



Convention on the Conservation of Migratory Species of Wild Animals

Distr.
GENERAL

UNEP/CMS/Conf. 5.6
28 March 1997

ORIGINAL: ENGLISH

FIFTH MEETING OF THE
CONFERENCE OF THE PARTIES
Geneva, 10-16 April 1997
Item 16 of the provisional agenda

CORRECTION OF THE TEXTS OF THE CONVENTION Prepared by the Secretariat

1. The Secretariat approached the Depositary and the German CMS focal point, starting in the early 1990s, to review the text of the Convention and the Appendices in all Convention languages in order, *inter alia* to include an amendment of Article IV, paragraphs 3 and 4. The reasons for the Secretariat's request were three-fold:

- Registration and publication of the Convention text in the official gazette of the United Nations, which had not been carried out, is required under Article XX of the Convention;
- the availability of certified, corrected texts in all Convention languages would facilitate, or even be essential for, efforts to recruit new Parties;
- the revised versions would be a basis for a regular update of the Appendices.

2. The matter was discussed at length in bilateral correspondence between the Secretariat and the CMS Focal Point and the Depositary. It was also discussed at every meeting of the Standing Committee and at COP4. Most deadlines set in these meetings were not met because, *inter alia*, there were insufficient funds and personal capacity within the responsible German Ministries to enable translations to be commissioned from external translators, and opinions differed about who should carry out the work.

3. Eventually it was agreed in the 14th meeting of the Standing Committee (Bonn, 1995) that:
- a) the Depositary, in collaboration with the German CMS Focal Point, should provide the translations, consult the Governments of the countries concerned on the new texts in the respective languages (in accordance with the official procedures under Article 79 of the Vienna Convention on the Law of Treaties) and transmit the agreed texts to the Secretariat of the United Nations for their publication in the UN official gazette;
 - b) the Convention Secretariat would provide a regular update of the Appendices in all Convention languages¹ after they had been updated by the Depositary in the framework of

1

For clarification, the Secretariat emphasises that the species listed in the Appendices are in Latin in all language versions; translations are needed only of the explanations at the beginning of each of the appendices and in the species lists where geographical or other annotations are given.

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the procedure listed at a) above.

4. As far as the Secretariat is informed, the present state of the work is as follows:
- a) the Depositary sent the French and Spanish texts through diplomatic channels to the UN Secretariat for publication once these versions had been cleared (by the Depositary) with the countries concerned, in accordance with Article 79 of the Vienna Convention on the Law of Treaties; the UN Secretariat confirmed registration of the texts and Appendices retroactive to 19 July 1995, after additional documentation and information were sent, at the request of the UN Secretariat, by the Depositary through diplomatic channels on 3 April 1996; the official French and Spanish versions, prepared by the Depositary and presented to the Secretariat for distribution purposes, are attached as Annexes 1 and 2²;
 - b) the revised German text is effective as of 11 June 1996 (see Annex 3 for the text prepared by the Depositary);
 - c) the amendments of the Appendices I and II in the English, French and Spanish language versions adopted by the Conference of the Parties at its third (Geneva, 1991) and fourth meetings (Nairobi, 1994) were officially communicated by the Depositary through diplomatic channels on 10 April 1996 to all Parties and Signatories;
 - d) the Convention Secretariat has no information about whether the Depositary has also cleared the English version of the Convention in accordance with Article 79 of the Vienna Convention on the Law of Treaties, nor whether it passed to the UN Secretariat the English and German versions of the Convention text and Appendices;
 - e) concerning the Arabic, Chinese and Russian versions, following the 15th meeting of the Standing Committee (Bonn, 23-24 January 1997) the Depositary reported to the Secretariat that:
 - the final Arabic and Chinese texts were circulated to Governments on 28 January 1997 in accordance with Article 79 of the Vienna Convention on the Law of Treaties with a deadline for comments until 25 March 1997. The texts will be sent to the UN Secretariat without delay as soon as possible after the consultation process (April 1997); Saudi Arabia sent comments on the Arabic text which require examination; no comments on the Chinese text were received by the end of the deadline.
 - the Russian version would be finalized in June 1997, and processed in the same way as the versions in other languages.
 - f) The Convention Secretariat will identify a translation service which will, on a longer term basis, provide for regular updates of the Appendices once it has received all revised language versions from the Depositary on computer diskette in a readable word-processing format..