



# Convention on the Conservation of Migratory Species of Wild Animals



## **Report of the Sixth Meeting of the CMS Scientific Council Final version**

*Bonn, 1-3 November 1995*

### **Item 1. Opening Remarks**

1. The Chairman opened the meeting by welcoming all delegates, and thanking the Secretariat for the preparations. He outlined the procedures for meeting, including provision for the establishment of working groups in order to complete the proposed work programme. The list of participants is attached at Annex 1.

### **Item 2. Adoption of the Agenda**

2. The agenda was adopted without any changes.

### **Item 3. Report of Intersessional Activities**

3. The Chairman drew attention to the Secretariat's report which described developments in the Convention since the fifth meeting of the Scientific Council (Nairobi, June 1994). Dr. Schlatter, the Conference-appointed expert on neotropical fauna, urged the Secretariat to make representations to Latin American countries to join CMS. He also encouraged greater co-operation with CITES and the IUCN Species Survival Commission, and urged support for the development of Red Data lists for the Latin American countries. The Secretariat gave additional information as to why certain countries had so far declined to join CMS. All members of the Scientific Council were urged to promote the Convention in their regions, and to keep the Secretariat informed of any ministerial level changes in the ministries that have competence for CMS in their countries.

4. The Chairman suggested that the best way to demonstrate the effectiveness of the Convention and to attract new Parties was through concerted actions, in particular for Appendix I species. He pointed out that while Agreements were an integral part of CMS, they were treaties unto themselves which took many years to develop and for visible results to be seen.

5. Dr. Moser presented a summary of the outcomes of the recent joint meeting of the governing bodies of the Asian Wetland Bureau (AWB), International Waterfowl and Wetlands Research Bureau (IWRB) and Wetlands for the Americas (WA) that took place in Malaysia in October 1995. A key decision was to proceed with the planned integration of the three organizations to form "Wetlands International". This would take effect from January 1996.

### **Item 4. Report on existing CMS Agreements and Memoranda of Understanding**

### *Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas*

6. A successful, first meeting of the Contracting Parties to this agreement was held in September 1994. Mr. Wilson (Ireland) indicated that the Government of Ireland had expressed interest in having the Agreement area extended to the west, but further internal consultations were needed on account of fisheries interests. The Council noted that the boundaries could be changed through agreement of the Parties, but that any amendments to the agreement text would have to be formally ratified. Concern was expressed that this process might inhibit progress towards ratification of the agreement by the initial signatories.

### *AGREEMENT on the Conservation of Bats in Europe*

7. No comments were made on this AGREEMENT, which entered into force in March 1994. The first meeting of the Parties was held in Bristol in July 1995.

### *AGREEMENT on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)*

8. The Secretariat reported that the Depositary (Netherlands) had postponed the official signing ceremony, previously scheduled for 16 October 1995, until translation of the AGREEMENT into Arabic and Russian was completed. Dr. Tatwany (Saudi Arabia) informed the meeting that the Government of Saudi Arabia had offered to assist with the Arabic translation and that another month was needed for the revision work to be completed.

9. Mr. Lebeau (Switzerland) expressed concern about the delay in the signing ceremony for the AEWA and urged that pressure be applied to secure rapid conclusion of work needed to permit its early entry into force and implementation. The Council urged the Government of the Netherlands to keep all of the Governments concerned by this AGREEMENT informed of the latest developments.

### *Memorandum of Understanding on the Siberian Crane*

10. Mr. Dey (India) announced that the Indian Ambassador to Germany would be authorized to sign the MoU on behalf of his Government. (*Note from the Secretariat: the signature was effected on 24 November 1995.*)

## **Item 5. Matters concerning draft Agreements and Memoranda of Understanding currently under development or envisaged**

### 5 a) *Mediterranean / Black Sea Cetacean Agreement*

11. A productive negotiation meeting for this draft agreement was held in Monaco from 26- 30 September 1995. A relatively small number of outstanding issues remain to be resolved. There was a consensus within the Scientific Council that, on biological and conservation grounds, this agreement should cover large cetaceans, however some Councillors expressed the view that the IWC should remain the competent agency for large cetaceans. A working group (Perrin, Teixeira, Dey, Weaver) was formed to examine various issues. The Council endorsed the findings of the working group, as follows:

- it was agreed after discussion that the decision of the negotiation meeting to expand the taxonomic coverage to all cetaceans frequenting the Mediterranean Sea has a sound scientific basis;
- concerning the definition of the Agreement area, the Council supported an alternative that would a) include the adjacent Atlantic waters immediately to the west of the Straits of Gibraltar, and b) for purposes of conservation actions, treat the Mediterranean and Black Sea regions separately;
- the Council strongly supported the proposal that the agreement should provide for accession by other states whose flagships are involved in activities which may affect the conservation of cetaceans, and urged that a similar provision be included in other future regional agreements protecting marine animals.

5 b) *Small cetaceans (other regional Agreements)*

12. Dr. Perrin introduced his summary report on a workshop on the biology and conservation of small cetaceans and dugongs of Southeast Asia held in the Philippines in June 1995 (Doc. 7.9). The full report of the meeting was expected to be published by UNEP in the coming weeks. The Council took note of Dr. Perrin's report and supported the proposal to take the necessary steps to facilitate the preparation of a regional Agreement.

13. Dr. Perrin then gave an overview of possible future directions for CMS activities in terms of stimulating regional co-operation for small cetacean conservation. The meeting endorsed the suggestion by Dr. Perrin that priority be given to investigating the potential for Agreements to be developed for small cetaceans and other threatened marine mammals in the south-west Atlantic and the entire West African coast (from Mauritania to Angola). Separate working groups were formed to take this preliminary work forward before the next meeting of the Council.

14. Regarding small cetaceans of the south-west Atlantic, the Council agreed that the area of consideration should be the waters of southern Chile, Argentina, the Falklands/Malvinas, Uruguay and southern Brazil, with two specific suggestions:

- the Magallanes-Tierra del Fuego-Falklands/Malvinas region, with cetacean populations shared by Chile, Argentina and the United Kingdom; and
- the south-western Atlantic temperate region (southern Brazil, Uruguay and northern Argentina).

An intersessional working group was appointed (Perrin, Vaz Ferreira, Schlatter, Canevari and Galbraith) to prepare a summary of available information for circulation at the next meeting of the Council. Dr. Schlatter agreed to co-ordinate this effort.

15. Regarding the aquatic mammals of western Africa, it was agreed that the region of consideration would be the entire west coast of Africa from Morocco to Namibia, with three faunal subregions identified:

- northern temperate (Morocco, northern Mauritania, Madeira and the Canary Islands)
- tropical (from central Mauritania south to northern Angola)
- southern temperate (central Angola and Namibia).

It was also agreed that, for purposes of the analysis, the taxonomic scope would include small cetaceans, manatees and monk seals. An intersessional working group (Perrin, Ngog Nje, Bangoura, El Mastour,

Sylla, Ayeni, and Teixeira) was appointed to prepare a summary of relevant, existing information for circulation at the next meeting of the Council. Mr. Bangoura (Guinea) was charged with seeking sources of information through correspondence with contacts in the francophone West African countries and Dr. Ayeni (Nigeria) in the anglophone countries (with the Portuguese-speaking countries split between them, as appropriate). Dr. Perrin offered to combine these bodies of information into a regional review document for presentation at the next meeting.

5 c) *Marine turtles*

16. Ms. Weaver (Australia) reported that the conservation status of Indo-Pacific marine turtles is a serious concern. Major problems exist with Indonesian harvests, and genetic studies have shown that the Australian marine turtles constitute a significant proportion of this harvest. Other regions within the Indo-Pacific also show serious population declines. The Philippines and Malaysia have developed a Memorandum of Understanding on turtle conservation for their regional waters. The situation in West Africa is less well known but serious declines are documented or suspected.

17. The Secretariat reported on consultations it had had with the IUCN Marine Turtle Specialist Group with a view to formalizing institutional collaboration on marine turtle conservation. The Secretariat reported that although Dr. Limpus (the Conference-appointed expert on marine turtles) was unable to attend the present meeting, he had offered to provide the Scientific Council with a report of the conservation status of marine turtles in the Indo-Pacific (which would be circulated after the meeting). Furthermore, Dr. Limpus had suggested to the Secretariat that CMS could be an appropriate vehicle for work on marine turtles in West Asia, where there were already several CMS Parties (Saudi Arabia, Pakistan, India, and Sri Lanka). He intended to prepare a more detailed briefing to be circulated to the Scientific Councilors after the meeting. Elsewhere, the Secretariat reported that a marine turtle agreement was being developed for the wider Caribbean region (independent of CMS) but that it had not yet been finalised.

18. The meeting reiterated its concern for marine turtle conservation and considered this group to be a continued high priority for the Scientific Council. It noted the interventions regarding the status of marine turtles in various regions (Doc. 7.4 - India, Doc. 7.7 - Saudi Arabia, Doc. 7.14 - Pakistan, and Doc. 7.16 - Philippines). The meeting urged the Secretariat and Dr. Limpus to undertake as many regional initiatives as possible before the next meeting of the Conference of the Parties and to keep the Council informed. It endorsed the use of CMS funds, as already agreed by the CMS Standing Committee, for this purpose.

5 d) *Land mammals (considered under Item 6)*

5 e) *Asia-Pacific Migratory Waterbird Agreement*

19. Ms. Weaver (Australia) reported that a meeting held in Kushiro, Japan, in November 1994 had led to "the Kushiro Initiative" and the development of a five-year Strategy for the Conservation of Migratory Waterbirds in the Asia Pacific region. The Strategy covers the same geographic area as the proposed Asia-Pacific Waterbird Agreement (APWA) under CMS. A series of Action Plans will be developed under the Strategy. Initially these will cover Shorebirds, Cranes and Anatidae. The Action Plans will be implemented through site networks, along the lines of the Western Hemisphere Shorebird Reserve Network of sites of importance. The initial network of sites will apply to one of the three major flyways in the Asia-Pacific region: the East Asian-Australasian flyway. Australia, the Philippines and

the United Kingdom (Hong Kong) are the only Parties to CMS in the flyway. The network of sites will be launched at the forthcoming meeting of the Conference of the Parties to the Ramsar Convention in Brisbane in March 1996.

20. The Scientific Council endorsed the development of the Asia-Pacific Migratory Waterbird Conservation Strategy and considered that this was an appropriate tool to foreshadow the eventual development of a multilateral Agreement under CMS. In the light of these important regional developments, the Council did not consider it a useful exercise to update the existing APWA text at this time. Instead, it emphasized the importance of increasing the profile of CMS in the region and attracting more Parties, as well as creating a climate which would favour the evolution of the Strategy into a document complementary to the African-Eurasian Waterbird Agreement. In summary, the Council recommended that:

- the work on the Strategy be harmonised with the existing African-Eurasian Waterbird Agreement, in particular its Action Plan, in order to maintain consistency;
- the process of developing a draft Agreement for the Asia-Pacific region should continue; and
- the Secretariat should take appropriate steps in the Asia-Pacific region to promote the development of a CMS Agreement, in collaboration with the Scientific Councillors of the region.

5 f) *Bustards* (considered under Item 6)

5 g) *Other species*

#### Albatrosses

21. After the fourth meeting of the Scientific Council a working group was established to make progress towards a draft Agreement for the conservation of albatrosses, with Australia taking the lead. Ms. Weaver (Australia) reported that due to domestic sensitivities, particularly fisheries concerns, it was still an open question as to whether Australia would continue to take the lead on this Agreement. Nevertheless legislation in Australian waters prohibiting the killing of albatrosses in longline fishing had been passed and an international meeting on the conservation of albatrosses was held in Australia in August 1995. The Council endorsed the need for concerted international action for the conservation of this group.

22. Prof. Vaz Ferreira (Uruguay) described the poor conservation status of albatrosses in South America. He sought the support of the Scientific Council to seek financing for greater research. A working group (Botha, Canevari, Schlatter, Vaz Ferreira, Weaver) was formed to review a proposal of Prof. Vaz Ferreira regarding possible CMS support for albatross conservation.

23. The Council noted that the conservation status of albatross species continues to deteriorate and it therefore reiterated that albatross conservation should remain an extremely high priority. It urged all Scientific Councillors and focal points to prepare the way for the development of an Agreement for their conservation. It recommended that further data gathering be undertaken in areas where there is little information on both albatross biology and their interactions with fisheries. In this regard, the Scientific Council recommended that the proposal submitted by the Councillor from Uruguay (Doc. 7.12) be eligible for funding once it has been fully elaborated. The Council requested the Secretariat, Scientific Councillors and focal points to approach relevant national authorities as the opportunity arises to promote

the conservation of this group.

#### Greenland white-fronted goose

24. A Memorandum of Understanding was prepared in 1991 between Greenland, Ireland, Iceland and the United Kingdom. All of the parties concerned except Greenland had expressed their readiness to accept the terms of the MoU, and positive indications had recently been received about Greenland's intentions. Mr. Wilson (Ireland) confirmed that the MoU was originally not intended to come under the CMS umbrella, but that this could be considered by the first meeting of the Parties. Dr. Galbraith (United Kingdom) pointed out, however, that not all of the countries concerned were Parties to CMS (or to the AEWA) and that for the time being, at least, the MoU had a life of its own.

#### Sandgrouse

25. Dr. Botha (South Africa) presented information on preliminary discussions held between South Africa, Botswana, and Namibia on the conservation of four species of sandgrouse. The report of the deliberations was made available to the Scientific Council (Doc. 7.13). There was a brief discussion as to whether this nomadic species could be characterized as migratory, in the sense of CMS. The Chairman reminded the meeting that the Council had already decided in its second meeting to give a broad interpretation of the term "migratory", so that it would include nomadic species that crossed international borders predictably in response to unpredictable events, such as drought.

### **Item 6. Scientific Council activities arising from resolutions of the Conference of the Parties and other recommendations**

#### 6 a) *Concerted protection measures and research activities for endangered species*

#### Sahelo-Saharan mammals

26. The meeting reiterated its concern for the conservation of Sahelo-Saharan mammals and considered this group to be a continued high priority for the Scientific Council. It noted the existence of an action plan for the conservation of several species, and agreed that its contents should be updated. It was proposed that the existing CMS working group should remain as originally constituted (Beudels, Bigan, Devillers, Ngog and Pfeffer).

27. The Council noted that funds had been solicited from the European Union to implement part of the action plan under CMS, and it agreed in principle to allocate CMS funds to the action plan. Dr. Pfeffer reported that funds were also being sought by the Ministry of the Environment in France. A small working group (Beudels, Pfeffer, Sylla, Labidi, El Mastour, Traore, Ngog) was convened to discuss further implementation of the action plan. The Council supported the conclusions of the working group: that a workshop should be organized (in Mali, tentatively in November 1996), that the action plan should be updated and implemented, in conjunction with the EU programme, and that consideration should be given to additional elements, such as monitoring, the possible development of a CMS Agreement, and implementation of existing actions at the national level.

#### *Otis tarda* ) Great bustard

28. Dr. Bankovics (Hungary) reported on a meeting held in May 1995 in Germany to discuss an action plan for the Great Bustard prepared by the BirdLife International Bustard Group. Dr. Bankovics had had preliminary discussions on using the action plan as the basis for a CMS Agreement or Memorandum of Understanding. The draft text may be circulated in 1996 after consultations within the Government of Hungary.

*Chlamydotis undulata* ) Houbara bustard

29. Dr. Tatwany (Saudi Arabia) informed the meeting that he expected a draft Agreement for this species, prepared by Saudi Arabia, to be circulated in the near future. The IUCN Bustard Specialist Group would hold a meeting of experts in Oman in January 1996, which would receive financial support from CMS. The Council endorsed this activity and encouraged the circulation as soon as possible of the draft Agreement.

*Monachus monachus* ) Mediterranean monk seal

30. Dr. Beudels (Belgium) reported that the conservation status of the species is very unfavourable (less than 500 individuals). It is still declining in most of its range which is increasingly fragmented. There are now three distinct populations in the western Mediterranean, eastern Mediterranean and the Atlantic Ocean.

31. Research and management actions have been undertaken, mainly in Portugal, Greece, Turkey and Morocco, and a specific action plan exists within the framework of the Mediterranean Action Plan. A meeting held in Rabat, Morocco, in October 1994 recommended that various conservation actions be taken under the Barcelona Convention. The Council endorsed the conclusions of that meeting, and supported the intervention of Mr. El Mastour (Morocco) that attention should be focused on *in situ* conservation. Some Councillors considered that there was a void, in terms of co-ordination of ongoing activities, and expressed the view that there is a role for CMS to play in this regard.

32. A working group (Beudels, Teixeira, El Mastour) was constituted to act as a CMS focal point for the species and to formulate a course of action for possible CMS involvement. The working group proposed that a co-ordination unit be established, and that conservation and research actions be undertaken in Morocco, Madeira (Portugal), the Canary Islands (Spain) and Mauritania. The co-ordination unit would be charged with organizing and maintaining an up-to-date register of seals throughout the region concerned. It proposed that priority be given to *in situ* conservation actions, including implementation of the management plan for the National Park of Dakhla, habitat protection, and a study of the regional structure and dynamics of the populations. The Council requested the Secretariat and the focal point Councillors to undertake actions in favour of the species and recommended that CMS funds be allocated, where necessary.

*Oxyura leucocephala* - White-headed duck

33. Dr. Moser, the Conference-appointed expert on waterbirds, reported that there were two main problems facing this Appendix I species, which has experienced a serious decline: hybridisation with *Oxyura jamaicensis* in the western Mediterranean population; and poor habitat protection, which is contributing to further declines in the eastern populations. BirdLife International and IWRB/Wetlands International have prepared a species action plan. The Council endorsed this action plan and agreed that it should be linked with the African-Eurasian Waterbird Agreement when the latter enters into force. The Secretariat was requested to contact all Range States (both Parties and non-Parties to CMS) to raise awareness of the plight of the species.

*Chloephaga rubidiceps* ) Ruddy-headed goose

34. The situation for *Chloephaga rubidiceps* was summarized by Mr. Canevari (Argentina). A project for concerted action in Argentina and Chile had been prepared in 1994; however implementation of the project, using CMS funds, had been delayed by administrative obstacles within the responsible agency in Chile. The Council reiterated its opinion as regards the urgency of the concerted action, and urged the

Secretariat and the Councillors from the Range States concerned to pursue all efforts to obtain prompt results.

Grus leucogeranus ) Siberian crane

35. The status of the species was reviewed by the Councillors from India, Pakistan and Germany. Various ongoing conservation efforts within the framework of the Memorandum of Understanding for the species were described by the Secretariat. A successful workshop had been organized in May 1995 and there were plans to update the action plan for the next meeting. The Council restated the urgency of measures and the high priority status of the species, and noted the actions in progress. It asked the Secretariat to prepare a short update of the action plan summarizing work in progress, and encouraged the Secretariat and the relevant Councillors to continue the actions undertaken and to consider further use of CMS funds, as appropriate.

Numenius tenuirostris ) Slender-billed curlew

36. The progress of the Memorandum of Understanding and the status of the species were reviewed by Dr. Nowak (Germany) and the Secretariat. Recent observations of the species had been made in Greece, Italy, Hungary, and the Islamic Republic of Iran. Conservation efforts constituting partial implementation of the action plan were being undertaken in Greece and in Italy with funding from the European Union. The Scientific Council noted again the very grave situation of the species, and observed that the recent sightings constituted an encouragement to urgent and energetic action. It therefore urged the focal point Councillor and the Secretariat to pursue their action and encouraged them to allocate CMS funds to facilitate the preparation of projects eligible for external funding.

6 b) *Review of Appendix II*

37. Prof. Wolff (Netherlands) introduced Document 6.1. The Council formed a working group to discuss the proposal contained in paragraph 7 of that document and to expand it, if appropriate, in the light of information gathered by other Councillors. The group considered mechanisms for setting priorities in relation to the addition of species to Appendix II as well as considering future possible Agreements under the Convention. The Council endorsed the findings of the group, which were as follows:

- it was necessary to prioritize species considered for addition to Appendix II according to the urgency of preparing Agreements for them;
- the Council should agree broad geographical areas and species groups likely to be in need of Agreements and then seek the views of the IUCN Species Survival Commission in relation to the status of the species involved; and
- the Council should continue to use the expertise of existing Councillors if required to develop new Agreements; however, should it be necessary then one new Councillor could perhaps be appointed to supplement the expertise in new subject areas.

38. The Council also took note of the working group's review of the possible development of new Agreements, as follows:

Small cetaceans and dugongs in Southeast Asia: The working group noted that some progress had been made in laying the groundwork for a regional Agreement and that further progress may be made by the time of the next meeting of the Council and the Conference of the Parties in 1997. Development of the

Agreement would require some amendments to Appendix II, namely: annotations to the present list to include Southeast Asian populations of *Stenella longirostris*, *Stenella attenuata*, *Tursiops truncatus* and *Grampus griseus*; as well as the addition of the Southeast Asian populations of *Lagenodelphis hosei*, *Peponocephala electra*, *Globicephala macrorhynchus*, and *Balaenoptera edeni*. The Council endorsed the recommendation of the working group which urged submission of proposals to this end.

Land mammals: No information was available within the working group.

Albatrosses: The Council noted that Australia had already undertaken some useful preparatory drafting work on an Agreement for albatrosses as well as proposals for listing species. It concluded that any additional proposals for the listing of species could be developed by the members of the Council.

Asia-Pacific Waterbirds: Dr. Moser pointed out that it may be necessary to add 50-80 species to Appendix II in preparation for a future Asia-Pacific Migratory Waterbird Agreement. It was suggested that it might be appropriate to propose them for listing during the next but one meeting of the Conference of the Parties.

Neotropical species: The Council agreed that neotropical species which might be included in any migratory bird Agreement in that region needed further consideration before any Agreement could be prepared. Mr. Canevari (Argentina) suggested that a provisional list of bird species for possible inclusion in Appendix II could be developed and circulated for comment in a few months.

Bats: No plans for any additional Agreements for bats were known. It was proposed that an expert on bats be appointed to the Council by the Conference of the Parties at its next meeting, should there be further interest in developing Agreements for this group.

Bustards: It was felt that the expertise currently in the Council should be used to explore the possibility of extending the current work on one population of Great bustards, to consider also the "eastern" population and possibly other species such as the Little bustard.

#### *Other groups of species*

Seals: Recent review work on the global conservation status of seals made it possible to select possible candidate species for listing in Appendix II.

Raptors: It was suggested that some populations of raptors in central/south Asia may be appropriate for listing in Appendix II.

Cranes: The working group noted that the International Crane Foundation (ICF) had recently published an action plan. Dr. Moser offered to contact ICF to obtain further details for the Council in order to develop proposals for listing.

Storks, ibises and spoonbills: The working group noted that action plans were due to be published by the appropriate Specialist Group of Wetlands International during 1996. Several species had already been covered under the AEWPA, and other species were expected to be covered by a future APWA. It was expected that for the remaining species the available data would be sufficient to develop proposals for listing by the Council.

#### 6 c) *Proposals for amendments to Appendices I and II*

39. Dr. Schlatter, the Conference-appointed expert on neotropical species, presented a review of areas in South America where species agreements might possibly be developed (covering, for example,

anatidae, albatrosses and other seabirds, mammals etc.). It was proposed that a subgroup of South American Councillors organize a multipurpose workshop in Uruguay in order to inform people about CMS.

40. Dr. Moser emphasized the importance of a systematic review of Appendix I, in order to assure the credibility of the Convention and to avoid bias of action in favour of regions of the world well endowed in means to prepare proposals for the inclusion of species in the Appendices. He gave a preliminary analysis, using waterbirds as an example, of the effort this review would entail. Dr. Moser then introduced a draft proposal for inclusion in Appendix I of *Marmaronetta angustirostris*, which had been prepared by a Spanish NGO. Dr. Flousek (Czech Republic) recalled the previous recommendation to include *Crex crex* in Appendix II, and offered to prepare a proposal for its listing (after first consulting with the Norwegian authorities, which had made a similar offer in June 1994).

41. Whilst the Scientific Council recognised the importance of listing species in Appendix II, it concurred that attention should be given to a review of Appendix I, since it concerns those species in danger of extinction. A working group was formed to discuss the modalities and a timetable for such a review.

42. Following the working group's recommendations, the Council decided to examine first those taxa which had previously been dealt with in some form under the Convention. The second phase of the review would cover those taxa that had not yet been considered at all by the Convention. It was proposed that the relevant IUCN Species Specialist Groups (SSGs) be approached to undertake Phase I of the review of Appendix I species. The SSGs would be asked to provide a list incorporating those species and populations considered to be both migratory and endangered according to the definitions used by CMS.

43. The Council considered that a consultancy would be required for this work. It would have in its terms of reference *inter alia* the following activities: to visit the Secretariat of the IUCN Species Survival Commission; to develop the questionnaire for the relevant SSGs; to co-ordinate the responses of the SSG; to compile a report to the Scientific Council; and to distribute the report to all Scientific Councillors and to refine the final document according to comments received.

44. The Council concluded that it would be appropriate for the Chairman of the Scientific Council to organize this consultancy. Scientific Councillors were urged to review, while this process was underway, existing information with a view to facilitating (including finding sponsoring countries if relevant) the listing of species in Appendix I.

45. The Council endorsed the draft proposal for the inclusion of *Marmaronetta angustirostris* in Appendix I; supported the inclusion of *Crex crex* in Appendix II and welcomed the offer of the Czech Republic to prepare a proposal for this purpose; noted the actions proposed for the neotropics and encouraged the Councillors concerned and the Secretariat to pursue them, allocating funds if appropriate.

#### 6 d) *Expert advice*

46. A working group was established to review Document 6.3, concerning financial support for CMS initiatives, and was given the task of considering the allocation of funds only for those activities which had been discussed during the course of the meeting. The meeting instructed the group to keep in mind the need to consider the use of approved CMS funds within a broader budgetary perspective, and to avoid spreading the funds too thinly amongst many projects.

47. The Council considered the working group's findings and proposed that funds be allocated in the manner described in the table at Annex 2. Funding was allocated in keeping with the general framework agreed by the Standing Committee ) with priority given to work on marine turtles and small cetaceans (marine mammals), with smaller amounts allocated for migratory birds and land mammals. (The amounts

given in the table are indicative, and project proposals will need to be developed for a number of the activities, by the Councillors concerned and/or the Secretariat, before funding can be made available.)

#### 6 e) *IUCN Categories of Threat*

48. The Chairman introduced Document 6.4 Addendum (Interpretation of “endangered” for purposes of implementation of the Bonn Convention), and a drafting group was formed to propose a precise text. After a broad exchange of views within the working group and the Council, a consensus was reached on a definition that achieves maximum compatibility with the IUCN “Categories of Threat” and keeps within the definition given in Article I, paragraph 1 (e) of the Convention, while preserving the independence of the Conference of the Parties in establishing Appendix I in accordance with the specific needs of CMS.

49. It was agreed that the following text would be forwarded as a recommendation of the Scientific Council to the Conference of the Parties, for consideration at its next meeting:

As regards interpretation of the term “endangered” in Article I, paragraph 1(e), of the Convention, the term broadly equates with the category “endangered” as defined in the threatened species categorization of the International Union for Conservation of Nature and Natural Resources (IUCN Red List of Threatened Animals, 1988; IUCN Red List Categories, 1994): “facing a very high risk of extinction in the wild in the near future”.

In assessing endangered status for purposes of listing in Appendix I, the Conference of the Parties may be guided by the criteria set forth by the 40th Meeting of the IUCN Council (November, 1994) or by an independent assessment by the Scientific Council based on the best available data.

#### 6 f) *Other matters requiring Scientific Council advice*

##### Interpretation of the term “taking”

50. In response to a query received from a non-Party State, the Secretariat sought the views of the Scientific Council on its interpretation of the term “taking”, as defined in Article I, paragraph 1 (i), of the Convention. The Council gave its opinion that the definition of this term could not be restricted to exclude incidental taking, and that any discrepancy between the provisions of the Convention and unpreventable accidental catches could be avoided by resorting to the possible exceptions to the prohibition of taking given under Article III, paragraph 5 (d).

51. The Council endorsed the conclusions of a drafting group constituted to propose a precise formulation of this opinion, as follows:

The Secretariat consulted the Scientific Council on its view of the scope of the term “taking”, as defined in Article I, paragraph 1 (i) of the Convention. The Scientific Council, after due consideration, is of the opinion that “taking” clearly includes incidental taking.

Parties can make an exception to the prohibition of taking of animals of species listed in Appendix I, as required under Article III of the Convention, if “...extraordinary circumstances so require; provided that such exceptions are precise as to content and limited in space and time”.

It is the view of the Council that extraordinary circumstances may include cases of *accidental* taking when all means to reduce *incidental* taking have been demonstrably employed.

The Council added the following clarification: “incidental take” has an element of predictability about it, whereas “accidental take” is due to some random and unforeseeable circumstance or set of circumstances.

### **Item 7. Planning of a symposium**

52. A working group (Schlatter, Canevari, Custodio, Devillers) was constituted to discuss possible subjects for a symposium to be held during the fifth meeting of the Conference of the Parties. The Council endorsed the working group’s findings, and agreed that a symposium should be held mid-way through the fifth meeting of the Conference of the Parties, which is expected to take place in the Philippines (pending official confirmation of this country as host). It should allow the possibility for simultaneous poster presentations. It was foreseen to have 10-12 speakers (20 minutes each). One theme should introduce the phenomenon of migration and how fragmentation of habitat may affect it. Other themes should cover the migration of turtles, cetaceans, birds (seabirds, waterfowl and terrestrial avian communities ) forest and non-forest), possibly insects, and terrestrial mammals. It should cover mainly aspects concerning the Asian-Oceanic region, but also the neotropics, near-Arctic, Africa and other regions of the world.

53. Working on the assumption that the Philippines would host the conference, it was agreed that the host country would take the lead role in the organization of the symposium; and that the Scientific Councillor for the Philippines, Mr. Carlo Custodio, should initiate the co-ordination. The Secretariat made it clear that the mid-week symposium was intended, in part, to allow it to catch up on all of the other necessary conference work; and that it would not have the capacity to be heavily involved in its organization.

### **Item 8. Any other business**

#### Mammals of the Arabian Peninsula

54. The Councillor for Saudi Arabia described the actions in progress for the conservation of Arabian peninsula ungulates, and reported on the preparation of a Memorandum of Understanding, a draft of which would be circulated later to the Scientific Council. The Council noted the action taken, encouraged further work and welcomed the possibility to review the MoU.

55. There being no other business, the Chairman closed the meeting after the customary exchange of courtesies.

## **Sixth Meeting of the Scientific Council**

Bonn, 1-3 November 1995

### **LIST OF PARTICIPANTS**

<b>Chairman:</b>	Dr. Pierre Devillers	EUROPEAN UNION
<b>Vice-Chairman:</b>	Dr. Jean Ngog Nje	CAMEROON
<b>Conference-Appointed Councillors:</b>	Dr. Michael Moser Dr. William F. Perrin Dr. Pierre Pfeffer Dr. Roberto P. Schlatter Vollmann	
<b>Members:</b>	Lic. Pablo Canevari Ms. Karen Weaver Dr. Roseline C. Beudels-Jamar de Bolsee Dr. Roberto P. Schlatter Vollmann Dr. Jiří Flousek Dr. Jesper Madsen Dr. Eugeniusz Nowak M. Abdel Kader Bangoura Dr. Attila Bankovics Shri Subhash Chandra Dey Mr. H. John Wilson M. Namory Traoré M. Abdellah El Mastour Prof. Dr. Wim J. Wolff Dr. J. S. O. Ayeni Mr. Abdul Latif Rao Mr. Carlo Custodio Dr. António Teixeira Dr. Hany M. A. Tatwany Dr. Seydina Issa Sylla Dr. Pieter Botha Mr. Charles Perera Attanayake Ph. D. Torbjörn Ebenhard M. Raymond Pierre Lebeau M. Jalel Labidi Dr. Colin A. Galbraith Prof. Lic. Raúl Vaz Ferreira	ARGENTINA AUSTRALIA BELGIUM CHILE CZECH REPUBLIC DENMARK GERMANY GUINEA HUNGARY INDIA IRELAND MALI MOROCCO NETHERLANDS NIGERIA PAKISTAN PHILIPPINES PORTUGAL SAUDI ARABIA SENEGAL SOUTH AFRICA SRI LANKA SWEDEN SWITZERLAND TUNISIA UNITED KINGDOM URUGUAY
<b>Secretariat:</b>	Arnulf Müller-Helmbrecht Douglas Hykle	

SPECIES GROUP	Recommended funding (proposed by the Scientific Council)		Description of proposed activities (where not all to be developed by the Councillors concerned and allocated)
	Funds available (as agreed by Standing Committee)	Upper limit of funding proposed (indicative amounts)	
<b>MARINE TURTLES</b>	175000		
General study (report)		10000	Overview report, with proposals for specific activities
- Indian Ocean / Indo-Pacific		75000	Sponsor W. Indian Ocean regional workshop (Nov. 2003)
- West Africa		27000	Funding for research, management activities (consider scope beyond Mauritania-Guinée Bissau)
- Arabian Sea - Gulf of Oman		40000	Regional workshop, study
- Southeast Asia		20000	Support for creation of a marine turtle specialist group
<b>SMALL CETACEANS / MARINE MAMMALS</b>	100000		
General study (report)		10000	Overview report, with proposals for specific activities
- Southeast Asia		22000	Project approved for Philippines-Malaysia
- South America / West Africa		< 1000	Support for activities of the Scientific Council workshop
- Mediterranean monk seal		up to 30000	Morocco/Portugal: to constitute a co-ordinating body for actions, etc.
<b>MIGRATORY BIRDS</b>	125000		
Houbara bustard		15000	Bustard meeting in Oman (if funding unavailable from Oman)
Numenius tenuirostris		25000	Support for implementation of the existing MoU
Siberian crane (western/central populations)		10000	Funding for regional workshop (tentatively planned for 2004)
Migratory birds - southern cone of South America		25000	Conservation actions to be elaborated in a formal project
Albatrosses		10000	Funding for a research proposal (to be elaborated following the regional strategy)
Asia-Pacific Waterbird Agrmt		10000	Appropriate support to the regional strategy
<b>OTHER MAMMALS</b>			
Sahelo-Saharan antelopes	50000	50000	Support for regional actions, including a workshop in 2004, Action Plan, revision of legislation, development of a possible development of a regional agreement
<b>CONTINGENCY</b>	50000		
		10000	Appendix I review: SSC specialist group consultancy
<b>TOTAL</b>	500000		

