



 **Convention on the  
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**REVIEW OF ARTICLE IV AGREEMENTS ALREADY CONCLUDED**

*(Prepared by the Secretariat)*

1. With reference to document UNEP/CMS/Conf.7.9, the Secretariat submits this report reviewing Article IV Agreements that have already been concluded.

2. Part I of this note presents short summary reports of the Agreements concluded under CMS auspices for which secretariats or interim secretariats have been established. The reports have been provided by the Secretariats of the Agreement on the Conservation of Seals in the Wadden Sea, the Agreement on the Conservation of Populations of European Bats (EUROBATS), the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS), the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) and the Agreement on the Conservation of Albatrosses and Petrels (ACAP). Expanded reports for the Seals Agreement, ASCOBANS and ACCOBAMS have also been submitted by their respective secretariats. These are found in information documents UNEP/CMS/Inf.7.17.1-3.

3. Part II of this note presents short summary reports regarding Agreements concluded under the auspices of CMS for which the CMS Secretariat provides provisional secretariat services (i.e., for various Memoranda of Understanding). These instruments have the potential to serve as useful tools for coordinated and concerted action among the Range States, and membership in them is growing -- including participation of States that are not Parties to CMS. Apart from the Siberian Crane MoU, which has been successfully managed through a dynamic partnership between the Secretariat and the International Crane Foundation, and the MoU for African Marine turtles, which has stimulated considerable activity since its conclusion in 1999, most of the other MoUs are still too young to be assessed for their positive impacts on the species concerned.

4. It should be noted however, that the link between the successful development, management and implementation of an MoU is in part related to the capacity of the Convention Secretariat and the availability of CMS budgetary funds to support, for example, meetings of Range States. The Secretariat envisions that it may be increasingly desirable to develop partnerships with organisations which may be interested in providing secretariat-related services to MoUs. Such partnerships will require sustainable sourcing of funds from the CMS budget.

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5. Despite a number of administrative burdens within the Secretariat during the reporting period, such as the long recruitment process for the Agreement Development and Servicing Officer, CMS has had a number of achievements since the Sixth Meeting of the Conference of Parties including:

- a) the second meeting of the Slender-billed Curlew Working Group (1-2 April 2001); and fourth meeting of Siberian crane Range States (20-24 May 2001);
- b) the adoption and opening for signature of ACAP (19 June 2001);
- c) the entry force of ACCOBAMS (1 June 2001) and the convening of its first session of the Meeting of the Parties (28 February-2 March 2002);
- d) the adoption and subsequent entry into effect of MoUs for the Great Bustard (1 June 2001), Indian Ocean and South-East Asia Marine turtles (1 September 2001) and Bukhara Deer (1 August 2002);
- e) the finalisation of a Conservation Plan for the MoU for Marine Turtles of the Atlantic Coast of Africa (May 2002).

6. The Secretariat would like to express its appreciation to CMS Parties that have taken the lead to develop, promote and manage various CMS Agreements. It would also like to thank those Parties, and a growing number countries not yet Parties to CMS, that have substantially contributed to further implementation of these Agreements. Finally, it wishes to acknowledge with thanks the important contribution made by national and international NGOs in the elaboration of many of these instruments, as well as in their practical implementation.

## **Part I - Agreements Concluded under the Auspices of CMS for which Secretariats or Interim Secretariats have been Established**

### ***Agreement on the Conservation of Seals in the Wadden Sea - 1990***

7. The Agreement on the Conservation of Seals in the Wadden Sea between Denmark, Germany and The Netherlands, which was the first regional agreement under the Bonn Convention, has now been in force for more than 10 years. The agreement was concluded with the aim to cooperate in achieving and maintaining a favourable conservation status for seals, which was a particular critical issue in the beginning of the 1990s, since the population was reduced by about 60% in 1988 as a result of a serious epidemic. In 2002, the entire Wadden Sea seal population will probably once again be affected by the same viral disease, which started again in the Kattegat/Skagerrag area in May 2002.

8. Since 1988, the population has recovered significantly. According to coordinated aerial flights in the entire Wadden Sea, a total of about 19,400 seals was counted in 2001, of which about 3,960 were pups. This remarkable growth can be attributed to improvements in the reproductive rate as well as reduced initial juvenile mortality. The development of the common seal population in the Wadden Sea since the phocine distemper epidemic in 1988 as well as the development of the Grey seal population in the Wadden Sea is described further in the full report from which this summary is derived (UNEP/CMS/Inf.17.1).

9. The Seal Agreement has played an essential role in turning the tide, but whilst the present population can hence be regarded as viable in terms of numbers, the environmental conditions, however, are still not satisfactory. The present and short-term conservation status of the Common seal in the Wadden Sea Area is primarily determined by two developments: pollution and disturbance, as a result of various human activities, such as tourism and recreational activities, air, traffic and some military activities.

10. The Agreement requires the Parties to develop, on the basis of scientific knowledge, a "Conservation and management plan for the seal population", the Seal Management Plan (SMP). This plan shall contain a comprehensive statement of actions, which are or are to be undertaken by the Parties to achieve the goals of the Agreement. The Seal Management Plan specifies the actions in the following areas: conservation and management measures regarding habitats, pollution and wardening, research and monitoring, taking and exemptions of taking, and public information. The Parties shall keep the plan under review and amend it, as may be required, taking into consideration, in particular, the results of scientific research.

11. The Seal Management Plan is the key instrument, as stipulated in the Seal Agreement, to achieve and maintain the objective of the Agreement. In accordance with the Seal Management Plan, seal reserves have been established in the entire Wadden Sea, which are closed for all activities during the birth and nursing period. In 2001, a revised Plan was adopted by the 9th Trilateral Governmental Conference in 2001 by the Contracting Parties for the period 2002-2006. It entails the actions regarding management measures, which are undertaken in this period.

12. The Seal Management Plan 2002-2006 takes account of the results of scientific research in the past period and translates political decisions and targets into management, as decided at the 7th and 8th Trilateral Governmental Conference in 1994 and 1997. Additional measures for the protection of the Grey seal in the Wadden Sea are included in the Seal Management Plan. The Seal Management Plan 2002-2006 is found on the Web site of the Common Wadden Sea Secretariat <<http://www.waddensea-secretariat.org/>>

13. The geographical scope of Seal Management Plan is the Trilateral Cooperation Area, which is the area seaward of the main dike including the adjacent off-shore area within the 3-nautical-mile zone. Scientific research gave evidence that the adjacent North Sea is also of importance in the life-cycle of seals.

14. Taking of seals from the Wadden Sea is prohibited. In the Seal Management Plan, the exemptions for taking have been specified. It is strongly reconfirmed in the current Seal Management Plan that the current number of seals taken from and released into the Wadden Sea should be reduced to the lowest level possible, taking into account ethical considerations, legislation, as well as management practices which differ in the three countries. Taking that falls under the exemptions can only be carried out by authorized persons and concern only such animals, which have a chance to survive. Seals may only be released into the wild if certain criteria have been fulfilled, e.g. seals that have not been treated with specific groups of medicine and not been kept in centres where species alien to the Wadden Sea are held.

15. Growing seal populations may increase conflicts with other interest groups, e.g. fishery. It may also challenge the current protection scheme of reserves because increasing numbers may demand the establishment of additional reserves. According to the Seal Management Plan 2002-2006 the research projects regarding feeding ecology of common seals and investigations of habitat requirements of seals in relation to recreational demands have the first and second priority to be implemented in the future. The Seal Management Plan is an essential instrument in anticipating such developments by seeking the balance between conservation and management and uses of the area, and thus contributes to achieving the objective of a viable stock and a natural reproduction capacity of seals.

16. The Common Wadden Sea Secretariat is the Secretariat for the Agreement on the Conservation of Seals in the Wadden Sea and the coordination institution for the SMP. In line with the SMP the Trilateral Seal Expert Group has the task to coordinate and supervise the implementation of monitoring activities and the assessment of the results, assess research results and, as appropriate, give advice regarding management to the trilateral cooperation.

### ***Agreement on the Conservation of Populations of European Bats (EUROBATS) - 1991***

17. EUROBATS came into force on 16 January 1994. It aims to address threats to 37 bat species in Europe arising from habitat degradation, disturbance of roosting sites and harmful pesticides. It presently has 26 Parties: Albania, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, FYR Macedonia, Georgia, Germany, Hungary, Ireland, Lithuania, Luxembourg, Malta, Moldova, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Sweden, Ukraine and the United Kingdom. Belgium signed the Agreement in 1991, but has yet to ratify it. Several other Range States are preparing their accession in the near future. The first Session of the Meeting of Parties (Bristol, United Kingdom, 1995) decided to establish a permanent Secretariat as of 1 January 1996. It is co-located with the CMS Secretariat in Bonn, Germany. The Parties also decided on the establishment of an Advisory Committee and a comprehensive work programme for the implementation of the Agreement.

18. The second Session of the Meeting of Parties (Bonn, Germany, 1998) refined and amplified the ambitious work programme of the Agreement. Among others, resolutions on consistent monitoring methodologies and transboundary programmes for certain species and habitat types were adopted. A further resolution regarding bat conservation and management outlined the priorities for the implementation of this broad and long-term orientated action plan, which had been adopted by the first Session of the Meeting of Parties.

19. The third Session of the Meeting of Parties to EUROBATS was held in July 2000 in Bristol, United Kingdom, back to back with a meeting of ASCOBANS. The Parties *inter alia* decided upon the integration of the Agreement into the UNEP framework and the establishment of an Agreements Unit to be co-located with the Convention Secretariat according to Resolution 5.5 of the fifth Meeting of the Conference of the Parties to CMS (Geneva, Switzerland, 1997). Another major decision was an amendment of the Agreement, which entered into force in August 2001. The title of the Agreement was amended, more clearly specifying its range, and a list all species covered was appended to it.

20. The seventh Meeting of the Advisory Committee took place in May 2002 in Bucharest, Romania, with a record 32 delegations from Parties and Non-Party Range States participating. The plenary discussions and working group meetings were focussed on the ambitious transboundary programmes and action plans. The further scientific work programme concentrated on the transboundary programmes for habitat protection and, in particular, for underground and forest habitats of bats. These programmes aim among other things to identify sites of European importance and to co-ordinate data collection throughout the Agreement area as a first step and to develop recommendations for habitat protection and sympathetic forest practices as a follow-up. Other items in the dense agenda of the meeting were: the evaluation and compilation of existing data on migration routes of bats with a view to developing comprehensive maps for each species, actions to be taken regarding the implementation of the bat conservation and management plans, as well as the refinement of tasks to be carried out before the forthcoming session of the Meeting of Parties.

21. The Advisory Committee took note of the Joint Work Programme (JWP) of the Convention on Biological Diversity and the Convention on Migratory Species with much interest. The existing Intersessional Working Group on Forest Practices was requested to include the relevant part of the JWP in their evaluations and recommendations. The Committee also decided to take this topic forward to the forthcoming fourth Session of the Meeting of Parties. The next meeting of the Advisory Committee will be in Norway, in May 2003.

22. The fourth Session of the Meeting of Parties will be held in September 2003 in Sofia, Bulgaria.

#### ***Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) - 1991***

23. ASCOBANS currently has eight Parties. The accession of two further Range States is expected for the second half of 2002 or the beginning of 2003. The United Kingdom is in the process of ratifying the Agreement on behalf of Jersey. All non-Party Range States cooperate with the Agreement to some extent, the majority is regularly represented at ASCOBANS meetings and participates actively in ASCOBANS activities. An extension of the Agreement area to include Spanish and Irish waters is under discussion. ASCOBANS has continued to build, maintain and enhance links with other relevant international organizations.

24. By-catch, which continues to be the most immediate threat to cetaceans in the Agreement area, remained high on the ASCOBANS agenda in the period covered by this report. In 2000, ASCOBANS commissioned a report on by-catch mitigation in the Baltic and North Sea region, produced by Dr Andrew Read, which was circulated for discussion at the national level and was reviewed by Advisory Committees 8 and 9 and received broad support. In the autumn of this year, the Agreement's future activities on by-catch mitigation will be the subject of an intersessional meeting or an intersessional working group.

25. ASCOBANS is also addressing other threats facing cetaceans in the Agreement area, including

acoustic disturbance and marine pollution. Much needed research, too, is being conducted within the framework of, in cooperation with or with the support of ASCOBANS. Preparations for a new, large-scale abundance survey of small cetaceans in the ASCOBANS area (and possibly contiguous areas), SCANS II, have begun. In addition to activities benefiting small cetaceans in the whole of the Agreement area, the period from 1999 – 2002 has been marked by particular efforts to address the problematic situation of harbour porpoises in the Baltic Sea. A recovery plan for Baltic harbour porpoises (Jastarnia Plan), has been drafted and will be submitted for adoption by the 4<sup>th</sup> Meeting of the Parties in August of next year. Considerable efforts have been made to step up the public relations work of the Agreement since 1999.

26. Since January 2001, the ASCOBANS Secretariat, which has been co-located with CMS and other UN institutions at the United Nations Premises in Bonn since 1998, has been integrated into the CMS Agreements Unit.

### ***Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) - 1996***

27. ACCOBAMS was adopted in 1996 and came into force on 1 June 2001. The first Meeting of the Parties was held from 28 February to 2 March 2002 in Monaco. During the course of the meeting, the permanent Secretariat was established and the Parties accepted the offer of the Principality to host the Secretariat in Monaco. The Principality will take care of its administrative functioning and costs.

28. The MOP appointed the 2 sub-regional coordination units under the Agreement: the Regional Activity Centre for Specially Protected Areas of the Mediterranean Sea and the Commission for the Protection of the Black Sea Against Pollution. A memorandum of cooperation was signed between each of them.

29. The Contracting Parties defined the composition of the scientific committee which will have 12 members: 5 cetologists from the International Commission for Scientific Exploration of the Mediterranean (CIESM), 4 regional representatives (Western Mediterranean Sea, Central Mediterranean Sea, Eastern Mediterranean Sea and Black Sea), 3 experts representing each of the following organizations: European Cetacean Society (ECS), International Whaling Commission (IWC) and the IUCN.

30. Various documents had been prepared for MOP1: “*ACCOBAMS and the relevant provisions of domestic and international law*”, “*Project for the establishment of a Mediterranean and Black Sea regional cetacean stranding network*”, “*State of knowledge and conservation strategies of cetaceans of the Mediterranean and the Black Sea*”, “*The current status of bottlenose dolphin in the Black Sea*”. This later document had been established within the framework of the up-listing of *Tursiops truncatus* of the Black Sea from the Annex II to the Annex I of the CITES for the next Meeting of the Contracting Parties coming November 2002. In order to support this project with scientific arguments, the MOP, through a resolution, supported the proposal and coordinated genetic analyses on this species. A preliminary report, showing the existence of a distinctive population of *Tursiops truncatus* in the Black Sea, provides scientific support for Georgia’s proposal aiming at listing this species in Annex I of the CITES. These documents are available on the web site of the Agreement.

31. Besides the standard institutional documents, a first list of implementation priorities along with a project “portfolio” open to outside funding was adopted by the Assembly.

32. A budget of the Agreement was established by the Contracting Parties. It dedicates a very substantial part of its resources to conservation activities and is maintained by regular contributions

of the Parties as well as by voluntary contributions like those from France, from the Principality of Monaco and the United Kingdom.

33. Priority activities in the areas of capacity building and raising public awareness of this issue have been initiated since 2001 thanks to the voluntary contribution of the Principality of Monaco. The Secretariat identified the issue of capacity building as the most important subject of the conservation plan. This activity was exemplified by a Mediterranean Workshop on working out national plans for the conservation of cetaceans in Mediterranean countries (6-7 September 2001, Tunis), a training course in cetology with 35 biologists from Black Sea countries (3-5 December 2001, Constanta, Romania), the training of one Romanian scientist for research and conservation of cetaceans and the preparation of a "pedagogic kit" designed for the training of young scientists who will get involved in cetaceans conservation science. The capacity-building/awareness initiatives are supported by various media, such as publication in judicial magazines, bulletins, posters, web sites.

34. In order to facilitate the work, the Secretariat has tried to establish a contact in each of the riparian States and identified key persons. A directory of cetologists of the Mediterranean and Black Sea was established in cooperation with the CAR/ASP and the Tethys Research Institute. The Secretariat established contacts with various organizations and participated in their meetings with the purpose to establish synergies in line with the current recommendations on environmental governance under the auspices of UNEP.

35. A GEF project designed for all Black Sea Countries is about to be established; and within the framework of international *bilateral* cooperation, implemented by the Principality of Monaco, the Secretariat could direct certain activities linked to the Agreement's Conservation Plan, in particular in Bulgaria and Croatia.

36. At present, the Agreement has 12 Parties (Albania, Bulgaria, Croatia, Spain, Georgia, Libya, Malta, Morocco, Romania, Syria, Tunisia) and the ratification procedures seem well under way in other riparian States.

### ***Agreement on the Conservation of Albatrosses and Petrels (ACAP) - 2001***

37. Since the Sixth Meeting of the CMS Conference of Parties in 1999, the development of the ACAP has progressed rapidly. An international negotiating meeting for the Agreement was held in Hobart Australia, 10-14 July 2000. This was the first international meeting to which all Southern Hemisphere albatross and petrel Range States were invited. A total of 28 Parties were invited to attend the meeting, with twelve Range States and five international organisations attending.

38. The Hobart meeting was very positive and all participating Parties supported the fundamental principles to develop an international agreement focussed on the conservation of albatrosses and petrels. The positive outcomes of the Hobart meeting demonstrated the level of international concern and commitment to establishing an international instrument on albatross and petrel conservation and highlighted the desire for another meeting to finalise negotiations.

39. A final meeting to negotiate the text of the Agreement was held in Cape Town, South Africa, from 29 January to 2 February 2001. All twenty-three Range States of Southern Hemisphere albatrosses and petrels, including distant water fishing nations who interact with albatrosses on the high seas, were invited. A total of twelve Range States and five international organisations were represented at the meeting.

40. The Cape Town meeting was highly successful, with all attending countries adopting by consensus the Agreement on the Conservation of Albatrosses and Petrels. The Agreement was finalised after only two negotiating sessions. It is clear from the rapid consensus reached that there is a high level of international concern about the conservation status and vulnerability of these species, and commitment to implement an international instrument to help return them to a favourable conservation status.

41. It was recognised that it was important for the future secretariat to be located in the Southern Hemisphere, given the current focus of the Agreement. Australia offered to continue Interim Secretariat functions until the final location of the permanent secretariat is decided at the first Meeting of the Parties. Australia is also host of the Depository of the Agreement.

42. The Agreement was formally opened for signature in Canberra, Australia on 19 June 2001. The signing ceremony for the Agreement was attended by 13 Range States and a number of international conservation organisations, non-government organisations and representatives from the Australian fishing industry. The Agreement was signed by Australia, Brazil, Chile, France, New Zealand, Peru and the United Kingdom, symbolising their international commitment to protect albatrosses and petrels and marking a major step forward in the fight to protect these migratory seabirds. Spain has subsequently signed the Agreement, on 30 April 2002, bringing the number of signatories to eight.

43. The Agreement requires five ratifications to enter into force. Australia ratified it on 4 October 2001, followed by New Zealand on 1 November 2001. Other countries are also pursuing ratification of the Agreement through their domestic processes and the Interim Secretariat is optimistic that the Agreement will enter into force in 2003.

44. A website has been established for ACAP which contains the final reports from the negotiation meetings and the final text of the Agreement. Up to date information regarding membership is also located on the website, found at:

<<http://www.ea.gov.au/biodiversity/international/albatross/index.html>>.

## **Part II - Agreements Concluded under the Auspices of CMS for which CMS Provides Secretariat Services**

### ***Memorandum of Understanding concerning Conservation Measures for the Siberian Crane -1993***

45. The *Memorandum of Understanding concerning Conservation Measures for the Siberian Crane* was concluded under CMS auspices in 1993, and was the first such instrument to be considered an Agreement under Article IV(4) of the Convention. Originally concentrating on the highly endangered Western and Central Populations of Siberian cranes, which migrate between breeding grounds in Western Siberia and wintering sites in Iran and India, respectively, the scope of the Memorandum was extended in 1998 to cover the larger Eastern Population which winters around Poyang Lake, China, and accounts for over 95% of the species.

46. The Siberian crane MoU now has nine Signatory States: Azerbaijan, China, India, Islamic Republic of Iran, Kazakhstan, Pakistan, Russian Federation (the latest to join), Turkmenistan, and Uzbekistan. It is hoped that the two remaining Range States – Afghanistan and Mongolia – will become members in the not too distant future.

47. The Fourth Meeting of Siberian Crane Range States was held at the headquarters of the International Crane Foundation (ICF) in Baraboo, Wisconsin, in May 2001. (The three previous meetings took place in Moscow; Bharatpur, India, and Ramsar, Islamic Republic of Iran, between 1995 and 1998.) The 30 delegates in attendance included representatives of eight of the Range States concerned.

48. Discussions at the meeting focussed on reviewing implementation of the Conservation Plan over the previous two years, updating or elaborating the Conservation Plans for all three populations, and finalising preparations for an associated Siberian Crane/Wetlands GEF project being carried out in Kazakhstan, Russian Federation, Iran and China. The full proceedings of the meeting, including the text of the MoU and revised Conservation Plans, are available from the CMS Secretariat.

49. While the numbers of cranes observed on the known wintering areas in Iran and India remain alarmingly small, there is some reason for optimism in what is *not* known about the migratory behaviour of these intrepid birds. Hopefully, there are breeding, stopover and wintering areas yet undiscovered that may hold promise for the future survival of the Siberian crane in the western and central parts of its Range.

50. Enormous commitment and ingenuity has already been poured into efforts to bring about the recovery of these magnificent birds. Coordination of efforts will be further strengthened with the recruitment in 2002 of a dedicated Flyway Officer, funded by CMS and ICF. Ultimately, the continued existence of these populations depends on our ability to develop techniques to release captive birds to bolster the dwindling wild flocks. Here too there are grounds to be hopeful. In 2002, the International Crane Foundation has teamed up with the All Russian Research Institute for Nature Protection and a world-renowned hang-glider pilot to try to lead a flock of young, captive-bred Siberian cranes along part of their traditional migratory route between Russia and Iran. This bold initiative is an adaptation of a similar programme using ultra light aircraft, which has shown promise for endangered Whooping Cranes in the United States.

51. It will take several years of hard work to determine whether or not this technique can be adapted to the challenging conditions of Central Asia. In the meanwhile, the other elements of the detailed Conservation Plans are being actively pursued by all the partners involved.

***Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew - 1994***

52. The Slender-billed Curlew MoU was opened for signature in 1994. The MoU, and its accompanying action plan, are designed to conserve one of the rarest birds in the world. Since its adoption 18 of 30 Range States have become signatories. The CMS Secretariat, BirdLife International and the International Council for Game and Wildlife Conservation have also signed the MoU as co-operating organisations. The Slender-billed Curlew is also listed on Appendix I of AWEA.

53. In 1997, the CMS Scientific Council established a Slender-billed Curlew Working Group as part of a concerted action for the species. Dr. Gerard Boere has chaired the Working Group since 1997. BirdLife International provides the Working Group's secretariat on behalf of CMS.

54. The Working Group organized workshop, co-funded by CMS, in Kiev, Ukraine, 1-2 April 2001 to gather among other things new information on the conservation status of the bird.

55. The 10<sup>th</sup> Scientific Council reviewed the concerted action in May 2001. In light of the bird's listing in Appendix I of AWEA, it clarified that the Slender-billed curlew remains the responsibility of CMS and the Scientific Council until such date as a transfer to AWEA becomes institutionally possible and adequate and, at the same time, ensures the preservation of its current priority level. The process of transfer will be achieved by common agreement.

56. As part of its mandate, the Working Group has finalized a new version of an Action Plan. This incorporates any new knowledge that has become available in the course of the concerted action. It also incorporates the results of the Kiev meeting, while adhering to the CMS model.

57. As part of the consultations between the Working Group and the CMS Secretariat, it was concluded that it was premature to hold a formal meeting of the MoU's Range State signatories and interested organisations in September 2002. No new information on the species had been uncovered to justify such a meeting. In addition, it was concluded that existing funds could be more usefully allocated to develop project concepts and proposals derived from the Action Plan's proposed activities. BirdLife International agreed to develop these.

58. The Working Group chair will report to the Scientific Council at its 11<sup>th</sup> meeting. The Chair will also report to the CMS COP. Finally, an informal meeting on the species organised by the Working Group, the Chair and BirdLife International is anticipated to be held in the margins of CMS COP 7.

***Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard - 2000***

59. The Great Bustard is listed on CMS Appendix I. It was recommended for concerted action by CMS COP Resolution 4.2 (followed by Resolutions 5.1 and 6.1). CMS COP Recommendation 6.4 noted Hungary's willingness to chair a Working Group and that Spain would serve as vice-chair of such group, moreover it requested "the Range States to undertake in the *Otis tarda* Working Group the necessary steps for the implementation, if appropriate, of an MoU within the framework of the concerted action".

60. A draft MoU and Action Plan was consulted several times with the responsible ministries of the Range States and with experts from international organizations and scientific institutions. In agreement with the responsible representatives of the European Commission, the Bern Convention

and BirdLife International made fully compatible with an action plan which had been developed by BirdLife for the Council of Europe.

61. The Great Bustard MoU and Action Plan was opened for signature on 5 October 2000. Eleven of sixteen Range States and three participating organisations (BirdLife, CIC and IUCN) have since signed the instrument.

62. In August 2001, an expert meeting was organized by a core group of non-governmental organizations and experts from Austria, the Slovak Republic and Germany to discuss the MoU's implementation. The meeting passed a resolution which was thereafter sent to the relevant decision makers in a number of Range States.

63. The CMS Secretariat supported a project of the Moldovan Environmental Ministry to implement the MoU in Moldova. Additionally, various cooperative activities have been developed between a German NGO specialised in Great bustard conservation and Ukrainian, Russian, and more recently Spanish counterparts. These activities include mainly scientific work, such as genetic studies, research and monitoring activities, breeding in captivity and re-introduction of captive-bred bustards into the wild.

64. According to information which the CMS Secretariat received verbally from the responsible research institute in Germany, an expert meeting is under preparation to be held tentatively 12-13 April 2003 covering the entire species in Europe (from Spain to Russia) and including all relevant questions of research and monitoring, re-establishment and captive breeding. The CMS Secretariat will consult with the signatories whether it is worthwhile to compile a comprehensive status report and to hold an experts meeting on the MoU's implementation in conjunction with the pan-European meeting. That meeting could also be a forum to discuss a geographic expansion of the MoU and a reorganisation of the secretariat work.

#### ***Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa -1999***

65. Marine turtles are thought to be numerous along much of the Atlantic coast of Africa, extending some 14,000 km from Morocco to South Africa, including nesting sites, feeding areas and migration corridors of importance for six species: *Caretta caretta*, *Lepidochelys kempii*, *L. olivacea*, *Chelonia mydas*, *Eretmochelys imbricata*, and *Dermochelys coriacea*. Excessive exploitation -- both direct and incidental -- and degradation of essential habitats are thought to be among the most important factors causing depletion of their populations. While interest in basic research and conservation activities in a number of countries have grown considerably in recent years, the gaps in knowledge of marine turtle distribution and abundance remain vast, and efforts to coordinate conservation programmes among countries are still at a nascent stage.

66. It was against this backdrop that the *Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa* was concluded under CMS auspices in Abidjan, Côte d'Ivoire, in May 1999. Range States gathered again in May 2002, this time at UNEP Headquarters in Nairobi, to put the finishing touches on a comprehensive Conservation Plan linked to the Memorandum. The meeting was chaired by the Nigerian Minister of State for Environment, H.E. Dr. Imeh Okopido. On that occasion, representatives of five countries (Angola, Morocco, Sao Tome and Principe, Senegal and Sierra Leone) added their signatures to those of 12 other Signatory States -- -- bringing to 17 the total number of States participating in the MoU.

67. The meeting also agreed the content and format of a template for national reports, mirroring the content of the Conservation Plan, and progress was made towards the development of strategy for identifying potential funding sources for marine turtle conservation activities, from a wide Range of local, national and international donors.

68. The “Nairobi Declaration”, adopted at the conclusion of the conference, sets the stage for further concerted implementation of the MoU. Among other things, the Declaration draws attention to the problem of marine turtle by-catch in industrial fishing operations and emphasizes the importance of involving resident communities in the development and implementation of conservation activities. It welcomes the positive indications from Spain and France -- the latter being a major sponsor of the MoU's development -- to consider joining the MoU, and calls upon the eight non-signatory Range States to become members as soon as possible. The Declaration also encourages links with other conventions, intergovernmental bodies and NGOs, and seeks the integration of marine turtle conservation measures within the emerging *African Process for the Development and Protection of the Marine and Coastal Environment in Sub-Saharan Africa*.

***Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia - 2001***

69. The so-called IOSEA Marine Turtle MoU was finalized in June 2001, under the aegis of CMS, following the elaboration and adoption of an associated Conservation and Management Plan. Twenty-one States were represented at the negotiation session held in Manila from 19-23 June 2001, and hosted by the Secretary of the Department of Environment and Natural Resources, Hon. Mr. Heherson T. Alvarez.

70. The MoU puts in place a framework through which States of the region -- as well as other concerned States -- can work together to conserve and replenish depleted marine turtle populations for which they share responsibility. It acknowledges a wide Range of threats to marine turtles, including habitat destruction, direct harvesting and trade, fisheries by-catch, pollution and other man-induced sources of mortality.

71. The Conservation and Management Plan – containing 24 programmes and 105 specific activities – aims to reverse the decline of marine turtle populations throughout the region. The measures to be taken focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional cooperation and seeking resources for implementation.

72. The MoU, which has a potential membership of at least 40 countries covering the entire Indian Ocean and South-East Asia, came into effect on 1 September 2001. Activities may also be co-ordinated through sub-regional mechanisms in South-East Asia, as well as in the northern, northwestern and western Indian Ocean. The signatory States, currently numbering eleven<sup>1</sup>, are expected to hold their first formal meeting in the second half of 2002.

73. The Manila conference approved a proposal to establish a small secretariat to help co-ordinate activities under the MoU. The secretariat is to be co-located with the UNEP Regional Office for Asia and Pacific, based in Bangkok, and is expected to be operational by September-October 2002. Voluntary contributions to provide for its establishment and operation for an initial period of 2-3

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<sup>1</sup> Australia, Comoros, Islamic Republic of Iran, Kenya, Myanmar, Philippines, Sri Lanka, United Republic of Tanzania, United Kingdom, United States of America, and Vietnam.

years have been secured from the Governments of Australia, the United Kingdom and the United States, as well as from the UNEP/Division of Environmental Conventions and CMS.

***Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer - 2002***

74. The Bukhara deer (*Cervus elaphus bactrianus*) risks extinction from a number of human threats. Artificial regulation of the water regime, habitat destruction, as well as illegal hunting and poaching are the main reasons for the Bukhara's alarming decline in numbers. Historically the species' area of distribution included all river valleys of Amudaria and Syrdaria and all their river basins. Now only approximately 350-450 animals remain, scattered in a few small populations in limited areas.

75. The Ministers for Environment of Kazakhstan, Tajikistan and Turkmenistan, meeting in Dushanbe, Tajikistan, concluded and signed a new CMS MoU on the Bukhara Deer on 16 May 2002. WWF International, the International Council for Game and Wildlife Conservation (CIC) and the UNEP/CMS Secretariat signed the MoU as cooperating organisations. The Memorandum was opened for signature at the Meeting of the Environment Ministers of the Central Asian Region (15-17 May 2002), and came into effect on 1 August 2002

76. The MoU was developed under the auspices of CMS, in collaboration with the Central Asia Programme of the World Wide Fund for Nature (WWF). Uzbekistan is expected to sign the MoU now that its Cabinet of Ministers recently approved the MoU.

77. By signing the MoU the Central Asian Ministers acknowledged their countries' shared responsibility to conserve and restore the Bukhara Deer and the habitats upon which the animals depend. They recognise that they must take concerted, coordinated action to immediately to prevent the disappearance of the remaining populations.

78. The Chairman and host of the meeting, the Minister of Nature Protection of Tajikistan, H.E. Mr Usmokul Shokirov, declared at the signing ceremony that he hopes that the MoU and its comprehensive Action Plan would create an incentive for the Range States' authorities to do more for the species and to cooperate with their neighbours, while attracting international agencies to provide substantial assistance.