



Convention on the Conservation of Migratory Species of Wild Animals

UNEP/CMS/Conf. 5.5.1

Distr.
GENERAL

1 April 1997

ORIGINAL: ENGLISH

FIFTH MEETING OF THE CONFERENCE OF THE PARTIES

Geneva, 10-16 April 1997
Item 9a of the provisional agenda

REPORT OF THE SECRETARIAT

Introduction

1. This report has been prepared by the Secretariat for the Fifth Meeting of the Conference of the Parties, as required under the terms of the Convention. It gives an overview of the Secretariat's work from 1 July 1994 to the present, and covers certain aspects of the implementation of the Convention not dealt with in other conference papers.

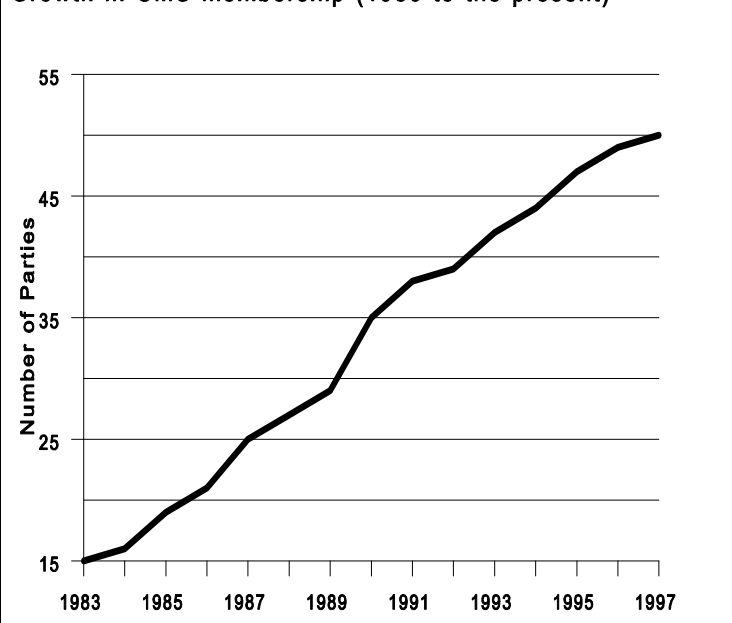
I. Status of the Convention

Membership

2. Membership in the Convention has grown steadily since its entry into force on 1 November 1983. Since the last meeting of the Conference of the Parties in June 1994, five States have joined the ranks of CMS: Slovakia (1 March 1995), Switzerland (1 July 1995), Guinea-Bissau (1 September 1995), Togo (1 February 1996), and Poland (1 May 1996).

3. The Secretariat is pleased to announce that Peru will become the 50th contracting party, on 1 June 1997. As of that date, the CMS membership will have the following distribution: 21 Parties from Europe, 17 from Africa, five from Asia, five from the Americas and the Caribbean, and two from Oceania. Thus, the encouraging news that the number of Parties from Europe and Africa continues to grow has, therefore, to be

Growth in CMS membership (1983 to the present)



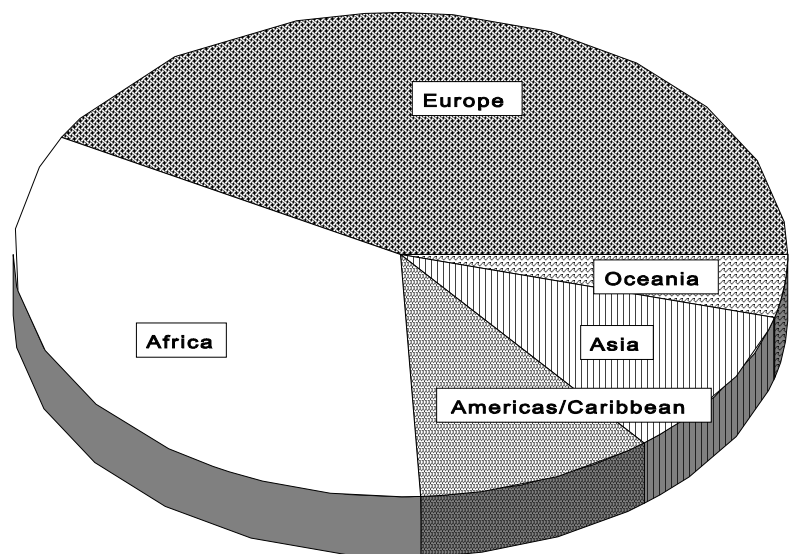
set against a still low level of participation in Asia-Oceania and the Americas.

4. A further eight Signatories have yet to deposit their instruments of ratification: Central African Republic, Chad, Côte d'Ivoire, Greece, Jamaica, Madagascar, Paraguay and Uganda. The Secretariat has been informed, however, that the Parliament of the Republic of Chad passed the ratification law in October 1996. A complete list of Parties and Signatories appears in document UNEP/CMS/Inf. 5.1.

5. Although the pace of accessions has slowed in the last couple of years, the outlook on the horizon appears much brighter. The Secretariat has been informed, by the responsible Ministries of over a dozen countries, that national accession procedures are already in progress or under preparation. They are, in no particular order: (i) Africa: Central African Republic, Chad; (ii) Americas: Brazil, Paraguay; (iii) Asia:

Mongolia; (iv) Europe: Bulgaria, Cyprus, Georgia, Latvia, Liechtenstein, Lithuania, Malta, Republic of Moldova, Romania, Slovenia, Ukraine. In addition, the Secretariat understands that the following countries are or will soon be considering the merits of accession to CMS: Albania, Bangladesh, Bolivia, Croatia, Estonia, Islamic Republic of Iran, Jordan, Mauritania, Oman, Republic of Korea, and Turkey. Thus, there is evidence to suggest that the trend is still positive at a time when ever-increasing pressure is being placed on nations' budgets and staff to implement their obligations under all international environmental conventions.

Regional distribution of CMS Parties



Amendments to Appendices I and II

6. The fourth meeting of the Conference of the Parties adopted proposals to include in Appendix I the endangered scimitar-horned oryx, as well as the White-headed duck and the middle-European population of the Great bustard. In addition, the Conference adopted proposals to include, in Appendix II, the European free-tailed bat and a further 50 species or populations of migratory birds. A complete list of the species in Appendices I and II appears in document UNEP/CMS/Inf.5 8.

7. For the present meeting, the Governments of Argentina, Australia, Chile, Czech Republic, Hungary, the Netherlands, Spain, South Africa and Uruguay have submitted proposals for the inclusion in Appendix I of 18 migratory birds, one terrestrial mammal and three marine mammals. Eighteen birds and four marine mammals have been proposed for inclusion in Appendix II. The Secretariat facilitated the preparation of about half of the proposals and arranged for the translation of all of them into the official working languages of the meeting.

Reports from Parties

8. Parties that are Range States for species listed in Appendix I and II should report at least six months prior to each meeting of the Conference of the Parties on the measures they are taking to implement the provisions of the Convention for these species. As of 10 October 1996 – the deadline for reports to be submitted for consideration by the fifth meeting of the Conference of the Parties – the Secretariat had received only four reports: from Guinea, Hungary, Saudi Arabia and Spain. As of the time of writing (1 April 1997), reports from a further 14 Parties – Australia, Czech Republic, Egypt, Germany, Luxembourg, Monaco, Panama, Philippines, Senegal, Slovakia, South Africa, Sweden, United Kingdom and Zaire – had arrived at the Secretariat.

9. In view of the late arrival of most of the reports, it was not possible for the Secretariat to prepare a

meaningful assessment of the state of implementation of the Convention. Indeed, as much as it would like to prepare such a review, the Secretariat lacks the resources internally to undertake such a time-consuming task. The secretariat suggests therefore that the Conference of the Parties consider whether a suitable organisation should be contracted to provide a comprehensive summary report on the implementation of CMS and Agreements on a regular basis. Additionally, consideration should be given to whether the country reports for CMS and its related Agreements should be harmonised so that the Agreement reports might be used as modules in the report prepared for the CMS Conference of the Parties. A more detailed discussion of this matter is contained in document UNEP/CMS/Conf. 5.7.1.

II. Secretariat arrangements

Relocation

10. Since the fourth meeting of the Conference of the Parties, a number of United Nations agencies accepted the invitation of the Government of Germany to establish their bases in Bonn. In this framework, the German Government offered similar accommodation to the CMS Secretariat, together with its related Agreement secretariats.

11. In early December 1996, the CMS Secretariat and the secretariat of the Agreement on the Conservation of Bats in Europe (Eurobats) moved from an office of the German Federal Nature Conservation Agency – where CMS had resided since May 1992 – to the newly established United Nations premises in Bonn. There, it is in close proximity to the United Nations Volunteers (UNV), which is a branch of the United Nations Development Programme, the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) and the German office of the United Nations Information Centre (UNIC). The Secretariat takes this opportunity to express its gratitude to the German Government for the more spacious office facilities and equipment which are now at its disposal, and which will allow for the co-location of more Europe-based Agreement secretariats.

12. The co-habitation with other United Nations agencies has proved advantageous, and the Secretariat has benefited considerably from their technical expertise, particularly in relation to computer support. The Secretariat now has improved e-mail and Internet connections, which allow for cost-effective and, often, more reliable communication with Parties and non-Party States as well as access to a wide variety of information available on the World Wide Web.

Headquarters Agreement

13. When the relocation of the Convention Secretariat was planned, there had been a common understanding by the German Federal Ministry of Environment, the Executive Director of UNEP, the Chairman of the Standing Committee and the Co-ordinator that a new headquarters agreement for CMS would be concluded – taking into account the basic headquarters agreement that had already been finalized between the Federal Republic of Germany and the United Nations as regards the UNV (and subsequently the UNFCCC). On request of the German Ministry of Environment, the Co-ordinator submitted on 28 August 1996 a proposal to the German authorities. As there had been no apparent progress on the agreement by December 1996, the relocation of the Secretariat was agreed on the basis of a letter of intent of the German Federal Ministry of Environment confirming that a headquarters agreement would be concluded which would be satisfactory for both sides.

14. At the time of writing (1 April 1997), the Secretariat still had not yet received an official response to the UNEP/CMS proposal for a new headquarters agreement. At issue, it would appear, are certain privileges already granted to the other UN agencies that moved to Bonn in 1996, but which the German Government might not be prepared to offer to CMS. Should the German Government maintain its position in this regard, a dichotomy would exist in the treatment of these various organizations. The host Government is invited to provide to the Conference of the Parties an update on the status of the headquarters agreement discussions, including an indication of when it expects to reply formally to the UNEP/CMS proposal. (Matters concerning the future administrative integration of Europe-based

Agreement secretariats are dealt with in greater depth in document UNEP/CMS/Conf. 5.14.1, and in draft Resolution 5.5.)

Personnel

15. The Secretariat is administered by the United Nations Environment Programme (UNEP) and staff members are subject to the United Nations Staff Rules and Regulations and the 1946 Convention on the Privileges and Immunities of the United Nations. In keeping with decisions of the last meeting of the Conference of the Parties, there have been a number of additions to the Secretariat's staff. Mr Pablo Canevari (Argentina), assumed the post of Technical Officer in March 1996. An ornithologist by training, and formerly president of Wetlands for the Americas, his work has begun to extend the activities of CMS in Latin America. Mr Eric Blencowe, the secretary of the European Bat Agreement, was seconded to the CMS Secretariat on a half-time basis from the United Kingdom Department of the Environment. He is dealing with special projects and assisting the Co-ordinator and Deputy Co-ordinator in their activities. In August 1996, Mr Hubert-Marie Cuvelier (France) began working on a one year contract as an Associate Programme Officer, while Ms Hilda Lunscken (United States) has been engaged as an Information Consultant through the fifth meeting of the Conference of the Parties.

16. The post of Information Officer is expected to be staffed on a permanent basis soon after the fifth meeting of the Conference of the Parties. The Secretariat's substantive work continues to be hampered by the absence of an experienced Administrative/Fund Management Officer to deal with an ever-increasing number of administrative duties. It is hoped that this situation will be rectified by decisions taken at the COP5.

17. There have also been several changes and additions to the Secretariat's support personnel. Ms Christina Heuft began her duties as Administrative Assistant in January 1997, replacing Ms Eva-Maria Tomczak who left in September 1996, and Mr Thilo Schliebener was engaged as a Finance Assistant in September 1995. Mr Liam Addis (Secretary), Ms Jeanybeth Mina (Secretary), and Ms Eve Kolasa (Clerk) round out the Secretariat's personnel. All of the staff members are multilingual, some speaking three or four languages, abilities which greatly facilitate the Secretariat's ability to serve the Parties.

Secretariat personnel

| Staff Member | Position |
|--|----------------------------|
| Arnulf Müller-Helmbrecht | Co-ordinator |
| Douglas Hykle | Deputy Co-ordinator |
| Pablo Canevari | Technical Officer |
| Dr Eugeniusz Novak | Scientific Adviser+ |
| Eric Blencowe | Special Projects Officer++ |
| Ms Hilda Lunscken | Information Consultant |
| Hubert-Marie Cuvelier | Assc. Programme Officer |
| Ms Christina Heuft | Administrative Assistant |
| Thilo Schliebener | Finance Assistant |
| Liam Addis | Secretary |
| Ms Jeanybeth Mina | Secretary |
| Ms Eve Kolasa | <u>Clerk (half-time)</u> |
| + seconded by the German Government until May 1998 for 80% of his time | |
| ++ seconded by the United Kingdom Government until December 1998 for 50% of his time | |

III. Work of the Secretariat

Support to Agreements

18. During the triennium, the Secretariat serviced a number of meetings which lead to the conclusion or further implementation of several Agreements under CMS. One of the most notable events was the conclusion of the ambitious African-Eurasian Waterbird Agreement (AEWA) at a final negotiation meeting held in the Netherlands in June 1995. Sixty-six countries and many nongovernmental organizations were represented. A total of fifty-four Range States signed the Final Act. An interim secretariat is being provided in the Netherlands by the Dutch Government, which played a leading role throughout the development of this Agreement. The first meeting of Parties, which will be held within a year of the Agreement's entering into force, will formally establish an Agreement secretariat within the Secretariat of the parent Convention. (See also document UNEP/CMS/Conf. 5.9 and the relevant annexes for further details of this Agreement and others mentioned below.)

19. The Secretariat serviced two complex negotiation meetings in Monaco – in September 1995 and November 1996 – which resulted in the conclusion of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Seas and contiguous Atlantic Area (ACCOBAMS). The meetings, organized in co-operation with the Environment Service of Monaco, were each attended by about twenty Mediterranean and Black Sea countries, and observers from numerous intergovernmental and non-governmental organizations. Officials of eleven Range States signed the Agreement in the closing session of the plenipotentiary meeting. The agreement is expected to come into force in 1997, once the internal ratification procedures in the signatory countries have been completed.

20. The first-ever meeting of Range States of the Siberian Crane Memorandum of Understanding was organized in Moscow in May 1995, in collaboration with the All-Russian Research Institute for Nature Protection. A second workshop, which brought together experts of eight of the nine Range States to discuss a comprehensive conservation plan, was held in Bharatpur, India, in November 1996. Both were particularly rewarding, given the investment of time by the Secretariat and others. At the second meeting, representatives of the Islamic Republic of Iran, Turkmenistan and Uzbekistan formally signed the Memorandum, bringing to seven the number of signatories.

Other meetings serviced by the Secretariat

Standing Committee

21. The Standing Committee met in Bonn in March 1995, February 1996 and January 1997. The main issues discussed and the results of these constructive meetings are summarized in the report of the Chairman of the Standing Committee (document UNEP/CMS/Conf. 5.5.2). The next meeting of the Committee is scheduled for 9 April 1997 in Geneva. The Secretariat had regular, informal consultations with the Standing Committee Chairman prior to each meeting of the Committee and in the margins of other meetings which both he and representatives of the Secretariat attended: e.g. Asian-Australasian Wetland/Waterbird conference (Kushiro, Japan, November 1994); CBD-COP2 (Jakarta, November 1995); IWC (Aberdeen, June 1996); IUCN World Conservation Congress (Montreal, October 1996); CBD-SBSTTA (Montreal, September 1996); and CBD-COP3 (Buenos Aires, November 1996).

Scientific Council

22. The Scientific Council met once intersessionally, in Bonn, in November 1995. Nearly 35 Councillors from all geographic regions of the world attended. The Council's activities are summarized in the report of the meeting, and will be further expounded by the Chairman of the Scientific Council in his oral report to the Conference of the Parties. Informal meetings with the Chairman were held in the Secretariat offices in July 1996, and in Brussels in September 1996, February 1997 and March 1997. The seventh meeting of the Council will be held in Geneva on 7-8 June 1997.

Consultancies organized by the Secretariat

23. The Secretariat arranged several consultancies during the triennium for specific CMS-related projects. Inter alia, with:

- CONAF (Chile): to undertake a focused conservation project on the endangered Ruddy-headed goose, shared by Argentina and Chile;
- Dr. Koen van Waerebeek (Peru): to conduct research on the population status of cetaceans in the coastal waters of West Africa, as well as interactions with fisheries;
- IUCN Environmental Law Centre (Bonn): to draft the Guidelines on the Harmonization of Agreements (see also document UNEP/CMS/Conf. 5.10) and to prepare technical papers and give legal advice in relation to the negotiations on ACCOBAMS;
- IUCN Marine Turtle Specialist Group (Washington, DC): to organize two workshops on marine turtles (South Africa, November 1995, and India, January 1997);
- IUCN Species Survival Commission (Gland, Switzerland): to facilitate the organization of an expert meeting on the Houbara bustard (Oman, January 1996);
- IUCN Species Survival Commission (Gland, Switzerland): to assist with arrangements for the Symposium on Animal Migration being held in association with the meeting of the Conference of the Parties;
- Royal Belgian Institute for Natural Science (Brussels): to prepare action plans on selected endangered Sahelo-Saharan ungulates;
- World Conservation Monitoring Centre (Cambridge, UK): to produce profiles of non-Party countries on which recruitment efforts are to be targeted;
- World Wide Fund for Nature-Philippines (Manila): to organize a research and training programme on cetaceans in Malaysia and the Philippines.

24. In relation to the above, the Secretariat concluded a Memorandum of Understanding with the IUCN Environmental Law Centre, the terms of which call for the IUCN/ELC to provide legal advice to the Secretariat.

Publicity and promotional activities

25. Efforts to promote the Convention have continued, aided in part by the production of new information materials and presentations and/or written reports delivered at conferences in Africa, the Americas, central and eastern Europe, and Oceania. Secretariat staff attended the following meetings arranged by other international and national organizations in order to promote the Convention and related Agreements, to strengthen co-operation, and to consult with representatives of Parties, non-Parties and other organizations on matters of mutual concern.

| Main Focus | Meeting attended, Venue, Date |
|-------------------|---|
| Global | Planning and Co-ordination Committee of the Marine Mammal Action Plan (Crowborough, UK, June/July 1994; Gland, Switzerland, May 1996) |
| | BirdLife International XXI World Conference (Rosenheim, August 1994) |
| | CITES COP (Fort Lauderdale, Nov. 1994) |
| | Anatidae 2000 (Strasbourg, Dec. 1994) |

| | |
|--------------|---|
| | CBD COP2 (Jakarta, November 1995) |
| | Training course organized by UNEP and UNITERRA (Nairobi, 1995) |
| | Ramsar COP (Brisbane, March 1996) |
| | IWC Annual Meetings (Aberdeen, UK, June 1996) |
| | CBD-SBSTTA (Montreal, Sept. 1996) |
| | IUCN World Conservation Congress (Montreal, October 1996) |
| | CBD COP3 (Buenos Aires, Nov. 1996) |
| Europe | Black Sea Marine Mammal Symposium (Istanbul, June 1994) |
| | Interstate Ecological Council (Moscow, Sept. 1994) |
| | ASCOBANS, First Meeting of Parties (Stockholm, Sept. 1994) |
| | Bern Convention: Standing Committee (Strasbourg, March 1995) |
| | Mediterranean Action Plan Scientific and Technical Committee (Athens, April 1995) |
| | BirdLife International seminar on Action Plans for globally threatened bird species in Europe (Strasbourg, June 1995) |
| | Eurobats, First Meeting of Parties (Bristol, 1995) |
| | International workshop on Nature Conservation in Eastern Germany (Vilm, Germany, Nov. 1995) |
| | Legal Aspects of International Environmental Agreements (Limoges, France, 1996) |
| | Pan-European Biological and Landscape Diversity Strategy (Strasbourg, May and Sept. 1996) |
| | Working Group meeting on the European population of the Great Cormorant (Lelystad, Netherlands, Oct. 1996) |
| | European Crane Workshop, (Stralsund, Germany, Oct. 1996) |
| | International Symposium on the White Stork (Hamburg, Oct. 1996) |
| | Workshop on the Biological Diversity of the Black Sea Basin (Georgia, Oct. 1996) |
| Africa | Action Plan for the Management of the Mediterranean Monk Seal (Rabat, Oct. 1994) |
| | Western Indian Ocean Training Workshop/Strategic Planning Session (South Africa, Nov. 1995) |
| Americas | Marine Mammals of the Southeast Pacific and Central America (San Jose, January 1995) |
| | Western Hemisphere Shorebird Reserve Network Workshop (Ottawa, May 1995) |
| | CMS South American Regional Technical Meeting (Valdivia, December 1996) |
| Asia-Oceania | Conservation of Migratory Waterbirds in the East Asian-Australasian Flyway (Kushiro, Japan, Nov. 1994) |
| | Workshop on the Biology and Conservation of Small Cetaceans of South-East Asia (Dumaguete, Philippines, June 1995) |
| | IUCN/SSC Working Group on Houbara Bustards (Muscat, Oman, Jan. 1996) |
| | Northern Indian Ocean sea turtle workshop (Bhubaneswar, India, Jan. 1997) |
| | Conservation of Wetlands and Waterbirds in North-East Asia (Beidaihe, China, March 1997) |

26. Two issues of the CMS Bulletin, providing information on the latest developments in the Convention, were produced: in June 1996 and January 1997. The Bulletin is distributed to a growing

number of interested governmental and non-governmental organisations as well as to scientists and other individuals. Although the Secretariat had planned to produce it on a more regular basis, this has not been possible so far owing to its other commitments and the difficulties in staffing a permanent Information Officer post.

27. A standard information pack continues to be used to respond to an increasing number of queries about the Convention from individuals and organisations. The Secretariat maintains a database of global correspondents which exceeds 2,000 records.

28. Press releases were sent *inter alia* to international and German media agencies on the occasion of the conclusion of AEWA, the signing of the Slender-billed curlew MoU, the conclusion of ACCOBAMS and the relocation of the Secretariat to the UN premises in Bonn. In addition, a number of articles were prepared for publication in local newspapers of the Bonn region in order to inform the public of the existence of, and activities under, the Convention.

29. The Secretariat has established, in co-operation with the World Conservation Monitoring Centre, a site on the World Wide Web. It contains a wide range of information about the Convention and all of the related Agreements. The site, which is located at <http://www.wcmc.org.uk/cms> needs to be updated to take account of developments over the past 6-8 months.

30. The Secretariat has many ideas for information materials that have not yet been realised for the reasons already mentioned above: among them, a series of posters aimed at illustrating threats to migratory species which UNEP's Information and Public Affairs branch agreed to sponsor in 1994; their production is still pending.

Other documentation prepared by the Secretariat

31. Several other publications and reports were produced and circulated during the triennium:

- Resolutions and Proceedings of the fourth meeting of the Conference of the Parties;
- Reports of the thirteenth, fourteenth and fifteenth meetings of the Standing Committee;
- Report of the sixth meeting of the Scientific Council;
- Report of the First Range State Meeting under the Memorandum of Understanding concerning Conservation Measures for the Siberian Crane (Moscow, May 1995);
- Status report on the Slender-billed curlew (*Numenius tenuirostris*) in the framework of the Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew (November 1995);
- Lists of National Focal Points (latest version: March 1997);
- Lists of Scientific Councillors (latest version: March 1997);
- List of common names (in Latin, English, French, Spanish and German) of species included in the Appendices (latest version September 1996);
- Summary sheets of the Agreements concluded under the Convention (in English, French and Spanish: latest version: March 1997);
- Standard request form, which is circulated to interested parties and at meetings where CMS staff attend as observers.

32. In the absence of an updated CMS brochure for general audiences, the Secretariat developed a comprehensive "Guide to CMS" for those who require a comprehensive overview of the aims, instruments and implementation of the Convention. Although the Guide has not yet been finalised it has been used (in English only) for information purposes.

33. The Convention requires the Secretariat to maintain and publish a list of the Range States of all

migratory species included in Appendices I and II. A considerable effort has gone into preparing a revised list, incorporating the Range States for species added to the Appendices by COP4 (Nairobi, June 1994), and translating it into French and Spanish (document UNEP/CMS/Inf. 2). Scientific Councillors and Party focal points are invited to send any detailed comments or suggestions to the Secretariat by 31 May 1997, so that they may be taken into account in the amended list that will be produced after the present meeting of the Conference of the Parties.

IV. Liaison with Agreement secretariats, Governments and other organizations

Agreement Secretariats

34. The secretariats of the Agreement on the Conservation of Seals of the Wadden Sea, the Agreements on the Conservation of Bats in Europe (Eurobats) and of Small Cetaceans of the Baltic and North Seas (ASCOBANS), as well as the interim secretariat of the African-Eurasian Migratory Waterbird Agreement have kept the Secretariat of the Convention fully informed of their activities and have submitted reports to the fifth meeting of the Conference of the Parties (cf. Annexes to document UNEP/CMS/Conf. 5.9). Secretariat representatives met in Bonn on 13 March 1997 to be briefed on aspects of the forthcoming meetings of the COP, Standing Committee, Scientific Council and Symposium on Animal Migration which are of interest to the Agreements (e.g. the proposed model for administrative integration of European-based Agreement secretariats in the Convention Secretariat, considerations on harmonization of the reporting systems under CMS and its Agreements, proposals for listing of species, and co-operation with international intergovernmental and non-governmental organizations).

35. In addition, it is worth mentioning that the secretariats of the Convention and the Agreements have kept in regular contact at all times and have assisted one other in an effective manner. For example, the Convention Secretariat helped the secretariats and the host Governments of both ASCOBANS and Eurobats in the preparation and organization of the first sessions of their Meetings of the Parties, and have continued to assist with the preparation of the second sessions. The Agreement secretariats have represented CMS in various meetings which the Convention Secretariat could not attend, and vice versa.

Governments

Host Government

36. The Government of the Federal Republic of Germany, as the host Government and as a Party to the Convention, increased its support to the Secretariat by providing new office accommodation, furniture, and computer equipment as mentioned above. It also extended the term of its secondment of an internationally reputable scientist to the Secretariat, enabling him to assist in the fifth meeting of the Conference of the Parties. The German Government was among those which provided financial support towards the travel expenses of several representatives of developing countries attending the meeting in 1995 to conclude the African-Eurasian Migratory Waterbird Agreement. The German Ministry of Environment has pledged to support the work of the Secretariat with an annual voluntary contribution of DEM 100,000 in the framework of the conclusion of a new headquarters agreement. The German Government, the City of Bonn and a number of non-governmental organizations increasingly involve the Secretariat in their visitor programmes, thus giving the Secretariat the opportunity to promote CMS and related Agreements to high-level representatives of environment ministries, other governmental institutions and non-governmental organizations.

Other Parties

37. The Secretariat has increased the frequency of its communication with Parties, both through the institutions of the Convention and the Agreements which have been concluded under its auspices, and by more regular personal contact. Every new Party continues to receive a letter from the Secretariat giving information on CMS activities and related Agreements that are of interest for the country concerned, and inviting the responsible authorities to nominate a focal point and a Scientific Councillor. These persons are then provided with all of the basic documentation on the Convention and its development and implementation. Unfortunately, it has not been possible for the Secretariat, owing to lack of time and other resources, to visit the responsible authorities of new Parties in order to discuss with them their future

implementation of the Convention.

38. Several Governments have continued to make valuable contributions to the work of the Convention during the course of the triennium. In particular, the Governments of Monaco and France contributed substantial funding for the two negotiation sessions to conclude the Mediterranean and Black Sea cetacean Agreement. The Government of the Netherlands and the European Commission co-financed the negotiation sessions on the AEWA. The former is hosting, at its expense, the interim Secretariat of the AEWA, while the United Kingdom hosts the secretariat of ASCOBANS. The Government of Switzerland has made an important financial contribution towards the holding of the fifth meeting of the Conference of the Parties and the related Symposium on Animal Migration. The Governments of the Netherlands, Denmark, Sweden, and United Kingdom have all pledged support for the attendance of delegates from developing countries or countries in economic transition. The Secretariat gratefully acknowledges all of these valued contributions.

Non-Parties

39. One of the priorities set by the Secretariat in consultation with the Standing Committee has been to continue to liaise with Governments and institutions of non-Party States. Apart from written correspondence, many direct contacts were made at international conferences. Missions to a number of countries afforded the opportunity to meet senior Governmental representatives, e.g. Canada, China, Georgia, Japan, Oman, and Turkey. Contacts were also made through the Bonn embassies of a number of countries.

40. A relatively new development, since the arrival in March 1996 of a Programme Officer from South America, has been an emerging interest in CMS from Latin American countries. A workshop organized in Chile in December 1996 attracted representatives from Argentina, Chile and Uruguay as well as four non-Parties: Bolivia, Brazil, Paraguay and Peru. The Secretariat also received the visit of representatives from Cuba, Peru and the Central American Committee for Environment and Development. These developments are covered in greater detail in document UNEP/CMS/Conf. 5.5.3. The activities of the Special Projects Officer, in his capacity as the Secretary of the European Bats Agreement, have further enhanced the profile of CMS in Europe.

41. Recruitment efforts in the immediate future will focus primarily on the nearly 20 countries for which the World Conservation Monitoring Centre was contracted to prepare "country profiles". These briefs will be at the disposal of the Secretariat, the Standing Committee and the target countries themselves to facilitate informed discussion about the merits of joining CMS. Initial indications suggest that the profiles that have been completed have been well-received. The remainder will be finalized after the COP meeting.

International Intergovernmental Organizations

UNEP

42. The Secretariat, provided and administered by the United Nations Environment Programme, maintains regular and close contact with UNEP and the UN bodies in Nairobi and Geneva responsible for issues of interest to CMS. Personnel administration requires contact on an almost daily basis. Implementation of decisions of the fourth meeting of the Conference of the Parties with respect to the Secretariat's staff produced an enormous workload for both the CMS Secretariat and the responsible units of UNEP and, after the re-organization of UNEP and the establishment of the United Nations Office at Nairobi (UNON), those newly established units. In 1994 and 1995, especially, personnel changes and staff reductions in UNEP meant that CMS matters were not handled as smoothly or as expeditiously as they should have. However, the situation has improved over the past year, in large measure due to greater continuity in the staff of UNON, UNEP and the CMS Secretariat.

43. The CMS Trust Fund is administered by the Fund Programme and Management Branch (FPMB) of UNEP, while UNON supervises the financial commitments and expenditures of the Secretariat in order to ensure that the UN Financial Rules are applied correctly. In this regard, lengthy discussions have taken place with respect to the form and content of agreements with institutions, organizations and individuals that have financial commitments, as well as the authority to sign them. However, there is reason for

optimism that the system will function better in the future, since agreement was reached in March 1997 on a simplified format to be used for small projects, the consultation procedure with the FPMB prior to signature of draft agreements, as well as the issue of who shall be the contracting parties of such agreements. At the request of the Secretariat, UNEP fund management experts visited the Secretariat four times between 1995 and early 1997, in order to assist in fund management and administrative matters and to provide the CMS Finance Assistant with some training.

44. A considerable number of requests for information and contributions to reports or programme work of various units of UNEP are regularly received by the Secretariat. The Co-ordinator apologizes that the current staffing levels have not permitted the Secretariat to respond to all of these requests. In a number of cases, it would have been in the interest of CMS to establish a closer working relationship with UNEP in relation to its programmes and projects – such as the GEF Co-ordination Unit and the Marine Mammal Action Plan – but at present this is not possible. Also, it would have been advantageous for both CMS and UNEP if it had been possible to recruit an Administrative/Fund Management Officer from UNEP's programme support costs, as has been agreed between the Chairman of the Standing Committee and the Executive Director in 1994.

45. More intensive consultation and co-ordination arrangements have been initiated by UNEP, on the basis of the mandate which was assigned to it by Agenda 21, Chapter 38. Regular meetings are now held between UNEP and the secretariats which it administers as well as the secretariats of a number of other biodiversity-related conventions. These arrangements began in 1994 and, up to January 1997, six co-ordination meetings have been held. UNEP submitted a report in this regard to the 19th session of the Governing Council (Nairobi, January-February 1997). On the proposal of UNEP, the Governing Council adopted a decision (UNEP/GC.19/L.49), *inter alia* instructing UNEP to continue with the co-ordination of the convention secretariats, requesting "the conferences of parties of the relevant conventions to encourage their secretariats to engage and continue to participate actively in the coordination process" and stressing that UNEP as well as the secretariats need to have the necessary resources to maintain an adequate level of coordination and co-operation. Actually, the CMS Secretariat has had to bear the burden of work and, contrary to most of the UNEP-administered convention secretariats, to bear the travel costs to meet regularly in Nairobi or Geneva.

46. The results of those meetings have not been very impressive so far, but regular meetings, exchange of information and discussion of items of common interest are likely, in the longer term, to be very useful and to generate progress without necessarily showing a noticeable outcome at each meeting. The Co-ordinator is of the opinion that UNEP and the convention secretariats still have to find their role in the coordination process. UNEP might see the chance to take over tasks for which none of the convention secretariats is specifically responsible, but where it is expected that synergies as well as economies for the convention secretariats and the Parties to their conventions can be gained. The following examples may serve as illustrations:

- harmonization of the arrangements made by UNEP and other UN organizations for the administration of convention secretariats, with a view to facilitating as far as possible and appropriate the administrative work of UNEP and the convention secretariats, and recognizing the particular position and role of those secretariats as being subject both to the instructions of their convention bodies as well as the personnel and financial rules of the United Nations;
- development of guidelines for the harmonization of headquarters agreements for the various convention secretariats.

Most important, however, would be for UNEP to commit itself to creating synergies to the advantage of the Parties to the various conventions. For example, it would be a task for UNEP to initiate a feasibility study on a harmonized reporting system of the biodiversity-related conventions, including the financial implications. Similarly, UNEP would be well-placed to develop a model for the transformation of the provisions of the various conventions into national legislation; this would help the conventions as well as their Parties. The secretariats of certain conventions could then return to their former practice of co-ordinating themselves on matters of common concern.

Biodiversity-related Conventions

47. The Secretariat has made several approaches in order to establish, as requested by the Conference of the Parties, partnerships with the secretariats of the Convention on Biological Diversity (CBD) and other biodiversity-related conventions:

- A Memorandum of Cooperation was concluded between the Heads of the CBD and CMS secretariats on 13 June 1996 (Annex 1);
- On 18 February 1997, the Heads of the CMS Secretariat and the Ramsar Bureau signed a Memorandum of Understanding (MoU) on co-operation between the two secretariats (Annex 2). This MoU is also intended to respond to the request of the participants in the negotiation meeting on the AEWA (The Hague, The Netherlands, 12-16 June 1995), as expressed in the Final Act of the meeting.
- Consultations with the secretariat of the International Whaling Commission (IWC) will begin soon (in May or June 1997), with the aim of developing and concluding a comparable memorandum of understanding. The CMS Secretariat would prefer however to have a study initiated beforehand, whereby fields of complementarity and overlap could be clearly identified. The Secretariat has asked the IUCN Environmental Law Centre to develop terms of reference and a cost estimate for such a study, and takes this opportunity to call on the Parties to facilitate the study by providing the necessary funds.
- The CMS and CITES Secretariats continue to maintain very good relations, even though they have little in common in the substance of their respective fields of work. Nevertheless, the CITES secretariat has assisted CMS several times in administrative matters, for example, in relation to the recruitment of CMS staff and in the organization of the present meeting of the COP.
- Good working relations exist also with the secretariat of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention). Each secretariat has represented the interests of its convention in meetings of the other. The Bern Convention secretariat contributed actively to the negotiation of the African-Eurasian Migratory Waterbird Agreement (AEWA) and to ACCOBAMS in the early stages of its development. The latest fields of co-operation have been the Pan-European Biological and Landscape Diversity Strategy and activities related to a number of species covered by both conventions.

Contacts were also made with some other international intergovernmental organizations or programmes, such as the Interstate Ecological Council of the Commonwealth of Independent States (CIS) and the Programme on the Conservation of Arctic Flora and Fauna (CAFF).

48. Notwithstanding the excellent relations which it shares with the secretariats of the above-mentioned global and regional Conventions, the Secretariat is concerned by its growing commitments to implement memoranda of co-operation and to keep meaningful contacts on a regular basis. There are, in addition, a number of other conventions, programmes and international bodies which also merit consultation and co-operation, or input from CMS. Liaison with global conventions such as the United Nations Convention on the Law of the Sea (UNCLOS) and the World Heritage Convention would be beneficial, as would co-operation with a number of regional conventions and post-UNCED bodies. The Secretariat will increasingly be called upon to develop contacts with relevant organizations in other global regions outside Europe. None of this has been possible so far, and it will be difficult to make substantial progress if the Secretariat's staff capacity is not improved.

49. For the time being, the Secretariat can only try to rationalize its contacts by concentrating on very specific measures to be undertaken in related fields. Consultations are being carried out with the IUCN/ELC to see whether a comprehensive analysis can be made of CMS and its relationships – including real or potential overlaps – with other international environmental conventions. Although it may be felt by some that such a task should be left to one of the larger conventions, CMS could benefit from its conclusions. The results could be forwarded to the other convention secretariats and used as a basis for focussing future co-operative activities in the framework of the memoranda of understanding already concluded with them.

International Non-Governmental Organizations

50. Intensive co-operation has continued with several specialised international organisations in the course of the development of various CMS Agreements. In particular, memoranda of cooperation have been concluded with the IUCN Environmental Law Centre and Wetlands International, and a solid working relationship agreed upon (Annexes 3 and 4, respectively). Direct contacts with all three regional offices of Wetlands International, as well with the IUCN Species Survival Commission and a number of its specialist groups were intensified in the course of the Secretariat's activities over the past three years, and are expected to continue to grow. The Secretariat takes this opportunity to applaud the excellent cooperation of a number of non-governmental organisations both in the development of the AEWA and ACCOBAMS, and the elaboration of the work programmes for ASCOBANS and the European Bats Agreements during their first Meetings of the Parties.

51. The Secretariat continues to be concerned, however, by the lack of interest shown to CMS by some important international non-governmental organizations, such as WWF International and IUCN, in contrast to the significant attention and support given by those organizations to most of the other global conventions. It is hoped that the vitality shown by CMS in recent years will be a stimulus for more rewarding co-operation with both of these important global organizations.

C:\WPDOCS\Cop5-DH\English\CP5CF5.05.1.en.fin.wpd