of the background papers for the meeting, explaining that this had been due to ongoing logistical difficulties following the move.

5. The Deputy Co-ordinator, Mr. Hykle, presented the list of documents that had been prepared for the meeting, almost all of which were available in the three working languages. The Committee accepted a single proposed amendment to the Rules of Procedure of the Committee (Document Inf. 3) – this being the admission of the Chairman of the Scientific Council as an observer to the Standing Committee, reflecting previous agreement on this matter in the Committee. The agenda was then adopted without any amendment.

### Agenda item 3: Secretariat report on intersessional activities

## Recruitment of new Parties

6. The Co-ordinator explained that the recruitment of new Parties to the Convention had continued to be a priority. Rather than presenting a full, oral report he referred the Committee to the CMS Bulletin (Nos. 5 and 6), which described progress in this area. Personal contacts made by him and the Deputy Co-ordinator looked as if they might bear fruit, and interest in acceding had been expressed by a number of countries, especially in central and southern Europe (Slovenia, Bulgaria, Romania, Austria, Liechtenstein and the Ukraine). There was no news from the Baltic States, however informal contacts had suggested that two of the three States could be considering joining. From other regions of the world, there were positive signs from Mongolia, Turkey and some Latin American countries. He welcomed the accession of Togo in 1996, and stated that the instrument of ratification of Chad was awaited, following the adoption in October 1996 of the ratification bill by that country's parliament. Finally, he was optimistic that the Secretariat and the Parties, through their activities, were gradually making the Convention better known as an effective conservation instrument throughout the world.

7. The Chairman was optimistic about the report and stressed that this progress had to be consolidated, particularly in regions less well represented in the Convention's membership, especially in the Americas, Africa and most particularly in Asia. Observer representation from these areas – and from key countries – at the fifth meeting of the Conference of the Parties should be strongly encouraged.

## UNEP/CMS Secretariat staffing situation

8. The Deputy Co-ordinator referred the meeting to the two most recent CMS Bulletins which summarized the current staffing situation. Since the Committee's last meeting in February 1996, the post of Administrative Assistant vacated by Ms. Eva-Maria Tomczak had been filled by Ms. Christine Heuft. A new Associate Programme Officer, Mr. Hubert-Marie Cuvelier, had been employed on a one-year contract, as from August 1996. Further, a consultant, Ms. Hilda Lunscken, had been employed on a six-month basis to perform tasks which would otherwise fall to a permanent Information Officer, in order to assist in preparations for the fifth meeting of the Conference of the Parties. He stressed the importance of filling this post on a permanent basis in the near future. He pointed out that the one secretarial post still unfilled meant that other administrative staff had had to work significant quantities of overtime.

9. The Depositary enquired about the Secretariat's pursuit of the Committee's suggestion that temporary staff be employed on short-term contracts to alleviate the burden of work owing to delays in the recruitment of new staff. The Chairman added that similar problems were experienced by other conventions. CITES had established a working group to consider the issue, and it would be discussed at the following week's UNEP Governing Council meeting, at the behest of concerned Parties. He said that this issue should be raised at the forthcoming CMS conference. The Co-ordinator pointed out that a number of staff were already working under short-term arrangements or had been seconded from Governments, but that even this recruitment was time-consuming and difficult because of the need to find suitable candidates. He added that, once employed, for an initial period new staff tended to create more work than they produced, owing to the complex and detailed nature of the issues with which the Convention and the Secretariat deal.

10. The Depositary also suggested that the Secretariat might pursue a similar devolution of personnel responsibilities as had been achieved by the secretariat of the Framework Convention on Climate Change, in order to streamline the procedures for employing new staff. The Chairman suggested that this may also be achieved by the Biodiversity Convention Secretariat, which was at present in negotiations with UNEP on these matters. The Co-ordinator emphasized that owing to the complex and detailed rules and procedures involved in the UN system, this would require a further professional in the Secretariat, well versed in the UN personnel system. This would perhaps not be justified for a relatively small secretariat such as CMS; however he assumed that the Parties of various conventions might have a common interest to compare the administrative arrangements of the UN Secretariat vis-à-vis the UNFCCC and of UNEP in relation to the CBD Secretariat.

11. Referring to the Depositary's comments, the Deputy Co-ordinator recalled that the Deputy Executive Director of UNEP, present at the last Standing Committee meeting, had said that classification

of professional posts from the levels P1 to P4 – formerly carried out in New York – had been delegated to UNEP in Nairobi, which would cut down the length of time needed for such procedures. He noted as well that when the Executive Director visited the Secretariat in August 1996, she had expressed support for the Secretariat’s proposal that appointment committees, which had to be established for the recruitment of professional staff, might be convened in Bonn - to take advantage of the presence of the other UN bodies, rather than forming such committees in Geneva as had formerly been the case. Putting this perennial discussion about recruitment into context, he pointed out that there had been an improvement in UNEP’s personnel services over the past year, and that there was some room for optimism.

12. The Chairman explained that he had been invited to the high-level segment of the UNEP Governing Council meeting. Owing to other commitments he would be unable to attend, but this was a further sign of UNEP’s commitment to increased dialogue and collaboration with the conventions it administered. The Committee agreed to his proposal, to be included in his letter declining the invitation, to express the Committee’s view that the CMS Secretariat’s interests in personnel and financial management might be better served by closer linkages with the UN bodies in Bonn. He would also monitor the progress in the development of similar arrangements in these matters between the CBD Secretariat and UNEP. The Depositary added that the situation should remain under review and the application of arrangements for the CBD Secretariat should be considered if these allowed more flexibility and speedier procedures.

#### Relocation of the Secretariat within Bonn

13. The Co-ordinator summarised the events of the previous year which had led to the Secretariat’s move to the new premises. Owing to the absence of a formal Headquarters Agreement at the time of the move, the Secretariat had been invited to move by the German Government on the basis of a letter of intent. He added that, notwithstanding the absence of an agreement putting the CMS Secretariat on an equal footing with the other UN agencies in Bonn, the Secretariat felt comfortable in its new offices, and he applauded the difficult work which the Environment Ministry had carried out to effect the move. The representative of Europe (Netherlands) echoed the Co-ordinator’s comments about the quality of the new premises and added his thanks to the German Government for its support.

14. The representative of the Depositary explained that the move had also been an opportunity to replace the Secretariat’s furniture and some of its office equipment at the expense of the German Government. In addition, a new Headquarters Agreement was being negotiated for the Secretariat’s tenure and conditions in the new premises. He explained that, although he felt there was no problem with the existing Agreement, and many of its provisions would still apply, the occasion of the Secretariat’s move into premises shared with other UN organisations was an opportunity to update and review the status of the existing arrangements. He added that the Headquarter’s Agreement required close scrutiny by a number of Ministries, but that he hoped the Agreement would be finalised very shortly.

#### Update on CMS Agreements

##### *ACCOBAMS*

15. The Deputy Co-ordinator reported on the very positive progress that had been achieved on this Agreement, which had been concluded in Monaco in November 1996 after five years of development. A very solid Agreement, he considered its provisions to be an improvement on those of ASCOBANS. Eleven governments had already signed the Agreement at a ceremony at the conclusion of the negotiation session. Some of these signatures were subject to internal ratification, but he was confident that the Agreement would come into force during the current year. This would require 7 members: two from the Black Sea region, and 5 from the Mediterranean.

##### *Siberian Crane Memorandum of Understanding*

16. Progress on this initiative had also been very rewarding. A second workshop of experts – held in Bharatpur, India, in November 1996 – had led to 7 of the 9 Range States now being signatories; several of these were not CMS Parties. A comprehensive Conservation Plan had been agreed, containing more detailed terms than the general plan agreed at the first workshop held in Moscow in May 1995.

#### *African-Eurasian Waterbird Agreement (AEWA)*

17. The representative of Europe reported that Sudan had recently signed the Agreement, which now had attained a total of six signatures and one ratification; Finland was also about to sign. The Interim Secretariat had produced one newsletter, distributed to all Range States, and a second one was in progress. He announced the publication of the Agreement's first background document – an African and Western Eurasian Flyway Atlas for Anatidae. The Netherlands Government had just approved a budget of 100,000 Dutch Guilders to compile data on all the birds covered by the Agreement. Copies of the flyway atlas were made available to the Standing Committee members, and two copies would be sent to the focal points of each the approximately 120 Range States.

18. The Co-ordinator added that the work of the Agreement secretariat was already showing encouraging results. Concentration on international activities related to migratory species, if it continued in the same way, could provide a good paradigm for other regions of the world. AEWA was the flagship of CMS Agreements, bringing together Africa, Europe, the Middle East and Asia. He added that when Parties take the lead in the development and implementation of Agreements much more can be achieved, as the Netherlands had demonstrated. He applauded that Government's provision of funding for projects, urging other countries to follow its excellent example.

#### *EUROBATS*

19. The Executive Secretary of the European Bats Agreement, Mr. Eric Blencowe, explained the progress on the Agreement since the Standing Committee's last meeting. Poland had ratified the Agreement, making a total of 13 Parties. There were positive signs about joining from Lithuania, Latvia, Ukraine, and the Russian Federation. The Advisory Committee met for the first time in April 1996. The Secretariat had facilitated the attendance of a number of observers from Central and East European Range States, and this would be repeated at the second meeting the following week in Kraków, Poland. In dealing with the programme of work adopted by the Meeting of the Parties in 1995, the Committee had carried out a number of critical analyses of methodologies of surveying bats, and of the migratory behaviour of representative species. The Executive Secretary added that the special relationship which he enjoyed working part-time for the CMS Secretariat had proved useful for both secretariats, and gave further credence to the concept of integrating the secretariats of European-based Agreements in that of the parent Convention.

#### *ASCOBANS*

20. The Co-ordinator reported that the previous year had been difficult, owing to the resignation, in close succession, of two executive secretaries. He expected that the situation would improve now that a new Secretary, Ms. Jette Jensen, had been appointed.

#### *Slender-billed curlew*

21. The Co-ordinator reported that there had been little progress on this MoU over the past year. However, the Secretariat had provided a comprehensive status report on the species, which had generally been welcomed by the Range States. Moreover, the Secretariat was collaborating with the Belgian Royal Institute for Natural Science in drawing up a comprehensive plan of action, and it was planning to hold a meeting of experts from key Range States in the third trimester of 1997, for which funding would need to be identified.

#### *Houbara bustard*

22. The Co-ordinator explained that Saudi Arabia had taken the lead on this Agreement, and had circulated a draft text through diplomatic channels. Unfortunately, owing to other priorities it had not yet been possible to circulate this under CMS letterhead, as well, to key focal points in environment ministries. The Secretariat would however carry this out as a priority after the Standing Committee meeting.

#### *Great bustard*

23. The Co-ordinator reported some progress on this initiative, with a proposal from Hungary being examined from a legally and technical standpoint, but there was much room for further progress. It was unlikely to be in a complete state before the meeting of the Conference of the Parties in April.

24. The Co-ordinator concluded his remarks on the review of Agreements by calling on Parties to advertise their development to non-Party neighbours, and also to capture the attention of international NGOs, such as WWF-International and IUCN. He added that he hoped the Pan-European Landscape and Biodiversity Strategy, administered at present by the Council of Europe, would provide a vehicle for implementing European-based Agreements. Were this to succeed, more secretariat time and resources could be devoted to the conclusion of Agreements in other regions of the world. To this end, he had sent a list of European-based projects to the Council of Europe. The Chairman remarked that the overall progress on Agreements was very satisfactory, and commented that he hoped to see more developments on marine reptiles and large land mammals.

#### Consultancies to promote the conservation of migratory species

25. The Deputy Co-ordinator reported on the activities which the Secretariat had helped to co-ordinate under the umbrella of the USD500,000 set aside by the Conference of the Parties, noting that the geographic scope of the list would go a long way to dispel the myth that CMS was confined to Europe. In 1996, the Secretariat had funded a study on cetacean distribution in Malaysian and Philippine waters; a comprehensive report had now been received and would be distributed in due course. In January 1997, CMS had sponsored a sea turtle workshop in Bhubaneswar, India, attracting participants from Range States of the Northern Indian Ocean. Dr. Colin Limpus (one of the appointed experts on the Scientific Council) had attended and provided a very well-received series of training lectures. This was among the first of several activities to be carried in conjunction with the IUCN Species Survival Commission's Marine Turtle Specialist Group. Some of this work had been delayed, and the Deputy Co-ordinator hoped to see more progress in the following months.

26. Activities for the conservation of Ruddy-headed geese in Chile and Argentina had been promoted by the Secretariat's Technical Officer, Mr. Pablo Canevari, as had a workshop on CMS and migratory species organized in Valdivia, Chile, in December 1996. Future activities to be carried out under the CMS banner included an action plan on Sahelo-Saharan ungulates being drafted by the Belgian Royal Institute for Natural Science, as well as a related workshop which would probably take place in late 1997. In addition, there was a project proposal for cetaceans off the coast of West Africa, and a further modest proposal for a dolphin workshop in Latin America, both of which provided another way of introducing the Convention to poorly represented areas of the world.

27. The representative of Europe endorsed the list and the uses of the USD500,000 adding that such a range of activities, carried out through external consultancies, would be a good approach to pursue in the future. The Chairman concluded the item by commenting that the Conference of the Parties would need to consider how to consolidate some of these activities in the development of further Agreements and MoUs.

#### CMS linkages with other relevant Conventions and non-governmental organisations

28. The Co-ordinator explained that this had been a priority. Progress included the development and conclusion of a MoU with the Secretariat of the Convention on Biological Diversity (CBD). A similar Memorandum of Co-operation was under negotiation with the Secretariat of the Ramsar Convention, but had not been progressed since October 1995. This accord was important for the implementation of the AEWAs because of some overlap of responsibilities. He would pursue the matter with the Ramsar Bureau in mid-February while in Gland on other business. Discussions with the Bern Convention secretariat had taken place during the previous year, and these would be resumed in 1997. The Co-ordinator reported that progress under the Programme on the Conservation of Arctic Fauna and Flora (CAFF) was very similar to that under CMS, and it was interesting that very few of CAFF's Parties were also members of CMS. He identified a need both to co-operate with CAFF on activities and to encourage its Parties to join CMS. The Co-ordinator reported that, owing to a lack of capacity, there had been not been much of a liaison between CMS and UNEP programme activities.

29. The Co-ordinator had attended the third meeting of the CBD Conference of the Parties (Buenos Aires, November 1996) and had tried, under the umbrella of the CMS-CBD Memorandum of Understanding, to identify complementary activities so that measures under CMS and its Agreements might be funded under the Global Environment Facility (GEF). The Conference subsequently agreed a decision inviting the CMS Scientific Council to liaise with its scientific counterpart in CBD, and inviting Parties to relevant biodiversity conventions to pursue the possibility of GEF funding. A memorandum of understanding between CBD and GEF adopted at that meeting clearly accepted the CBD Conference of the Parties as the guiding organisation for GEF funding priorities and criteria.

30. With respect to linkages with NGOs and IGOs, the Co-ordinator reported the conclusion of a MoU between CMS and the IUCN Environmental Law Centre (IUCN/ELC). This had been achieved with the endorsement of the Standing Committee. The benefits were already being realised, in the form of very satisfactory legal support in the drafting of ACCOBAMS. The IUCN/ELC had also produced draft Guidelines for the harmonisation of future Agreements, to be discussed under a later agenda item. There had been little contact with Wetlands International, but a meeting with its Director would be held in February 1997 to discuss the development of a memorandum on future co-operation on AEWAs and other matters. The co-operation of CMS had also been sought in the so-called Brisbane Initiative: further linkages would be pursued in the future.

31. The Chairman was satisfied with these developments, but expressed his disappointment about the slow movement of negotiations with the Ramsar Convention: he hoped to have a memorandum in place before the CMS conference in April. The Committee agreed that the Chairman should approach the Ramsar Bureau himself to try to urge progress. The Chairman concluded his remarks by saying that he hoped the present problems with GEF inaccessibility – worsened by the fact that only individual countries could approach GEF with proposals – would improve in the future, so as to allow groups of countries to seek GEF funds where proposals affected migratory species.

#### **Agenda item 4: Correction of the official texts of the Convention**

32. The representative of the Depositary reported that the Chinese and Arabic Convention texts (which it had planned, in February 1996, to send to the United Nations, along with the Russian text, by the time of this meeting) would only be circulated to Governments for comment the following week. The final Chinese and Arabic texts would be sent to the United Nations immediately upon the conclusion of these consultations; and the Russian text would be prepared during the year. The Depositary now hoped to have all three texts available by the end of 1997.

33. The representative of Asia (Saudi Arabia), Mr. Hany Tatwani, expressed satisfaction that the official Arabic text would soon be ready, since the delay in its production had prevented much more publicity work from being done. Its availability would have great advantages for CMS promotional activities in the region.

#### **Agenda item 5: Standing Committee promotion of CMS, including Agreements**

## Oceania

34. The Chairman reported that much of his activity had centred on New Zealand, important to CMS because of its traditionally strong links with Pacific island-States and its strong activity in other international environmental agreements. There was support from both the Foreign Office and the Department of Conservation, but the latter would have to pay the CMS contribution, and it had little funds. He hoped that progress on an albatross Agreement, to which New Zealand would be a major party, might bring the country closer to CMS membership. He had also had contact with Papua New Guinea, but the country was poor and the question of membership was of low priority.

## Europe

35. The representative of Europe reported better progress with Western Europe than with Central and Eastern Europe. At a meeting of the eight CAFF countries in September 1996 – reported earlier – Dr. Boere represented both the Netherlands and the CMS Secretariat. He said a discussion document would be prepared for the next meeting (September 1997 in Greenland), which would consider ways of conserving species outside the area covered by CAFF. The Netherlands would prepare this with the assistance of IUCN/ELC. The Netherlands, in addition to its European activities, was developing a proposal to try to achieve greater membership in Africa, and had designated a senior counsellor for West Africa to promote *inter alia* CMS and AEWA. In addition, he had had contact with the Russian Federation, but with no results. The Netherlands was preparing a report on Russian waterbirds, which he hoped would help to encourage that country to join. He had been informed that Ukraine would be ready to accede once that country had completed similar procedures for CITES and the Bern Convention.

## North America

36. The Chairman reported that he had spoken to the Canadian Environment Minister at the IUCN Conference in October 1996. The Minister had been uninformed about CMS, but promised to look into the matter; there were no further developments to report.

## Asia

37. The representative of Asia reported the discussion of the Gulf Co-operation Council (GCC) on its observer participation at the forthcoming COP, and efforts to propagate CMS to other GCC States. He added that the GCC Secretariat had responded very well, and would carry the tasks out. There had been high-level talks with a number of Gulf countries, including Syria and Jordan, and also discussions about the Houbara bustard initiative (for which most of the Range States are not CMS Parties). There were also moves to initiate an Agreement on ungulates in the Arabian peninsula, which would involve all the countries neighbouring Saudi Arabia. Once the proposal had been adopted in Saudi Arabia, he would try to generate interest in the other Range States.

## Americas

38. The representative of the Americas and the Caribbean (Panama), Mr. Erasmo Vallester, said that Panama had made representations to Venezuela, Guatemala and El Salvador at the last CITES conference. Their agreement to examine possible CMS membership has so far not produced any visible results. He admitted that representation in the Americas was at best thin, but pointed to encouraging signs with the initiative of Central American presidents for an Alliance on Sustainable Development. This would be a comprehensive initiative containing economic, social, political and environmental measures. They had begun a Central American corridor proposal, which aimed at inter-regional projects for sustainable development. Panama was also President of the Central American Commission for Development and Environment, and therefore had some influence with its neighbours. It would use this to continue to encourage them to join CMS.

## Depositary

39. The representative of the Depository reported actions taken by Germany to support CMS abroad. These were also linked to other activities, for example the protection of biodiversity in the Russian Federation, which had been a priority activity for Germany. He reported that the German Environment Minister had visited Brazil in 1996 and, since then, a copy of the draft country profile on Brazil prepared for CMS by the World Conservation Monitoring Centre had been sent via diplomatic channels. The Minister would visit the United States in April 1997, and would underscore the work carried out by bodies like CMS. The German Environment Ministry intended to finance a global database on migratory species. It would serve as a part of the Biodiversity Conservation Information Database under the CBD, which otherwise does not address migratory species. He hoped this would lead to the development of further Agreements.

40. The Co-ordinator urged Standing Committee members to press non-Parties attending the forthcoming UNEP Governing Council meeting to accede to CMS. He explained that there was a decision to this effect agreed at each meeting, but this had been successively ignored by most of the signatories. He added that this pressure should be brought to bear at other related meetings as well, such as a large meeting of the Commission on Sustainable Development in April 1997 and the special session of the UN General Assembly in June. He also urged Parties to continue to encourage their non-Party neighbours to join the Convention, and offered copies of overheads prepared by the Secretariat for use by Committee members in their CMS promotional activities.

### **Agenda item 6: Review of current status of contributions to the CMS Trust Fund, CMS budget and resources**

41. The Deputy Co-ordinator introduced Document 6, and reported that approximately half of the Parties had paid their contributions in full. Italy, which had the largest amount outstanding, had now paid its arrears for all years except one. He reported that Hungary, Israel and Benin had taken advantage of an amnesty for outstanding contributions under the terms of an offer which had expired on 31 December 1996. Overall, he considered that 90% of total amount outstanding could be considered as collectable. He estimated that the removal of USD900,000 from the Trust Fund by COP4 in 1994 in order to lower contributions and to fund project work totalling USD500,000 could not be repeated, given the current status of the Trust Fund. Responding to a question from the representative of Europe, he stated that most of the USD500,000 would be allocated by the end of the current triennium. Although some of the activities which it was financing might continue into 1998, no new activities could be sponsored from the funds available. The Chairman indicated that the Australian contribution had in fact been paid in May 1996, whereas this was not reflected in the table. The Deputy Co-ordinator suggested that the apparent delay in processing the contribution might be a result of a change in the account into which CMS contributions are paid in New York. UNEP would be asked to investigate.

### **Agenda item 7: Co-location of Agreement secretariats**

42. The Deputy Co-ordinator introduced Document 7, explaining the background to this issue. A Working Group had been established under the Standing Committee to consider models for the co-location of Agreement secretariats with the UNEP/CMS Secretariat. This had been chaired by Germany; the other two members were the Netherlands and the United Kingdom. The Group had met last in October 1996 to discuss outstanding points relating to the model which they had agreed was the best, i.e. full integration with the parent secretariat. He noted that the model envisaged that the services of an Administrative Officer and a Finance Assistant would be shared between the CMS Secretariat and the Agreements Unit.

43. The observer from the United Kingdom reported that, at the last Advisory Committee meeting to ASCOBANS in Copenhagen (Autumn 1996), the Committee saw advantages in maintaining the Secretariat's scientific link with the Sea Mammals Research Unit (SMRU) in Cambridge, and favoured the secretariat's staying there. He added that the Committee recognised the advantages of being co-located with others in Bonn, but felt that the advantages of being at SMRU outweighed these. The United Kingdom had changed its view owing to informal contacts with other countries and contact with

the ASCOBANS secretariat. They would be meeting the secretariat in the next two weeks, where the matter would be raised again.

44. The Co-ordinator reminded the Committee of Resolution 4.4 (Nairobi, 1994) and the strategic approach which the Conference of the Parties had agreed on this issue. He said that the United Kingdom would be jeopardising this approach if it were to withhold support for the secretariat's move to Bonn. The representative of the Depositary stated that Germany was committed to the model and the principle of co-location of the secretariats, for logistical and financial reasons. The Deputy Co-ordinator advised that the ACCOBAMS secretariat would, subject to confirmation of the CMS Conference of the Parties, be located in Bonn with the CMS Secretariat. This would make sense only if ASCOBANS were also there.

45. The Chairman endorsed the comments of the Depositary, adding that the proposal had a long history. He recognised that Agreements were responsible for their own activities, but suggested they should re-examine the arguments in favour of joining the Agreements Unit. He concluded his comments on the matter by proposing that the observer from the United Kingdom report the reaction of the Standing Committee on his return.

46. On a further point, the Chairman sought clarification on the proposal of the Working Group to limit the secretariat posts to persons from Contracting Parties to an Agreement. He recognised that this would normally be the case, but felt that secretariats could lose the opportunity of obtaining the best person for the job by imposing such a restriction. He therefore found this a difficult principle to support. The Committee accepted the Chairman's view, and agreed that the proposal would be amended to say that advertisements for such posts would "normally" be limited to the Contracting Parties of the respective Agreement. The Committee then adopted the document, as amended, for submission as a Standing Committee paper to the fifth meeting of the Conference of the Parties.

## **Agenda item 8: Arrangements for the fifth meeting of the Conference of the Parties (COP5) and associated meetings**

### Logistical arrangements

47. The Co-ordinator introduced Document 8.1, reporting that pre-registrations from 41 countries had been received for COP5 so far, of which 21 were from CMS Parties. He advised that hotel bookings had to be made by 28 February at the latest, given an extreme shortage of rooms in Geneva. He did not consider that funding of the delegates would be a problem.

48. He outlined the timetable for the meetings: Scientific Council on 7 April and 8 April (morning only); Standing Committee meeting on 9 April (half day); COP5 on 10, 11, 14, 15 and 16 April; 12 April could be used for working group meetings, and 13 April was reserved for the symposium on animal migration. With regard to the latter, the Secretariat's Technical Officer explained that the IUCN Species Survival Commission (SSC) had presented some budgetary difficulties by proposing to charge CMS Sfr 13,000 for its work time. He noted that time was now getting short for the organisation of the event. The Co-ordinator added his own remarks about the background to the organisation of the symposium, which had been subject to numerous delays from the side of IUCN. The SSC had now submitted an estimate totalling Sfr 34,408 for the day-long event, a figure which – although much lower than its original quote – still appeared excessive.

49. The Chairman felt that, if the arrangements could not be tied down soon, the symposium should be cancelled, in favour of working group meetings or other activities. The representatives of Europe and Asia both pleaded in favour of trying to retain the symposium in the programme, not only because of its interest value, but also because of the attention it could bring to the Convention.

50. The Chairman agreed to approach the Director-General of IUCN, in order to seek his assistance to expedite the arrangements for the symposium. The representative of Europe offered to consult with the Secretariat on a bilateral basis to examine possible alternative arrangements. The Committee agreed that these approaches should be tried, but that if no progress was apparent by 7 February, the symposium

should be dropped from the programme altogether.

51. The observer from the United Kingdom commented that the BBC Television service was willing to make available a recent series, entitled "Incredible Journeys" – a popular and visually attractive set of six programmes about the migratory journeys of a number of species. These could be shown either on successive days of the conference or in bulk at the weekend. A spokesman from the BBC would also be prepared to attend to give the background to the programmes. The Committee was happy with the United Kingdom's proposal, so long as it would take on the logistical arrangements for this itself. Meanwhile, the Chairman would try to seek support from the Swiss Government to hold a public event during the week of COP5, perhaps featuring one or two of the films.

#### Budget proposal for the triennium 1998-2000

52. The Deputy Co-ordinator introduced Document 8.2, setting out the Secretariat's budget proposal for the subsequent three years. He indicated that the Secretariat would be unable to circulate this within the 90-day deadline before the conference, as was supposed to occur, owing to the requirement that the Standing Committee should first consider it. It would, however, be circulated to Parties as soon as possible thereafter. He explained that the budget as drafted represented about a 10% increase on the previous triennium in real terms, taking into account inflation and differences in exchange rates. He pointed out, as well, that the contributions of Parties had been artificially reduced at the previous conference, and that this had to be taken into account when comparing the level of Party contributions from one triennium to the next.

53. The representative of the Depositary explained that he had calculated the figures differently, and his conclusions were that the Secretariat's budget represented significantly higher percentage increases. He suggested that, in a general climate of cuts to UN budgets, CMS should try to keep in line with this trend and agree a budget of reasonable proportions. The representative of the Americas and the Caribbean pointed out that some contributions were not being paid at the moment. An increase in the budget was thus difficult to justify or support.

54. The Chairman echoed the reaction of the Depositary, and added that Australia could not accept an increase in excess of 3%. He proposed that the Secretariat prepare a range of options, comprising a 3% increase, and 8% increase and a 10% increase, and include an impact assessment by relating each draft to the corresponding programme of activities for which these increases would pay. He pointed out that the danger lay in not relating the budget to the programme of activities – as had occurred with the Convention on Biological Diversity – where an unrealistic level of service was expected from an underfunded budget. He went on to suggest that the consideration of the budget should be an early item on the COP5 agenda, because of its effect on the subsequent agenda items.

55. The matter was further discussed on the second day of the meeting, and the Secretariat was advised to prepare either a draft budget that provided for only a modest increase in percentage terms, or a series of options ranging from an increase that represented the rate of inflation to a budget similar to the one that had been tabled. The representative of Europe suggested it would be helpful to include not only detailed annotations on the figures relating to the services to be provided, and which of these would be cut and by how much under the respective drafts, but also an estimate of staff time spent on each service. This latter inclusion would allow the Parties to consider the possibility of providing some services themselves, perhaps at a cheaper cost.

56. The Co-ordinator appealed to the Committee to reflect on this issue, and pointed out that the survival of the Convention was still at stake. He recalled that the budget agreed by the Conference of the Parties in 1994 had provided for only a modest increase in Secretariat staff, after many years of no growth, and that the present budget sought only to consolidate those positions.

#### Proposals for other Conference resolutions/recommendations

57. The Co-ordinator introduced Document 8.3, which contained proposals for a number of draft resolutions for possible consideration by the Conference of the Parties. The first related to the co-location of Agreement secretariats; the second, he suggested, might endorse the new location of the Secretariat. The Chairman agreed that these would be useful, and proposed that the Netherlands and the Depositary draft a single resolution on co-location of secretariats, with an endorsement of the new location included in the preamble.

58. The Co-ordinator suggested another resolution, a revision of the Action Points of the Resolution 4.4 pertaining to the CMS Strategy, and this would be considered under Agenda Item 9.d of the present meeting.

59. A further resolution was proposed to deal with the interpretation of certain terms used in the Convention. These were “endangered”, “incidental taking”, “conservation and management”, and “migratory”. The Chairman said preparation for this fell more to biologists, and the Scientific Council should be asked to prepare a resolution on this matter at the instruction of the Standing Committee. The representative of the Depositary preferred these matters to be prepared by lawyers, with reference to biologists for the definitions themselves. The first two terms had, in fact, been considered by the Scientific Council already, and a proposal would be put before the Conference of the Parties for careful scrutiny by all interested parties.

60. The Co-ordinator considered that a resolution on the date and venue of the next COP meeting, normally a routine matter, took on added significance owing to the proximity of the 20th anniversary of the Convention. He suggested that a separate recommendation concerning that anniversary would give impetus to activities demonstrating the Convention as a dynamic and successful organisation.

#### Proposals for amendments to the CMS Appendices

61. The Deputy Co-ordinator reported that the Secretariat had received amendment proposals from 9 Parties, covering 41 species and 20 families. There were 22 proposals for Appendix I listing, and 22 for Appendix II: three of the proposals related to listing in both Appendices. Many of the proposals were from Spanish-speaking countries: they all had to be translated into English and then into French, which involved a significant amount of work and expense. He suggested that, in future, the Conference of the Parties might consider reducing costs by requesting the Secretariat to translate amendment proposals only into languages of countries which were directly concerned (since, for example, many of the proposals from Latin America did not pertain to any Francophone or Anglophone Range States).

62. The Chairman was uneasy about such a suggestion since delegates might refuse to vote on a proposal if it were not provided in their own language. The representative of the Depositary considered the proposal reasonable, but added that it should be decided by the Conference as a body. It was therefore agreed that for COP5, all proposals would be translated into the three working languages (English, French and Spanish).

### **Agenda item 9: Standing Committee programme to be completed before COP5**

#### Target list of non-Party States

63. The Deputy Co-ordinator introduced Document 9.1, which concerned the preparation of profiles of countries that were targeted for special recruitment efforts. He regretted that WCMC had taken so long to complete the task, but recognised that this had been due in part to the detailed nature of the profiles. He was happy to add that all 18 profiles were now with the Secretariat. He reported that the reaction of Turkey’s Environment Ministry to the draft profile prepared for that country had been very positive. One had also been sent to Brazil, however there had not yet been any reaction. For the remainder, the Secretariat would have to undertake an editorial review before circulating them. This scrutiny would also apply to the maps which accompanied the profiles. The Chairman expressed doubts about the usefulness of some of the maps. The Deputy Co-ordinator explained that the significantly

inflated cost for providing more detailed maps particularly for the migratory bird species - was difficult to justify; this would be up to the Standing Committee to decide.

64. The representative of Europe requested an early copy of the profile for the Russian Federation, owing to the preparation by his Ministry of an assessment of the implications of that country's accession to AEWA and CMS. The Deputy Co-ordinator said this would be given priority in the review, along with Malaysia's, which shared a similar urgency.

65. The Deputy Co-ordinator suggested that the profiles might be published as a single volume after COP5 in order to get the most out of the investment that had been made. The Chairman agreed this would be a good idea, but stressed that, although the reports could be used after a Secretariat review in face-to-face negotiations with the countries, any publication would have to be subject to the Standing Committee's scrutiny. The representative of the Americas and the Caribbean agreed that discussion with the countries themselves, followed by reconsideration by the Standing Committee, was the best way forward.

#### Guidelines on the harmonisation of Agreements

66. The Co-ordinator briefly introduced Document 9b, noting that he was satisfied with the final draft document that had been prepared by IUCN Environmental Law Centre. After a discussion on how to proceed, the Standing Committee advised the Secretariat as follows: the draft should be translated into French and Spanish, distributed to all CMS Focal Points for comment, reviewed on the basis of the comments received, and submitted to the Conference of the Parties in April.

#### Amendment of rules of procedure of the COP

67. The Secretariat's Special Projects Officer, Mr Eric Blencowe, introduced Document 9.3, and recalled that, during the previous Committee meeting, some concern had been expressed about the provision which called for the removal of voting rights of Parties which were three or more years behind in paying their contributions. He went on to say that this proposal had been explicitly included in Resolution 4.4 from COP4. On looking into the matter further, he could report that, although CITES had no such provision, the financial regulations of the International Whaling Commission (IWC) included a comparable stipulation. The Deputy Co-ordinator added that the rule, as written, would affect the voting rights of 11 Parties (10 from Africa and one from South America) currently in arrears.

68. The Chairman found the new rules of procedure very satisfactory, although he preferred replacing some of the gender-neutral terms in favour of "they" and "their" in the English versions. The representative of Europe suggested the rules be considered at the outset of COP5, since they were essential to the smooth running of the conference. The Chairman predicted that the rules would probably be accepted for COP6, but that the provision concerning loss of voting rights would likely not be implemented at COP5, owing to insufficient time to act upon the spirit of the rule.

69. The representative of the Americas and the Caribbean considered that there were obligations and rights involved in attendance at COP, and was unsure if the document would be approved in its present form. He pointed out that there were many Parties that had failed to pay their contributions, and the rules should be flexible enough to allow for this. The Co-ordinator added that the issue should be seen in the context of trying to attract new Parties, many of which might be discouraged by the inclusion of such a provision.

#### Revision/update of the *Strategy for the Future Development of the Convention*

70. The Co-ordinator introduced Document 9.4, and explained that the Secretariat had been unable to update the Strategy, as had been foreseen, since it required a major review. The Secretariat was instead developing a more focussed document; and the paper before the Committee reflected the current state of advancement. They would welcome comments from the Committee on whether the direction in which they were proceeding was the best way forward. The Deputy Co-ordinator added that there may be more action points to be included, and that the Secretariat would also be preparing a triennial report

of activities for the COP; when read together, these documents would be similar in content to the Strategy.

71. The Chairman, agreeing with a suggestion from the representative of the Depositary, agreed that the Committee should make their comments (on the available English version) in writing to the Secretariat over the following three weeks. The Secretariat should then continue to prepare the document for COP5, taking account of the Committee's comments. He emphasised that the document could not be presented as having come from the Standing Committee in the absence of a review of the final version. The representative of Europe regretted that it had not been possible to update the Strategy before now, and expressed the hope that this would be reflected in a covering note on the document, together with a commitment to effect such an update before COP6. The Chairman endorsed the general approach of the Secretariat, adding that the Conference of the Parties would have to decide further action.

72. The Co-ordinator drew the attention of the Committee to Action Point 1, concerning the integration of reports on the Convention and its Agreements with those required under the Convention on Biological Diversity, in order to avoid duplication of effort. This task would have to be carried out under a consultancy, however, because the Secretariat had no time and limited experience to draw on for such an issue. The Chairman agreed that this should be considered by COP5: there was certainly value in submitting a single report on activities in the realms of all international environmental agreements. It would also help CMS raise its profile, by being seen more widely and put into context with other international instruments.

73. The Co-ordinator also referred to Action Point 12, relating to the review of Party reports by third organisations. Different opinions within the Committee were expressed on this question; the majority tending to agreed with the proposal that had been put forward.

#### **Agenda item 10: Matters of the Scientific Council relating to the work of the Standing Committee**

74. The Co-ordinator reported that the Chairman of the Scientific Council, Dr. Devillers, was unable to attend the meeting. In his absence, the Secretariat's Technical Officer explained that the Scientific Council had decided to review the CMS Appendices in two phases: first those taxa which had previously been dealt with in some form under the Convention, and then those taxa which had not yet been considered by CMS. The Chairman of the Scientific Council had been in contact with WCMC in order to seek their assistance in reviewing Appendix I, and the first phase should begin shortly, under a contract with that organisation.

75. As had been stated during the sixth meeting of the Scientific Council, Dr. Devillers considered that concerted actions (e.g. catalytic support to well-designed projects) and the organisation of focussed workshops, in particular for Appendix I species, were among the best ways of demonstrating the effectiveness of the Convention and to attract new Parties. Various activities had been developed in co-operation with the concerned Parties and/or Scientific Councillors. Projects and other activities concerning Sahelo-Saharan mammals, Houbara bustard, Ruddy-headed goose, Siberian crane, albatrosses, cetaceans, Slender-billed curlew, sea turtles and neotropical species were under way, under review or had been completed. (See also paragraph 25, above.)

#### **Agenda item 11: Date and venue of the next meeting of the Standing Committee**

76. The Chairman indicated that it had already been foreseen that the next meeting of the Committee would take place on 9 April, at a time to be communicated by the Secretariat. If the meeting were to cover the lunch hour, he would ask the Secretariat to arrange for a light lunch so as to maximize the use of time.

#### **Agenda item 12: Miscellaneous**

## Guidelines for acceptance of financial contributions

77. The Co-ordinator introduced the guidelines contained in Document 11. The representative of Europe asked whether voluntary contributions would be subject to the 13% administration charge levied by UNEP. He also questioned some of the terms in the rules. The Chairman clarified that they were meant only as guidelines, and that the Standing Committee would review each application in any event.

78. The Co-ordinator explained that, in his opinion, additional voluntary financial contributions would be subject to the 13% administration levy, and that there was no way around this. There had been a lengthy discussion between the Convention secretariats and UNEP, which had promised to raise the question with the UN Secretary General. However, no definite response had been received so far. The representative of the Depositary confirmed the Co-ordinator's view, and said that for this reason he could not support the establishment of a separate and parallel Trust Fund, which had been suggested by the Chairman. The Depositary also suggested that, for consistency, the word "voluntary" should appear in para.4.2 and para.4.4 in the same way as it did in para.4.1.

79. The Chairman stated the guidelines were for the Committee to decide, rather than the Conference of the Parties, although the COP should be asked to endorse the Committee's decision. The Committee then approved the document as amended.

## Role of NGOs in CMS

80. The Co-ordinator had reported earlier the successful outcome of negotiations on the MoU with IUCN/ELC. He added that Wetlands International would be a key organisation in the future design and implementation of projects related to AEWA. The International Crane Foundation was playing a central role in the Siberian Crane MoU. He hoped that, at least for the Slender-billed curlew, the assistance of BirdLife International could be called upon. There had been co-operation with the IUCN/SSC in the holding of a workshop on Houbara bustard in Oman in January 1996. The international NGO meeting foreseen by COP4 had not been possible, but the Secretariat would address this again after COP5. He expressed concern at the lack of interest in CMS from WWF-International and IUCN, in contrast to that shown for the Convention on Biological Diversity and other instruments. He hoped that, at the next IUCN World Conservation Congress, CMS Parties would encourage these two NGOs to assist CMS activities.

## **Agenda item 13: Any other business**

81. The Co-ordinator suggested that an open-ended working group be convened to consider and develop ideas for the 20th anniversary of CMS in 1999. The Chairman approved this idea, and suggested that the Standing Committee, including the Committee members newly elected at COP5, would be in a position to delegate the task to a smaller body. He suggested this might be chaired by the United Kingdom.

82. The representative of Europe had had informal contacts with the Secretariat on this issue, and suggested that the coincidence of the first Meeting of the Parties to AEWA and the 20th anniversary of CMS could give an impetus to some good celebrations. AEWA's first Meeting of the Parties would be afforded wide publicity in the Netherlands.

## **Closure of the meeting**

83. There being no further business, the Chairman thanked the host Government for its hospitality and the excellent arrangements for the meeting, including the interpretation which had greatly facilitated discussions at the meeting. He thanked all the participants and the Secretariat for their valuable contributions and support, and closed the meeting at 12.10 p.m.

**15th Meeting of the CMS Standing Committee  
Bonn, Germany, 23 - 24 January 1997**

LIST OF PARTICIPANTS

**Chair:**

Australia (Oceania)

Dr. Peter Bridgewater

**Vice-Chair:**

Panama (Americas and the Caribbean)

Lic. Erasmo Vallester

**Members:**

Netherlands (Europe)

Dr. Gerard Boere

Saudi Arabia (Asia)

Mr. Hany Tatwany

Germany (Depositary)

Mr. Gerhard Adams

Ms. Astrid Thyssen

**Observers:**

Czech Republic

Dr. Petr Švec

European Union

Mr. Richard Geiser (part time)

United Kingdom

Mr. Ian Muchmore

Zaire

Mr. Tshinga Ahuka

**UNEP/CMS Secretariat:**

Mr. Arnulf Müller-Helmbrecht

Mr. Douglas Hykle

Mr. Pablo Canevari

Dr. Eugeniusz Nowak

Mr. Eric Blencowe

## 15th Meeting of the CMS Standing Committee Bonn, Germany, 23-24 January 1997

### AGENDA

1. Opening remarks by the Chairman and the Secretariat
2. Adoption of the agenda, work schedule and rules of procedure
3. Secretariat report on intersessional activities:
  - a) Recruitment of new Parties
  - b) UNEP/CMS Secretariat staffing situation
  - c) Relocation of the Secretariat within Bonn
  - d) Update on CMS Agreements (ACCOBAMS, AEWAs, ASCOBANS, European bats, Siberian crane, Slender-billed curlew, Houbara bustard etc.)
  - e) Consultancies to promote the conservation of migratory species (development of Agreements, funding of conservation and research activities, workshops etc.)
  - f) CMS linkages with other relevant Conventions and non-governmental organisations
4. Correction of the texts of the Convention / preparation of certified copies: report from the Depository
5. Standing Committee promotion of CMS, including Agreements, on a regional basis (cf. Resolution 4.4 / Action 23): reports from Standing Committee members
6. Review of current status of contributions to the CMS Trust Fund, CMS budget and resources
7. Co-location of Agreement secretariats (Resolution 4.4 / Action 18)
8. Arrangements for the fifth meeting of the Conference of the Parties (COP5) and associated meetings
  - a) Logistical arrangements
  - b) Budget proposal for the triennium 1998-2000
  - c) Proposals for other conference resolutions/recommendations
  - d) Proposals for amendments to the CMS Appendices
9. Standing Committee programme to be completed before COP5 (specific items):
  - a) Target list of non-Party States on which to concentrate recruitment efforts (Resolution 4.4 / Action 2)
  - b) Guidelines on the harmonization of Agreements (Resolution 4.3)
  - c) Amendment of rules of procedure of the COP (Resolution 4.4 / Action 20)
  - d) Revision/update of the *Strategy for the Future Development of the Convention* (Resolution 4.4)
10. Matters of the Scientific Council relating to the work of the Standing Committee
11. Date and venue of the next meeting of the Standing Committee
12. Miscellaneous
  - a) Guidelines for acceptance of financial contributions
  - b) Role of NGOs in CMS (Resolution 4.4 / Action 25)
13. Any other business

**15th Meeting of the CMS Standing Committee  
Bonn, Germany, 23-24 January 1997**

LIST OF DOCUMENTS

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| Doc. 2   | Provisional schedule  |
| Doc. 3   | List of documents   |
| Doc. 4   | Secretariat report on intersessional activities   |
| Doc. 5   | Standing Committee promotion of CMS   |
| Doc. 6   | Review of current status of contributions to the CMS Trust Fund, CMS budget and resources                                     |
| Doc. 7   | Co-location of Agreement secretariats   |
| Doc. 8.1 | Logistical arrangements for the fifth meeting of the Conference of the Parties (COP5) and associated meetings                 |
| Doc. 8.2 | Budget proposal for the triennium 1998-2000   |
| Doc. 8.3 | Proposals for other conference resolutions/recommendations  |
| Doc. 8.4 | Proposals for amendments to the CMS Appendices  |
| Doc. 9.1 | Target list of non-Party States   |
| Doc. 9.2 | Guidelines on the harmonization of Agreements   |
| Doc. 9.3 | Amendment of rules of procedure of the COP  |
| Doc. 9.4 | Revision/update of the <i>Strategy for the Future Development of the Convention</i>   |
| Doc. 10  | Matters of the Scientific Council relating to the work of the Standing Committee (No document - information presented orally) |
| Doc. 11  | Guidelines for acceptance of financial contributions  |
|          |   |
| Inf. 1   | Report of the 14th meeting of the Standing Committee (Bonn, February-March 1996)  |
| Inf. 2   | Report of the 6th meeting of the Scientific Council (November 1995)   |
| Inf. 3   | Rules of Procedure of the Standing Committee  |
| Inf. 4   | Agreement Summary Sheets  |
| Inf. 5   | List of CMS Focal Points  |
| Inf. 6   | List of CMS Scientific Councillors  |
| Inf. 7   | A Guide to CMS  |
| Inf. 8   | List of Common Names, CMS Appendices I and II   |