



Convention on the Conservation of Migratory Species of Wild Animals



Report of the 13th meeting of the Standing Committee

Bonn, Germany, 16-17 March 1995

(Prepared by the Secretariat)

Opening remarks by the Chairman and the Depositary

1. The Chairman opened the meeting, noting that many of the points to be discussed arose from the *Strategy for the Future Development of the Convention* adopted by the Conference of the Parties in June 1994. He expressed disappointment at the lack of progress in staffing the posts agreed in Nairobi the previous year and indicated that a further message to UNEP was needed in order to seek its support for the Secretariat of the Convention. He concluded his remarks by emphasizing the importance of co-ordinating CMS activities with those of other related conventions. He expressed pleasure with the fact that all five regional members and the Depositary were in attendance, as were observers from several Parties. The list of participants appears at Annex 1.

2. The representative of the Depositary, Dr. Ritter von Wagner, welcomed the members of the Committee and the observers who were present. He explained that the meeting was being held in a room where some historical events had taken place, including the negotiations on German unification in 1990. He deplored the fact that mankind was increasingly destroying its environment and expressed hope that on a longer-term CMS would help to reverse that development. He then reflected on some of the reasons for the relatively poor participation of countries worldwide which had implications for the implementation of the Convention, and he made recommendations as to how to convince the governments concerned to accede.

Adoption of the agenda

3. The agenda, reproduced at Annex 2, was adopted without modification. The election of the Vice-Chairperson was postponed until the second day of the meeting.

Matters arising from the 10th and 12th meetings of the Standing Committee (Buenos Aires, January 1994 and Nairobi, June 1994, respectively)

Election of a Vice-Chairperson

4. The representative of America and the Caribbean (Panama) was elected by acclamation to serve as Vice-Chairman of the Standing Committee.

Amendment of the rules of procedure of the Standing Committee

5. The Co-ordinator introduced Document CMS/StC.13/3 which contained a number of proposals for amending the rules of procedure, in keeping with decisions taken by the Conference of the Parties (COP) at its fourth meeting (Nairobi, June 1994). These were intended to clarify or confirm, *inter alia*, that: (1) elections for Standing Committee members at any given meeting of the COP are needed only for those members whose term of office has expired, and not for those members having served one session; (2) elections shall be conducted mid-term for any regional member who indicates a desire to stand down without completing a full (two-triennium) term of office; and (3) interpretation will be provided in English, French and Spanish for meetings of the Committee.

6. The Rules of Procedure were adopted with the amendments proposed by the Secretariat in Annex 6 to Document CMS/StC.13/3, with one additional amendment to Rule 6 proposed by the representative of America and the Caribbean. The second sentence of that rule now reads as follows (with the new text written in italics): "The membership of the Committee shall consist of one Party elected from each of the five major geographic regions (Africa, America and the Caribbean, Asia, Europe and Oceania) *on the recommendation of the Parties of each of those regions*, as well as the Depositary Government and the next host Party of the meeting of the Conference of the Parties." The Chairman explained that the Conference of the Parties would be invited to endorse the proposed change at its next meeting. The representative of Africa (Niger) drew the Secretariat's attention to some minor discrepancies in the French language version of the rules of procedure; and it was agreed that the representative and the Secretariat would liaise on this point.

Information points

UNEP/CMS Secretariat staffing situation and correspondence with UNEP Executive Director regarding additional support for CMS

7. The Co-ordinator introduced those sections of Document CMS/StC.13/4 dealing with the staffing situation of the UNEP/CMS Secretariat and the support requested from UNEP. He explained that there had been lengthy procedural delays in finalizing the classification and the initial stages of the recruitment process for the two Professional Staff which had been agreed by the Conference of the Parties in June 1994. In the case of the Information Officer, the classification proposed by the responsible unit of the United Nations in New York had been lower than that agreed by the COP in the budget which had been adopted. There was an even wider discrepancy with respect to the post of Administrative Officer, for which the source of funding had yet to be determined. The Secretariat stressed that it was especially important to have experienced staff on board since the office had to function semi-autonomously with a very limited number of personnel.

8. Members of the Committee expressed concern that the staffing situation of the Secretariat appeared, in fact, to have deteriorated since the Nairobi conference since there had been a need to deal with turnover of support staff and lengthy recruitment procedures. Different views were expressed as to the merits of insisting upon the classifications which had been accepted by the COP: some members considered that the decision of the COP should be respected while others felt that it would not be productive to dispute this point, favouring instead a pragmatic solution that would result in the recruitment of the staff without further delay. Some members commented that UNEP's poor performance in recruiting staff for the Secretariat on this and other occasions should be taken into account in decisions that might be made with respect to the administration of secretariats of agreements co-located with the UNEP/CMS Secretariat. The

Committee agreed that the Chairman should write urgently to the Executive Director of UNEP to emphasize that the wishes of the Conference of the Parties were not being carried out and that CMS merited more attention than it currently received. The Chairman encouraged Standing Committee members, and their respective ministers, to make this point personally with the Executive Director should the opportunity arise.

9. The representative of the Depositary announced that the Government of Germany would provide for a two-year extension of the secondment of a Scientific Advisor to the CMS Secretariat, with effect from the end of May 1995 (when the current secondment is due to expire), on condition that the Secretariat remained in Germany. This was meant to strengthen the capacity of the Secretariat, and not as a compensation for the delayed recruitment of other professional staff. The Co-ordinator reported on investigations he had made about the possibility of recruiting another German support staff member for 1-2 years through an arrangement with the German Labour Office, whereby 75 percent of the employee's salary would be paid by the German Government and the remainder by CMS. He indicated that he had not discussed the matter with UNEP headquarters, but that the employee might be administered by a German non-governmental organization in order to meet German legal requirements. The Committee concluded that, in view of several unknowns, it was not desirable for the Secretariat to proceed with this proposal for the time being.

10. On a separate item, some Committee members agreed that the Convention might benefit from certain volunteer activities, such as having officials visit the Secretariat on training courses to learn more about CMS. Concern was expressed, however, that while potential opportunities should be explored it would be a mistake to encourage this activity if it would result in a drain on the Secretariat's limited resources. Trainees should therefore be adequately qualified to support the Secretariat's work.

11. On the question of accommodation for the Secretariat, the representative of the Depositary stated that the host Government would ensure that all staff agreed by the Conference of the Parties would be adequately accommodated. The longer-term arrangement still required further examination, however, the Government of Germany had a keen interest in doing more for CMS in Bonn, subject to the decisions of the Finance Ministry. One of the possibilities under consideration was to accommodate the CMS Secretariat in a building which eventually would house the United Nations Volunteers.

Summary of outcomes of the 4th meeting of the Conference of the Parties (COP4); status of conference proceedings

12. The Deputy Co-ordinator drew the Committee's attention to the relevant section in Document CMS/StC.13/4 concerning the fourth meeting of the COP and explained that the French and Spanish language versions of the proceedings of the conference would not be available before the end of June 1995. The English language version had been circulated, together with the national reports on implementation, to all Parties in January 1995.

Update on CMS Agreements

13. The Secretariat and various Committee members highlighted or added to information contained in Document CMS/StC.13/4 concerning CMS Agreements:

- The representative of the Depositary reported that the first meeting of the Advisory Committee under ASCOBANS had met two weeks previous, and that very good progress had been made. Another meeting of the Committee to deal with practical aspects of implementation was scheduled for October 1995.

- The Deputy Co-ordinator reported that a considerable effort had been made to revise and complete the draft Agreement on the Conservation of Small Cetaceans of the Mediterranean and Black Seas, with a view to having the text discussed at a meeting of Range States in May 1995. Although France and Monaco had expressed interest, in November 1994, in co-sponsoring such a meeting, they had recently indicated to the Secretariat that they preferred that it be postponed until September 1995.
- The observer from the United Kingdom gave details of the first Meeting of the Parties to the European Bats AGREEMENT, scheduled to take place in Bristol in July 1995, back-to-back with an IUCN regional meeting. This arrangement would hopefully make it possible to facilitate the attendance of more delegates from the Range States. He drew attention to a separate issue for which there were different interpretations: namely, the length of time for which the United Kingdom was committed to host the interim secretariat of the AGREEMENT by virtue of previous undertakings. He stated that, while the UK would be prepared to keep the secretariat for a transitional period of six months after the July 1995 conference, it expected the Parties to the AGREEMENT to begin paying subscriptions as of the beginning of 1996. He noted that by the end of 1995 the UK would have hosted the secretariat for 3 1/2 years.
- The Co-ordinator reported on the latest developments concerning the arrangements for the negotiation meeting on the African-Eurasian Waterbird Agreement (AEWA), scheduled to take place in The Hague in June 1995. He indicated that a fundraising initiative would begin shortly to help finance the meeting costs, including participation of delegates from developing countries. Noting that this would not be sufficient to cover all of the anticipated costs, he requested authorization from the Standing Committee to use money from the CMS Trust Fund. The Deputy Co-ordinator clarified that these funds might be derived from transfers from existing budget lines and could also be justified on the basis of substantial amounts intended for developing country assistance which were not used in the 1992-1994 triennium. The representative of the Depositary announced that the German Government was prepared to provide DM 40 000 to cover travel costs of delegates from Central and Eastern European countries as a first priority (and eventually other countries should any of this amount not be needed). After some discussion, the Committee concluded that the source of funding for the meeting should, in the first instance, be derived from voluntary contributions; however if these were not sufficient, a maximum of USD 75 000 could be drawn from the CMS Trust Fund. If expenditures above this level were anticipated, the Secretariat was instructed to clear them first with the Chairman who would decide, depending on the amounts in question, on whether or not to seek the views of the rest of the Committee.
- The Deputy Co-ordinator gave a brief update on the Asia-Pacific Waterbird Agreement, whose limited progress could be explained by the poor representation of CMS in the region. The Chairman, in his capacity as representative of Oceania (Australia), expressed optimism that current regional activities with respect to waterbirds would eventually come under a CMS umbrella. It would be important in the meantime for CMS to increase its presence in region in order to make the Convention better-known and to facilitate more intensive recruitment efforts.
- The Deputy Co-ordinator gave further details of a meeting of Siberian crane specialists scheduled to take place in Moscow in May 1995, within the framework of the CMS Memorandum of Understanding Concerning Conservation Measures for the Siberian Crane. A further workshop was envisaged to be held in India in early 1996, in keeping with previous expressions of interest by the Government of India to host such a meeting.

- The Secretariat explained developments concerning the memorandum of understanding for the Slender-billed curlew, which had now been signed by nine Range States. Further work was needed to prepare concrete project proposals for implementation of measures in the field.

Revision of (1994) Strategy for the Future Development of the Convention

14. The Deputy Co-ordinator reported that, although the Secretariat had been requested to revise the *Strategy for the Future Development of the Convention* in accordance with the decisions of the fourth meeting of the COP it had been unable, due to insufficient resources, to keep to the 31 October 1994 deadline. Recognizing the importance of the document and the need to make it widely available as soon as possible, the Secretariat undertook to carry out this work as a high priority after fulfilment of several other commitments in May-June 1995.

Status of contributions to CMS Trust Fund, CMS budget and resources

15. The Deputy Co-ordinator reported that, subsequent to the preparation of the tables showing contributions to the CMS Trust Fund, further contributions had been received from Germany, Norway and Portugal. The observer from the United Kingdom indicated that his Government had very recently paid its subscription for 1995. Overall, the percentage of contributions received in 1994 (amounting to 80 percent of the total pledges) was comparable to other years, however, the Deputy Co-ordinator noted that this percentage was significantly lower than that achieved by some other related Conventions. Italy had the largest outstanding contribution (nearly USD 300 000, including that of 1995), followed by Spain, Israel and Argentina. It was hoped that a newly established communication channel with the Italian authorities would facilitate payment of that Party's delinquent contribution.

16. The Standing Committee expressed regret that a sample invoice for payment of subscriptions still had not been made available by UNEP, and requested the Secretariat to expedite its preparation. The Committee also remarked on the difficulty it had had in making decisions concerning financial questions due to the fact that current, accurate information on the status of the CMS Trust Fund and on expenditures had not been made available to the Secretariat in a timely manner. It requested the Secretariat to impress upon UNEP headquarters the need for such information and to circulate it well in advance of the Committee's next meeting.

Correction of texts of the Convention

17. There was a lengthy discussion concerning the availability or lack thereof of certified texts of the Convention, which was the basis for the information presented in Document CMS/StC.13/4. At issue was a difference of opinion between the Depositary and the Secretariat as to which body was responsible for carrying out the work of updating the Appendices, and the length of time that had been needed for the Convention texts to be corrected and circulated in accordance with established procedures. The Depositary held the view that it was responsible only for updating the Convention texts and, citing the example of another convention, claimed that it was the Secretariat's responsibility to provide for the updated Appendices. The Secretariat referred to the obligations of the Depositary given in the text of the Convention and maintained that the Depositary had not adhered to undertakings it had made on previous occasions. The Chairman suggested that the Secretariat continue a bilateral discussion with the Depositary and circulate a proposal to the Standing Committee of how to resolve the matter with a minimum of delay.

18. The Depositary announced that, one week before the Standing Committee meeting, it had in fact circulated corrected French and Spanish versions of the Convention text. The question then arose as to whether to request the United Nations to publish the corrected English, French

and Spanish texts without further delay or to wait until the German and Russian (and perhaps Arabic and Chinese) languages versions were also ready. The Committee concluded that, notwithstanding the desirability of publishing all seven language versions, the corrected texts in the three working languages should be published immediately, provided that was acceptable to the United Nations, and that work on the other languages should be expedited. The representative of the Depositary estimated that it might be possible to complete the German and Russian texts by the end of 1995, and the Arabic and Chinese texts somewhat later, bearing in mind the need to circulate the texts for comment. The representative of Asia (Saudi Arabia), stressing the importance of having an up-to-date Arabic text for promotional purposes, agreed with this proposal on condition that it did not unduly delay work on the other texts. To that end, he offered to assist the Depositary in checking the Arabic text and updating the Appendices. [Note from the Secretariat: after the meeting, in keeping with the suggestion of the Chairman, the Secretariat wrote to the Depositary with a proposal on how to proceed in the future – see Annex 3.]

Current CMS membership and recent recruitment initiatives

19. There was a general discussion of efforts that had been made to recruit new Parties to the Convention. Despite considerable efforts that had been made in 1994 and more recently in 1995, the current political climate in the United States left little room for optimism that that country would join CMS in the near future. The same was true for Canada partly on account of budget cutbacks. There had been few opportunities to recruit new Parties in Central and South America, but recent contacts with Costa Rica would be followed up by the Secretariat. The representative of America and the Caribbean described the contacts he had made with several countries in the region, stressing the importance of the availability of a corrected Spanish Convention text. The Chairman informed the meeting of encouraging news emanating from a marine turtle workshop held recently in Japan which, without any prompting from CMS, had recommended that Cuba join the Convention.

20. Elsewhere, the Co-ordinator had made a considerable effort to encourage Central and Eastern European countries to join CMS. Slovakia became a Party to the Convention on 1 March 1995, and Switzerland was expected to accede in the very near future. The representative of Africa noted that the Convention was still not well known in that region, and that promotional efforts there would benefit from a greater presence on the ground. In Asia, the Deputy Co-ordinator had had useful discussions with the Japanese authorities, but he emphasized that these would have to be pursued over a longer period of time. The Chairman observed that East Asia and Oceania were particularly under-represented in CMS. He expressed optimism, however, that discussions with New Zealand would lead to that country's accession in the not too distant future. He considered that the Secretariat had done a good job at creating opportunities for countries to join the Convention, but that these efforts needed to be continued. There was a common understanding that the Parties to CMS should intensify their efforts to encourage non-Party countries to accede to CMS.

Standing Committee programme to be completed before COP5

Development of a target list of non-Party States on which to concentrate recruitment efforts

21. As noted in Document CMS/StC.13/6, the *Strategy for the Future Development of the Convention* and Action 2 of Resolution 4.4 (Nairobi, June 1994) called for the development of a "target list" of non-Party States on which to focus recruitment efforts, as well as the compilation of pertinent information to facilitate these endeavours. The Chairman observed that countries

tended to fall into two broad categories: those which were important to CMS for pragmatic reasons and others which were important in terms of conservation interests. The difficulty faced by some countries in paying contributions was cited as one reason deterring countries from joining the Convention; the development of new Agreements was considered to be an incentive for more countries to join.

22. The Committee agreed that a more focused approach to recruitment was necessary to ensure that limited resources were used wisely in order to achieve positive results. The Committee agreed with the Secretariat's proposal that the World Conservation Monitoring Centre (WCMC) be invited to develop a target list of countries on which to focus efforts, based on well-defined criteria, and to prepare brief profiles of those countries according to terms of reference elaborated by the Secretariat. These profiles, including arguments in favour of a country joining CMS, were intended to facilitate the approaches made by the Secretariat, Standing Committee and others. Standing Committee members were invited to provide the Secretariat, before the end of the meeting, with suggestions of countries they considered important to appear in an initial list to be given to WCMC.

Consultancy to assist developing countries prepare proposals for submission to GEF

23. The Co-ordinator introduced the Addendum to Document CMS/StC.13/6, concerning agenda points 6b) and 6c), and described the experience the Secretariat had had with projects intended to benefit the implementation of CMS. The results so far had not been very successful but some lessons had been learned. He expressed pessimism about the potential for GEF funding for CMS activities, and invited the Standing Committee members to share their ideas on how to proceed. Speaking as representatives of their national governments, the representatives of Australia, Germany, the Netherlands and the United Kingdom shared a common view that GEF funding should not be limited to support for the Convention on Biological Diversity (CBD), but should also be available to other conventions, such as CMS and its associated Agreements, which were capable of delivering CBD objectives. Several indicated that their governments had made this position known in different contexts and would continue to do so.

24. A number of members expressed reservation about the Secretariat being directly involved in project work, citing the negative experiences of the Ramsar Convention in this regard, as well as the burden on a small secretariat of having to oversee consultancies for projects. A number of CMS Parties were already involved through bilateral arrangements in projects in developing and Central and Eastern European countries. It was important that whatever initiatives were undertaken were done effectively. The Co-ordinator clarified that it was not the Secretariat's intention to become directly involved in projects, but rather to encourage other organizations to carry out activities which could be linked to CMS and related Agreements. He reminded the Committee that UNEP had promised support for CMS in programme matters, and asked whether project activities in relation to the African-Eurasian Waterbird Agreement and, *inter alia*, the Slender-billed curlew MoU should still be pursued. The Chairman saw no difficulty in the Secretariat encouraging other organizations to carry out work related to CMS objectives or arranging for the work to be done under consultancy provided it had the capacity to do so. Otherwise, he suggested that these activities be deferred until the next meeting of the Standing Committee where the situation could be reviewed in the light of a strengthened staffing situation.

25. The Committee decided that, in view of the Secretariat's limited capacity, it was not feasible at the present time to support the consultancies for projects envisaged under Resolution 4.4 (Action 10). The Committee did however consider it important to arrange a consultancy for the purpose of giving guidance to CMS Parties on how to get access to GEF

funding in order to support CMS activities to the greatest extent possible.

Consultancy to investigate options for providing support other than direct financial assistance to certain countries

26. The Committee discussed only briefly the question of provision of support, other than direct financial assistance, to certain countries. The representative of Africa reiterated that other conventions, such as Ramsar and CITES, had been more successful in influencing national policy in favour of implementation because they had a much more visible presence. He suggested that, in view of the difficulties some countries faced in meeting commitments to pay contributions, some other proof of a contribution to CMS should be accepted as payment in kind. The Committee decided that a single consultancy should be organized to investigate various options in this regard and to examine the question of access to GEF funding, discussed earlier. It was emphasized that the consultant should be instructed to work closely or in communication with members of the Standing Committee in order to gain their full input.

Proposal for Guidelines on the Harmonization of Agreements

27. The Co-ordinator described a proposal of the Secretariat to convene a working group to review the guidelines which had been presented to the Conference of the Parties at its fourth meeting, but not discussed. Members were reminded that the Conference of the Parties had instructed the Standing Committee to undertake this task aided *inter alia* by an open-ended working group of the Parties. The Secretariat proposed to request the IUCN Environmental Law Centre to prepare a condensed version of the guidelines in advance of the meeting of working group, which was suggested to be held in conjunction with the next meeting of the Standing Committee. Appreciating the workload and staffing situation of the Secretariat, the Committee agreed that a decision about whether or not a working group was actually needed should be taken only after the condensed version of the guidelines had been prepared, by which time the Secretariat would be better placed to deal with this item.

Amend rules of procedure of COP

28. The Committee agreed with the Secretariat's proposal that the Standing Committee consider at its next meeting the amended rules of procedure for the Conference of the Parties.

Update of (1997) Strategy

29. The Committee acknowledged that it was premature to begin discussing plans for a revised version of the *Strategy for the Future Development of the Convention* in view of the fact that the version adopted in 1994 had yet to be published.

CMS linkages with other relevant Conventions

30. The Co-ordinator gave an overview of the various activities undertaken by the Secretariat to liaise with the secretariats of other conventions. This had been difficult due to limited personnel capacities, particularly on the side of CMS, and the fact that some of the other secretariats were working under interim arrangements. He informed the Committee that a meeting planned by UNEP to discuss the co-ordination of activities of the global conventions it administered had been postponed until at least May/June 1995. The representative of America and the Caribbean said that he would arrange for the Secretariat to be invited to attend a regional Ramsar meeting scheduled to take place in Panama in mid-1995.

Consultancies to develop Agreements and carry out research activities

31. The Deputy Co-ordinator introduced Document CMS/StC.13/8 which outlined the Secretariat's proposals on how to allocate USD 500 000 from the CMS Trust Fund in the 1995-97 triennium "to finance additional expenditure in support of the Convention in the form of block consultancies for particular tasks, including the development of agreements, particularly in developing countries and areas where the coverage was inadequate", as agreed by the fourth meeting of the Conference of the Parties. The Secretariat proposed that the funds be used to support work on four main species groups, in the following order of priority: marine turtles, small cetaceans, migratory birds and other mammals. In assigning particular amounts, it was recognized that there was a danger of trying to spread the available funds too thinly; therefore, not all species or groups which might warrant attention could be taken into account. Furthermore, there would be a need for flexibility to adjust the amounts allocated within a given area as new circumstances arose.

32. With regard to marine turtles, for which USD 175 000 was earmarked, initiatives in the Indo-Pacific, the western Indian Ocean, the coast of West Africa and the eastern tropical Pacific were presented as possible candidates for CMS funding. First, a consultancy should identify or confirm the real priorities for CMS in this area, taking account of work already being done by other organizations. Specific areas of work on small cetaceans were more difficult to define, however research on small cetaceans in south-east Asia had been identified as a priority at the last conference. A total of USD 100 000 was proposed for initiatives on small cetaceans, beginning with a small consultancy to give some guidance to further CMS work in this area. There was a consensus in the Committee that the above-mentioned groups should have the highest priority for funding in the current triennium. It was understood that some of the funding would be used to support workshops that would be essential for advancing regional initiatives and that some of the funds would be used specifically for follow-up activities. Further consideration needed to be given to which organizations could carry out this work in such a way as to minimize the number of consultancies that the Secretariat would have to oversee.

33. Although USD 125 000 had been proposed for further work on migratory birds, a number of members considered that, as substantial resources had already been invested on Agreements for migratory birds, a portion of that amount should be redistributed to marine turtles and small cetaceans. CMS Parties were encouraged to do more for migratory bird conservation on a bilateral basis. The Chairman recommended that funds for migratory birds should include provision for work on albatrosses, as several of the countries concerned may require financial assistance.

34. Summarizing the discussion, the Chairman stressed that, while a portion of the funds could be spent judiciously on certain workshops, the Standing Committee would wish to see real progress on the proposed consultancies by the time of its next meeting. The Secretariat was requested to liaise with the Chairman of the Scientific Council (who was not present for this discussion) and to have further discussions on how to apportion the funds in the Scientific Council meeting scheduled to take place in the fourth quarter of 1995. It was thus agreed that the Secretariat should proceed along the lines indicated in Document CMS/StC.13/8, with the inclusion of funding for work on albatrosses. The Secretariat pointed out that some funds might be needed for legal advice in relation to these expenditures, and that an appropriate line in the core budget could be used for this purpose. The table in Annex 4 summarizes the results of the Standing Committee's deliberations on this item.

Other actions arising from Strategy

Co-location of Agreement secretariats

35. The Co-ordinator introduced the first item under Document CMS/StC.13/9, concerning the possible co-location of secretariats of CMS Agreements with that of the parent Convention. He reminded the Committee of the discussions that had taken place in Nairobi in this regard, and of the particular passages in Resolution 4.4 inviting the Parties to European-based Agreements to consolidate secretariat functions in a special Agreements Unit co-located with the Secretariat of the Convention. This had implications so far for ASCOBANS — whose Parties decided in September 1994 that the agreement secretariat should remain in the United Kingdom, subject to future review — and the European Bats Agreement, whose Parties would meet in July 1995. He drew attention to the special case of the proposed Agreement on the Conservation of Small Cetaceans of the Mediterranean and Black Seas which, in the current draft, contains a provision calling for the UNEP/CMS Secretariat to provide secretariat services for that Agreement. He noted that the creation of an Agreements Unit posed many logistical, administrative and financial questions which would need to be resolved.

36. The Chairman acknowledged that there were serious questions to address concerning linkages with the parent Convention, and that both UNEP and the host government needed to be consulted on their views, particularly as there were clear accommodation considerations. The representative of the Depositary, speaking on behalf of Germany, recalled the remarks made at the outset of the meeting to the effect that the German Government was keen to co-locate agreement secretariats in Bonn. He could not, however, make any promises as to whether Germany could accommodate the secretariat of the Bats Agreement free of charge under the same conditions that operated for CMS. This would have to be considered on a case by case basis. He suggested that a working group be established to examine all of the legal and administrative matters, including the question of which organization(s) should provide for the Agreement secretariats: an arrangement under UNEP, an international organization or the German Environment Ministry were among the possibilities raised.

37. Summarizing the discussion, the Chairman proposed that before proceeding further the general view of UNEP on this matter should be consulted. The Committee agreed that a small working group, consisting of Germany, the Netherlands and the United Kingdom should have further deliberations (meeting, as appropriate, or corresponding by fax) to take the issue forward and to keep the Standing Committee informed through the Secretariat. It was suggested that other Parties might be co-opted, as appropriate, to express their views if the arrangements being discussed were of direct relevance to them. In concluding, the Chairman noted that this issue was of fundamental importance as it could set a precedent for other regions.

Amnesty for delinquent contributions to the CMS Trust Fund

38. The Deputy Co-ordinator reminded the Committee of Action 20 of Resolution 4.4 which called for the Standing Committee to forgive outstanding contributions prior to 1991 and totalling up to USD 5 000 on condition that the Parties concerned take steps to pay all subsequent subscriptions. He explained that eight Parties would be eligible for this amnesty and that the total amount to be waved was less than USD 15 000. The Committee agreed with the contents of the letter drafted by the Secretariat to explain the proposal to the Parties concerned, but decided to extend the deadline for receipt of contributions until 31 December 1996. The representative of America and the Caribbean expressed concern about a second part of the same resolution which stipulated that voting rights would be removed from Parties which were behind with their subscriptions for three years at the time of the meeting of the Conference of the Parties. He believed this could act as a deterrent for some countries to join the Convention and that CMS should be offering more incentives to attract new Parties rather than imposing penalties on existing ones. The Secretariat pointed out that the measures agreed did include positive incentives – in the form of forgiveness of a portion of the amount due, and the assurance of continued support for participation in Convention activities and of assistance in other areas. The Chairman stated that this question had already been decided by the Conference of the Parties at its fourth meeting, and that the Standing Committee's task was to implement the Conference's

directive. He indicated, however, that the Standing Committee would need to review the results of this exercise at a future date to ascertain whether it had the desired effect.

Standing Committee promotion of CMS and Agreements on a regional basis

39. Members of the Committee described the activities they had undertaken over the past year to promote the Convention and reported on possibilities for attracting new Parties in their respective regions. The Chairman commented that this had been a useful exercise and requested the Secretariat to invite members to provide a similar brief report, in writing, in advance of the next meeting of the Committee.

Role of NGOs in CMS

40. There was a general discussion about the involvement of non-governmental organizations in CMS activities, focusing on the lack of active participation and/or apparent disinterest of certain large NGOs, such as World Wide Fund for Nature and IUCN. The Committee agreed that one of the first tasks of the CMS Information Officer, after entry on duty later this year, should be to arrange a consultancy contract with one of the above-mentioned organizations for the purpose of developing a strategy on how the international NGO community could become more involved in CMS activities. It was argued that such a consultancy would automatically bring IUCN or WWF closer to CMS, and would help to familiarize more NGOs with CMS since the consultant would be obliged to seek the views of other organizations around the world.

Matters to be brought to the attention of the Standing Committee, pursuant to Resolution 3.2, paragraph 5

41. The Deputy Co-ordinator drew the Committee's attention to the provisions of Article III of the Convention, with respect to the protection of species listed in Appendix I, and to Resolution 3.2 which requested the Secretariat to bring matters regarding the conservation of species to the attention of the Parties intersessionally, as appropriate.

Potential impact of development activities on a sea turtle (olive ridley) nesting area, Bhitarkanika Sanctuary, Orissa, India; effects of whale-watching activities on Southern right whales, Valdes peninsula, Argentina

42. The Deputy Co-ordinator described concerns of a number of organizations which had been brought to the Secretariat's attention with respect to a proposed development project in India located near a major nesting area for Olive ridley turtles (*Lepidochelys olivacea*, which are listed in both Appendices of CMS). While the Secretariat had information to indicate that an environmental impact assessment had been carried out which provided for a number of mitigation measures, there was still considerable concern about the enforcement capacities needed to ensure effective implementation. The observer from India read a statement which described in some detail the nature of the site in question. It was agreed that the Secretariat would liaise with the Indian authorities to obtain additional information, and that an update would be provided to the next meeting.

43. The Deputy Co-ordinator provided information about a second case involving another species (*Eubalaena australis*) also listed in Appendix I. According to information available to the Secretariat, not yet confirmed by the Argentine authorities, whale-watching activities near the Valdes peninsula in Argentina were disrupting the normal breeding habits of the whales that frequent the area. The Chairman commented that the International Whaling Commission has a working group dealing with whale-watching issues and suggested that there was value in sharing this information with the Commission. The Secretariat undertook to obtain more information

from the Argentine authorities, to communicate with the IWC and to provide an update to the next meeting.

Matters of the Scientific Council relating to the work of the Standing Committee

44. The Committee had before it Document CMS/StC.13/11 summarizing the work of the Scientific Council over the previous year. The Chairman of the Scientific Council, who was present as an observer for this agenda item, reported that the question of the CMS definition of "endangered" would be reviewed at the next meeting of the Council, which was provisionally scheduled to take place in October 1995. He recalled the discussion in the previous meeting of the Council which had concluded that, for the time being, the old definition – based on the former IUCN criteria – should continue to be used. The observer from the United Kingdom asked if the Scientific Council could consider the global status of bats, and examine whether or not further initiatives should be taken in regions other than Europe.

Consideration of possible offers to host the next COP (1997)

45. The Deputy Co-ordinator reported that, although no firm offers had yet been received to host the fifth meeting of the Conference of the Parties, three Parties – Finland, the Philippines and South Africa – had all expressed some interest. He observed that this was indeed a pleasurable situation to be in since the Secretariat had not yet had an opportunity to formally solicit offers to host the meeting. The Committee had before it a letter from the South African Department of Environmental Affairs and Tourism describing that country's willingness to be considered and to undertake further investigations into the matter; as well as a letter from the Philippines Department of Environment and Natural Resources indicating that a formal letter of intent would be forwarded to the Secretariat after further internal consultations. Observers from the local embassies of all three Parties attended the meeting and stated the positions of their Governments.

46. The Chairman welcomed the very positive statements that had been made. He recalled that the meeting should take place in the first half of 1997, and expressed a preference for the February-March period. The Secretariat had already provided the Finland and Philippines authorities with estimates of the costs they might incur in hosting the meeting, and undertook to do the same for South Africa. The Committee requested the Secretariat to circulate a letter to all Parties to explain the situation and to advise the Parties that the Committee had decided that the deadline for consideration of offers should be moved ahead to July/August 1995 (instead of the end of 1995 as stipulated in Resolution 4.7). This was considered to be the minimum amount of time that the Secretariat and the host government would need to make the necessary preparations for the meeting. The Chairman requested the Secretariat to investigate whether there were other major environmental meetings already scheduled for the first quarter of 1997, which CMS might need to work around or use to its advantage. Finally, he asked the three Parties having expressed interest in hosting the meeting to firm up their offers, should they decide to proceed, and to inform the Secretariat as soon as possible.

Date and venue of the next Standing Committee meeting

47. The Chairman offered to host the next meeting of the Standing Committee in Brisbane, Australia, in conjunction with the meeting of the Conference of the Parties to the Ramsar Convention, on condition that a majority of the members would be attending the Ramsar meeting anyway. All members either strongly supported the idea or had no objections, noting that it would provide an opportunity for Standing Committee members to canvas Ramsar delegates for

CMS support. Having reached an agreement in principle, the Chairman requested the Secretariat to make a comparison of the costs of holding the meeting in Australia rather than in Bonn to facilitate a decision in the next few months.

Miscellaneous

Promotional activities

48. The Deputy Co-ordinator gave a demonstration of a new information service for CMS which had been developed in collaboration with the World Conservation Monitoring Centre (WCMC), Cambridge, UK. The Secretariat had provided WCMC with texts containing basic information on CMS and its associated Agreements. These were then placed by WCMC free of charge on the INTERNET computer network, which was accessed by millions of governmental, non-governmental and private users worldwide. At present, the information service was available only in English, but there were plans to have similar French and Spanish language versions in the near future. The Secretariat described a number of other possibilities for making available to CMS Parties a personal computer version of the CMS information, and for linking the network service to the vast species and habitat databases maintained by WCMC. Several members expressed interest in the having the CMS material for use on their PCs. The Secretariat was requested to report back to the Standing Committee at its next meeting on the experience gained with the information service, before making commitments with respect to additional services which might have financial considerations.

Guidelines for acceptance of financial contributions from individuals and private companies

49. The Co-ordinator described activities he had undertaken to obtain sponsors for CMS activities, so far with limited success. He suggested that the Standing Committee might wish to set some guidelines to give direction to any future initiatives. The Chairman agreed that it would be helpful if the Secretariat prepared a paper for the next meeting, with guidelines on who might be approached for funding and how to deal with possible questions of conflict of interest. He proposed that in the meantime any questions could be dealt with on a bilateral basis between the Secretariat and the Chairman.

CMS membership in the Planning and Co-ordinating Committee (PCC) of the UNEP Marine Mammal Action Plan; in a German Media information system (Medien-Zentrum-Umwelt)

50. The Co-ordinator requested advice from the Standing Committee as to whether CMS should accept an invitation of the Planning and Co-ordinating Committee (in effect, a steering committee) of the UNEP Marine Mammal Action Plan. The Chairman recommended that the Secretariat should keep the matter under review and inform the Committee of any developments; if there were no resource implications, he had no objections to the Secretariat's participation.

51. The Co-ordinator provided details of services offered by a German media organization, which provided for the preparation and distribution of articles to a large number of German media outlets. The Chairman agreed that the cost of such a service (USD 500 per annum) was not great, but considered it would helpful for the CMS Information Officer to assess its value to the Secretariat later in the year and to report back.

Designation of CMS focal points

52. The Deputy Co-ordinator presented a proposal whereby CMS Parties would be invited to nominate, if they so wished, another agency other than the one with which the Secretariat normally corresponds, to receive CMS correspondence on a regular basis. The rationale for this

suggestion lay in the fact that the Secretariat presently communicated mainly with ministries of environment or departments of nature conservation, whereas the Convention was increasingly working in areas (such as the conservation of marine species) for which competence resided in other agencies. The Secretariat had found that the latter were often poorly informed about CMS. The Committee agreed that, as the proposal would have only modest resource implications and was entirely voluntary, the Secretariat should invite Parties to take advantage of this offer. The representative of America and the Caribbean sought clarification as to whether a country might nominate a non-governmental organization with which it had close relations to receive such information. The Chairman agreed that while the official contact must be a government institution, it was at the discretion of the Parties to choose whom they wished to designate to receive CMS information.

Any other business

53. In his final remarks, the Chairman said he had been heartened by the significant progress that had been made, but noted that the meeting itself had generated a host of new activities which needed to be dealt with. He mentioned, in particular, correspondence with the Executive Director of UNEP, the *Strategy for the Future Development of the Convention*, consultancies on extending CMS activities in developing countries, the complex issue of co-location of Agreement secretariats, the strengthening of relationships with NGOs, information-related questions to be dealt with by the new Information Officer and decisions concerning arrangements for the meetings of the Conference of the Parties and the Standing Committee. He expressed satisfaction that the Secretariat's activities were now yielding some dividends in terms of real progress for CMS.

54. There being no other business, the Chairman thanked the host government for its hospitality and, in particular, for having provided for the excellent interpretation which had greatly facilitated the deliberations. He thanked all of the participants and the Secretariat for their valuable contributions and support and closed the meeting, on schedule, at 16h30.