



**United Nations Environment Programme**

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**Convention on the Conservation  
of Migratory Species of  
Wild Animals (CMS)**

**Proceedings of the Fourth Meeting of  
the Conference of the Parties**

**Nairobi, Kenya  
7 - 11 June 1994**

**Secretariat of the Convention  
Bonn, Germany**



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FOREWORD

The Conference of the Parties, the decision-making organ of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), normally meets at intervals of not more than three years, unless the Conference decides otherwise. In accordance with Article VII of the Convention, the Conference held its fourth meeting at the headquarters of the United Nations Environment Programme (UNEP), Nairobi, Kenya, from 7 to 11 June 1994.

The *Proceedings of the Fourth Meeting of the Conference of the Parties* include *inter alia* the report of the meeting, the resolutions and recommendations adopted by the Conference of the Parties, and reports of the work of the two sessional committees and a working group of the plenary.

The *Proceedings of the Fourth Meeting of the Conference of the Parties* are also available in French and Spanish.

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CHAPTER I

REPORT OF THE FOURTH MEETING OF THE  
CONFERENCE OF THE PARTIES

INTRODUCTION

1. The fourth meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held at the headquarters of the United Nations Environment Programme (UNEP), Nairobi, Kenya, from 7 to 11 June 1994.

AGENDA ITEM 1: OPENING OF THE MEETING

2. The meeting was called to order at 9.30 a.m. on Tuesday, 7 June 1994, by Mr. R. Hepworth, Chairman of the Standing Committee, who acted as temporary Chairman pending the election of officers. He expressed his gratitude to UNEP and the CMS Secretariat for organizing the meeting, which was the first meeting of the Conference of the Parties to be held outside Europe and the first since the United Nations Conference on Environment and Development (UNCED). He said that the meeting was important for the future and drew attention to the Strategy for the Future Development of the Convention, which was before the Conference. That Strategy was intended to act as a signpost in the post-UNCED era. He also noted that, immediately after the meeting of the Conference of the Parties, the first intergovernmental meeting on the draft African-Eurasian Migratory Waterbird Agreement was to be held. That Agreement was the largest yet envisaged under the Convention and, as in all other efforts under the Convention, support from UNEP would play a vital role.

3. All Parties to the Convention were invited to participate in the meeting and the following 37 Parties were represented:

Argentina	Luxembourg
Australia	Mali
Belgium	Morocco
Benin	Netherlands
Burkina Faso	Niger
Cameroon	Nigeria
Chile	Norway
Czech Republic	Pakistan
Denmark	Panama
Egypt	Philippines
European Community	Saudi Arabia
Finland	Senegal
France	South Africa
Germany	Sri Lanka
Ghana	Sweden
Guinea	Tunisia
Hungary	United Kingdom
India	Uruguay
Israel	

In accordance with Resolution 3.4 (Geneva, 1991), the following three Scientific Councillors appointed in 1991 by the Conference of the Parties attended the meeting:

Dr. Michael Moser (United Kingdom)  
Dr. William Perrin (United States)  
Dr. Roberto Schlatter (Chile)

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4. The following 34 States were represented by observers:

Armenia	Papua New Guinea
Austria	Peru
Barbados	Poland
Belarus	Former Yugoslav Republic of Macedonia
Central African Republic	Republic of Moldova
Chad	Russian Federation
China	Slovakia
Côte d'Ivoire	Slovenia
Dominican Republic	Switzerland
Estonia	Togo
Georgia	Turkey
Guinea-Bissau	Uganda
Kenya	Ukraine
Lebanon	United Republic of Tanzania
Lithuania	Zambia
Malawi	Zimbabwe
Mozambique	
Myanmar	

5. The following intergovernmental organizations were represented:

Convention on Wetlands of International Importance Especially as  
Waterfowl Habitat (RAMSAR)

Convention on International Trade in Endangered Species of Wild Fauna  
and Flora (CITES)

6. In addition, the following ten non-governmental organizations were  
represented by observers:

African Centre for Technology Studies

BirdLife International

Conseil International de la Chasse (CIC)

East African Wildlife Society (EAWS)

ECO<sup>3</sup>TERRA

Fédération des Associations de Chasseurs de la Communauté Européenne  
(FACE)

IUCN - World Conservation Union

International Waterfowl and Wetlands Research Bureau (IWRB)

Kenya Wetlands Working Group

Osiendela Association

AGENDA ITEM 2: WELCOMING ADDRESSES

7. At the opening session, the Conference heard welcoming addresses from Ms. Elizabeth Dowdeswell, Executive Director of the United Nations Environment Programme, and Mr. Noah Katana Ngala, Minister for Tourism and Wildlife of the Republic of Kenya.

8. Ms. Dowdeswell said that, since the last meeting of the Conference of the Parties, the condition of the world's environment continued to be under intense pressure. The only change was that the call for substantial changes in worldwide environment policies had been escalating. After briefly reviewing the progress made in all areas since the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, June 1992, she said that the Convention on the Conservation of Migratory Species of Wild Animals was achieving increasing success in terms of self-organization, a basic global coverage in membership and the preparation of several regional Agreements. She was also encouraged by the increase in membership, the high level of attendance at the current meeting, the entry into force of three regional Agreements concluded under the Convention and the development of three further Agreements. The latter three agreements could easily be concluded within the forthcoming eighteen months if a number of conditions were met: the Range States concerned were willing to meet the commitments they had subscribed to at Rio and elsewhere; the Agreements were sponsored by some Range States, not necessarily Parties to the Convention; and adequate personnel capacity was provided for the Secretariat. UNEP was pleased to host the first intergovernmental meeting to discuss the draft African-Eurasian Migratory Waterbird Agreement. Other encouraging signs included the initiation by the CMS Secretariat, with the support of the Scientific Council, of two memoranda of understanding in order to make the last attempt at safeguarding bird populations on the brink of extinction, and the proposal to add three more species to Appendix I of the Convention which, if adopted by the Conference, would increase the number of globally endangered migratory species listed therein to 55.

9. Turning to the question of whether it was necessary to continue with the specialized nature conservation conventions in view of the more general and comprehensive approach undertaken with the Convention on Biological Diversity, she said that both the biological diversity convention and its funding mechanism were strictly country-related. When the Convention on Biological Diversity had been developed, it had been generally understood that the existing nature conservation conventions should retain their fields of activities. The Convention on Migratory Species was the only global and United Nations-based international organization competent for the conservation and management of such species, which were one of the most vulnerable parts of global biological diversity. She therefore called upon all countries that had signed the Convention on Biological Diversity to become Parties to CMS and said that it would be appropriate for the Conference of the Parties at its current meeting to discuss the relationship between the two conventions.

10. Drawing attention to the proposed Strategy for the Future Development of the Convention, she said that it was not sufficient simply to agree to such a strategy; it was also necessary that the organs of the Convention and the Parties took action to implement it. The Strategy was a pioneering effort and there was no doubt that CMS was leading the way in setting clear objectives, identifying priorities and seeking the required resources. She therefore urged all participants to give it close attention.

11. With regard to the budget for the next triennium, she noted that UNEP had been requested by the Chairman of the Standing Committee to support the

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Secretariat more than ever before. In that connection, she said that UNEP, in providing the Secretariat for the Bonn Convention and a number of other conventions, assumed its responsibilities in accordance with the financial means received from the member States. UNEP had already started several activities to support CMS, which she expected would continue. It would soon begin a study on all environment and nature conservation conventions to look for possible synergies and to avoid duplication of effort. UNEP had also assisted the CMS Secretariat in preparing for the current series of meetings. It looked forward to future discussion on the subject and would certainly not refuse to give the Convention the support as requested by the Standing Committee provided that certain requirements were met.

12. In conclusion, she said that, although the Bonn Convention had been adopted in 1979, it was consistent with the basic principles established by the Rio Conference, namely to conserve the world's resources for the purpose of their sustainable use. On behalf of UNEP, she expressed her gratitude to all those countries that had given additional support to the Convention. She was also grateful to those who had made financial contributions for the convening of the first intergovernmental meeting on the African-Eurasian Migratory Waterbird Agreement.

13. Mr. Noah Katana Ngala, Minister for Tourism and Wildlife of the Republic of Kenya, welcomed the participants to his country and hoped that the Conference would generate the political will to achieve and implement solutions to the problems of the loss of biological diversity and the extinction of species.

14. He said that, since migratory species crossed political jurisdictions in their annual movements, there was a particularly urgent need for international co-operation to protect such species and for improved mechanisms to halt or reverse the degradation of shared ecosystems. While there were many bilateral, regional and international treaties bearing on migratory wildlife, CMS was the only global instrument specifically concerned with migratory species. He therefore hoped that the Convention would lead to stronger partnerships at the international level, encouraging international banks and development agencies to promote its noble objectives.

15. The Kenyan Government accorded high priority to environmental conservation issues and eight per cent of the country's land area had been given protected status of one kind or another. Yet 75 per cent of Kenya's wildlife was located outside such protected areas; hence, the paramount importance attached to the involvement of local communities and land users in the management of wildlife resources. Since tourism in Kenya, one of its major industries, was largely based on the conservation of biological systems, Kenya set high store by environmental conservation efforts and was currently taking steps to accede to the Convention.

16. In conclusion, he noted that, while in other parts of the world it might be too late to stem the loss of biological diversity, the opportunity still existed in Africa for such intervention and he therefore urged the Secretariat to make every effort to increase the Convention's constituency in the African region.

17. He then formally opened the meeting.



AGENDA ITEM 3: ADOPTION OF RULES OF PROCEDURE

18. Introducing the provisional rules of procedure (UNEP/CMS/Conf.4.4) at the opening session of the meeting, the temporary Chairman said that the rules had been considered by the Standing Committee at its meeting in January 1994 and again at its meeting the previous day. He then presented a number of amendments to the draft rules proposed by the Standing Committee. These amendments were adopted by the Conference as follows:

(a) In provisional rule 2, paragraph 4, the words "State or Party" should be replaced by the words "non-Party State";

(b) In provisional rule 5, a new paragraph 3 should be added as follows to reflect the need for full regional representation in the Bureau of the Conference in view of the increasing number of Parties:

"The Conference shall also elect, from among the representatives of the Parties, Vice-Chairmen of Committees I and II. If either Chairman of Committee I or II is absent or unable to discharge the duties of Chairman, the respective Vice-Chairman shall deputize."

(c) In provisional rule 14, paragraph 1, text omitted in the English version as a result of a typographical error should be restored so that the rule would read:

"Without prejudice to the provisions of rule 4, paragraph 2, each representative duly accredited according to rule 3 shall have one vote. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with the number of votes equal to the number of their member States which are Parties. In such case, the member States of such organizations shall not exercise their right individually."

19. The Conference also agreed with the Standing Committee on the need for the Committee to examine rule 11 at some future time to ensure that it was consistent with the text of the Convention. However, in the interests of time, it decided that the question would not be discussed at the current meeting, and would be referred back to the Standing Committee.

20. The representative of Pakistan proposed that the phrase "seating limitations" in rule 1, paragraph 3, and rule 2, paragraph 4, should be replaced by the words "logistic and other limitations". The representative of Australia supported the suggestion but said that the critical missing element in the rule was the need for the Secretariat to notify Parties of any such limitations before the meeting concerned was due to commence. The Conference agreed that the matter could be examined by the Standing Committee during the review of the text of the rules of procedure. On that understanding, the representative of Pakistan withdrew his proposal.

21. Speaking with reference to rule 17, paragraph 4, the representative of India suggested that the Parties might consider withholding voting rights from Parties that had not paid their dues for more than three years. Failure to pay dues was an indication of lack of interest by such countries in the purposes of the Convention, and they should therefore forfeit their right to participate in elections. The Parties agreed that the useful suggestion by India should be considered under the discussion of the Strategy for the Future Development of the Convention, which provided for penalties for Parties in default of their contributions.

22. The representative of the Secretariat said that minor discrepancies had been noted between the English and French texts of the rules. In the view of the Secretariat, they did not warrant discussion at the current meeting. He suggested, and the Conference agreed, that the Secretariat should draw the attention of the Standing Committee to any necessary changes in that regard so that the Committee could take them into account in its examination of the rules of procedure.

23. The provisional rules of procedure contained in document UNEP/CMS/Conf.4.4 were adopted as amended.

#### AGENDA ITEM 4: ELECTION OF OFFICERS

24. At the opening session, the Conference elected the following officers by acclamation:

Chairman: Mr. J. Renault (Belgium)

##### Committee I

Chairman: Dr. S.I. Sylla (Senegal)

Vice-Chairman: Mr. P. Canevari (Argentina)

##### Committee II

Chairman: Dr. P. Bridgewater (Australia)

Vice-Chairman: Mr. A.U. Jan (Pakistan)

#### AGENDA ITEM 5: ADOPTION OF THE AGENDA AND WORK PROGRAMME

25. At the opening session, the representative of the Secretariat introduced the provisional agenda as contained in document UNEP/CMS/Conf.4.1 (Rev.1), together with the provisional timetable for the meeting (UNEP/CMS/Conf.4.3(Rev.1)).

26. The provisional agenda was adopted without amendment and is reproduced below:

1. Opening of the meeting.
2. Welcoming addresses.
3. Adoption of rules of procedure.
4. Election of officers.
5. Adoption of agenda and work programme.
6. Establishment of Credentials Committee and sessional committees.
7. Report of Credentials Committee.
8. Admission of observers.
9. Opening statements.



10. Reports:
  - (a) Secretariat;
  - (b) Depositary;
  - (c) Standing Committee;
  - (d) Scientific Council.
11. Correction of Convention texts.
12. Review of implementation of the Convention:
  - (a) Overview of Party reports;
  - (b) Review of Article IV Agreements concluded or under development;
  - (c) Guidelines on the harmonization of future Agreements;
  - (d) Measures to improve the conservation status of Appendix I species.
13. Strategy for the future development of the Convention.
14. Consideration of proposals for amendments to Appendices I and II of the Convention.
15. Reports of sessional committees.
16. Financial and administrative arrangements:
  - (a) Extension of the CMS Trust Fund;
  - (b) Adoption of the budget for 1995-1997;
17. Institutional arrangements:
  - (a) Standing Committee;
  - (b) Scientific Council.
18. Date and venue of the fifth meeting of the Conference of the Parties.
19. Other business.
20. Adoption of report of the meeting.
21. Closure of the meeting.
27. The provisional timetable was also adopted with two amendments introduced by the representative of the Secretariat.
28. In reviewing the documents before the Conference, the representative of the Secretariat announced that an annotated provisional agenda, listed as document UNEP/CMS/Conf.4.2, would not be issued. He also drew the attention of the Conference to the revised lists of national focal points and CMS Scientific Councillors (UNEP/CMS/Inf.4.3 and 4.4) and invited participants to submit any corrections thereto to the Secretariat.

AGENDA ITEM 6: ESTABLISHMENT OF CREDENTIALS COMMITTEE  
AND SESSIONAL COMMITTEES

29. At its opening meeting, the Conference established a Credentials Committee and elected the following members by acclamation: European Community, Guinea, Nigeria, Panama and South Africa.
30. As required by rule 23 of the rules of procedure, it also established two sessional committees, with the officers mentioned in paragraph 24 above.
31. It further established a working group on the Strategy for the Future Development of the Convention under the chairmanship of Mr. Hepworth (United Kingdom). It was understood that that working group was a subsidiary body of plenary, and that Committees I and II could establish their own working groups, if they so wished.

AGENDA ITEM 7: REPORT OF THE CREDENTIALS COMMITTEE

32. After presenting interim reports at the 8th plenary session of the meeting, on 11 June, the Chairman of the Credentials Committee presented his final report, informing the Conference that the Committee had examined the credentials of representatives of the following Parties attending the meeting and found them to be in order: Argentina, Australia, Belgium, Benin, Burkina Faso, Chile, Czech Republic, Denmark, Egypt, European Community, Finland, France, Germany, Ghana, Guinea, Hungary, India, Israel, Morocco, Netherlands, Niger, Nigeria, Norway, Panama, Philippines, Saudi Arabia, Senegal, South Africa, Sri Lanka, Sweden, Tunisia, United Kingdom and Uruguay. The following Parties were represented at the meeting without credentials: Cameroon, Luxembourg, Mali and Pakistan, and the following Parties had not been represented: Ireland, Italy, Monaco, Portugal, Somalia and Zaire.

AGENDA ITEM 8: ADMISSION OF OBSERVERS

33. The following non-governmental organizations, each of which met the prescribed criteria, were admitted as observers:

African Centre for Technology Studies  
BirdLife International  
Conseil International de la Chasse (CIC)  
East African Wildlife Society (EAWS)  
ECO<sup>3</sup>TERRA  
Fédération des Associations de Chasseurs de la Communauté Européenne  
(FACE)  
IUCN - World Conservation Union  
International Waterfowl and Wetlands Research Bureau (IWRB)  
Kenya Wetlands Working Group  
Osienala Association

AGENDA ITEM 9: OPENING STATEMENTS

34. As footnoted in the agenda, opening statements were not presented orally but were distributed in writing. They are reproduced in a separate volume, together with national reports on implementation of the Convention received from Parties. The observer for Switzerland made an oral



statement, however, informing the Conference that on 25 May 1994 his Government had submitted a proposal to Parliament for accession to the Convention by Switzerland. Switzerland looked forward to closer co-operation with the Bonn Convention and intended to make a modest contribution to the respective fund.

35. Under this item, the representative of India also made a statement in which he referred to the Symposium on Animal Migration, held the previous day, at which the status of most major species of migratory birds had been presented. Noting that none of the States of the former Soviet Union, where most such birds originated, were party to the Convention, he stressed the need to encourage those States to become Parties.

36. Also under this item, the observer for Chad said that her country's participation in the meeting was testimony to its commitment to become party to the Convention and to learn from the experience of the current Parties. She was convinced that the results of the meeting would be significant for Chad's national conservation strategies.

37. At the 9th plenary session, the Co-ordinator reported that opening statements had been submitted in written form by several Governments and organizations. Slovakia had stated that the responsible Ministry had already prepared the necessary proposal to its Government for accession to the Convention. In addition, Switzerland had confirmed that on 25 May 1994 the Conseil Fédéral (Cabinet) had submitted a proposal to the Swiss Parliament that Switzerland should join the Bonn Convention and the matter would be decided upon later in the year.

38. The Co-ordinator further reported that statements had also been received from the United Kingdom, Belarus, BirdLife International, the Fédération des Associations de Chasseurs de la Communauté Européenne (FACE) and the Conseil International de la Chasse (CIC). The representative of the European Community expressed his reservations about the statement received from BirdLife International. He believed that the statement might be construed as being a way of manipulating public opinion regarding the European Community's recent directives regarding the banning of hunting of returning migratory birds and the definition of the hunting season for those birds. The only objective of the Community's recent directive was to seek greater clarification of an existing directive.

39. The Co-ordinator also reported that many Party reports had been received during the Conference, together with reports from observer countries. Although received late, all those reports would be subjected to the usual Secretariat review.

#### AGENDA ITEM 10: REPORTS

##### A. Secretariat

40. At the opening session, the Co-ordinator of the Secretariat drew attention to the report of the Secretariat contained in document UNEP/CMS/Conf.4.5.1. The report had been prepared relatively recently and, since that time, most of the Secretariat's work involved preparation for the current series of meetings being held in Nairobi. The only new initiative of the Secretariat, not mentioned in the report, had been the memorandum of understanding on the Slender-billed curlew.

41. Turning to some of the main points of the report, he welcomed the seven States that had become Parties since the last meeting of the Conference - in chronological order: South Africa, Argentina, Monaco,

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Guinea, Morocco, Philippines and the Czech Republic - and said that it was very encouraging that good channels of communication had already been established between them and the Secretariat. Throughout the reporting period, one of the priorities of the Secretariat had been the development and promotion of Agreements. A great deal of work had been devoted to developing and writing proposals in consultation with experts and representatives of Parties. He hoped that that work would result in progress for the Convention in the future. Another Secretariat priority had been to communicate with non-Parties, an area that was highlighted in the report of the Standing Committee. Again, he hoped that that activity would lead to increased success and a larger number of Parties. Referring to the encouraging information received from countries regarding their intention to become Parties to the Convention, he said that the Secretariat would appreciate it if positive indications were submitted in written form from those countries in which the legal procedures for ratification or accession had been initiated.

42. Another area in which the Secretariat had devoted considerable efforts was in revising the list of Range States, a major task given the political changes of the 1990s. He requested all representatives and experts from the Range States to examine that list (document UNEP/CMS/Inf.4.2) and to submit to the Secretariat any comments or proposals for correction or amendment. He also welcomed all the representatives from the Central and Eastern European countries who were attending the meeting of the Conference of the Parties for the first time.

43. During the reporting period, the Secretariat maintained regular links with the Government of Germany, the Depositary of the Convention, and its Ministry of Environment. Germany was the main contributor to the Convention Trust Fund and also provided additional voluntary support for technical work including the preparation of meetings and the funding of travel for representatives from developing countries. He underscored the statement made by the Executive Director of UNEP in her welcoming address that the Secretariat would appreciate any financial or in-kind assistance given to CMS. Finally, he expressed his appreciation for the tremendous input received from the Chairman of the Standing Committee over the reporting period.

#### B. Depositary

44. At its 2nd plenary session, on 7 June 1994, the Conference continued its consideration of agenda item 10. Turning to sub-item 10 (b), the Chairman called upon the representative of the Depositary (Germany) to introduce its report (document UNEP/CMS/Conf.4.5.2.), and said that he believed that item 11 of the agenda, "Correction of Convention texts", would also initially be covered by the discussion of that report. The representative expressed his thanks for the co-operation which had enabled progress to be made in the preparation of the French and Spanish texts of the Convention, which the Depositary was still trying to complete.

45. The Co-ordinator of the Secretariat said that, although the Depositary and the German Ministry of the Environment had done considerable work on the text of the Convention, the goal set by the Depositary itself in the third meeting of the Conference of the Parties (Geneva, 1991) had not been met. The Depositary should be requested by the Parties to do its utmost to organize the updating of the texts and prepare them for publication in the official United Nations gazette. The Secretariat had worked very hard to assist the Depositary with the English, French and Spanish versions and the updating of the Appendices. The Depositary saw a legal problem concerning whether the Secretariat or the Depositary was the body responsible for such updating. The Secretariat believed responsibility lay with the Depositary.



The Secretariat further asked whether the work to update the Appendices after the present meeting of the Parties could also be done together with the corrections to the official language versions.

46. The representative of the United Kingdom, speaking as Chairman of the Standing Committee, said that, as pointed out in the Committee report to the present meeting, the lack of official language versions of the texts was unhelpful to the Convention globally and needed to be resolved quickly. He suggested that there should be a target, say the end of the current year, to resolve at least the English, French and Spanish texts. The long time which had already elapsed in preparation work was causing problems in promoting the Convention. The representative of the Depositary said that he accepted the Standing Committee Chairman's suggestion concerning the English, French and Spanish versions. He believed that the question should be brought up in connection with the upcoming discussion on the Strategy paper, which devoted space to the texts of the Convention.

47. The representative of Saudi Arabia asked to be able to review the Arabic version of the text for linguistic corrections. The representative of the Depositary replied that he could make an Arabic text available, although certain problems had arisen and the Depositary was trying to advance things. The observer from Switzerland reiterated that the country wished to accede to the Convention; if the text were ready by the end of the year, Parliament could be asked to accept it for consideration. The representative of the Depositary said it would make its best efforts to have a German text ready for both Austria and Switzerland to examine. The Chairman concluded that it would mark an important step if all texts were to be ready by the end of the year.

#### C. Standing Committee

48. The Chairman of the Standing Committee, Mr. Robert Hepworth (United Kingdom), introducing the report of the Committee contained in document UNEP/CMS/Conf.4.5.3, said that it was intended to be an information rather than an action document. Drawing attention to certain points within the text that would be relevant to the subsequent discussions, he noted that in its annual meetings the Committee had been able to keep under scrutiny the policy, operations and resources of the Convention and had given special attention to the preparation of a strategy for the future development of CMS. Other priorities included a study of the participation of developing countries in CMS, encouraging new parties to join, improving publicity for CMS, trying to resolve problems on the text of the Convention and planning the fourth meeting of the Conference of the Parties in Nairobi. The main priority, the Strategy paper, which recommended selective and targeted expansion of CMS activities, had been worked on for the whole triennium. Recommendations included further work to develop and support regional species Agreements; the obtaining of Global Environment Facility (GEF) funds; and promoting CMS to attract new parties. The recommendations of the Strategy concerning the future role of the Standing Committee would mean a substantial programme of work for the next triennium.

49. Highlighting the importance of publicizing CMS, the Chairman of the Committee said that for the first time a brochure on it had been produced in four languages. To increase the participation and involvement of developing countries in CMS, the Committee had endorsed the distribution of the Secretariat's questionnaire to Parties, and it had also been fed into the Strategy. Concerning the attempts to persuade the United States to participate in CMS, the news was disappointing. As he had reported to the Committee at its meeting on 6 June, the United States had communicated that it was pleased to note the fourth meeting of the Conference of the Parties and would look forward to seeing the reports it received from its Permanent representative to UNEP. The United States had said that it still had concerns about CMS and was not prepared to accede at the present time.



However, it would continue to receive information and review its position.

50. Concerning paragraph 14 of his report, the Chairman of the Committee drew attention to the cost implications of the Nairobi meeting, noting that the Committee had felt it preferable not to meet in Europe. The idea of conducting consecutive meetings of the sessional committees had been adopted because of the difficulty some delegations had had in attending simultaneous meetings of working bodies. There would be an examination of how well the practice functioned and co-operation was needed with the Chairman of the Conference to ensure that issues covered by the Committees were not reopened in plenary. On the question of the budget of CMS for 1995-1997, the Committee had decided to recommend that part of the current accumulated balance in the Trust Fund should be used to reduce the increase in contributions over the next three years. Resources allocated, he noted, had not been used because of a lack of manpower to do so.

51. Turning to paragraph 16 of his report, on administrative work and the assignment by UNEP of an Administrative Officer to the Secretariat, the Committee Chairman said that subsequent to the preparation of the report discussions had been held with UNEP. He believed a solution could be found that met the needs of UNEP concerning administration and those of CMS. Drawing attention to the table on page 8 of his report, the Committee Chairman said that difficulties had been experienced in overseeing expenditures over the triennium since it had not had access to adequate information and annual reports on actual expenditures, so the Committee's overview had been inadequate. Any shortcomings were not due to the Secretariat, which had done what it could. In conclusion, he expressed his thanks to the members of the Standing Committee for their co-operation throughout the triennium and for their positive attitude to the tasks in hand. The Chairman of the Conference thanked the Chairman of the Standing Committee for his personal efforts in the work undertaken.

52. One representative, referring to paragraph 2 of document UNEP/CMS/4.5.3, asked whether the Standing Committee could alone approve its rules of procedure or whether it needed to seek the approval of the Parties. In reply, the Chairman said that the Secretariat had informed him that Conference Resolution 2.5 of 1988 enabled the Committee to establish its own rules of procedure.

#### D. Scientific Council

53. The report of the Scientific Council, document UNEP/CMS/Conf.4.5.4, was introduced by the Chairman of the Council, Prof. Wim J. Wolff (Netherlands). He said that at present 39 Parties had appointed a member to the Scientific Council, leaving five Parties that had not done so. The third meeting of the Conference of the Parties had also appointed four members to the Council because of their scientific expertise. Explaining that professional commitments lay behind his decision to resign the chairmanship, he said that Dr. Devillers had been elected to replace him, with Dr. Jean Ngog Nje from Cameroon as Vice-Chairman.

54. With regard to the review of the Appendices of CMS, he pointed to annex 2 of the Strategy, contained in document UNEP/CMS/Conf.4.11, which contained the list he had prepared of taxonomic groups to be assessed for possible inclusion in the Appendices. He expected that the review should be completed before the next meeting of the Council in 1996. The task would require that part of the work be done by contracted external consultants. Concerning the implementation of Resolution 3.2, the Council had concluded that action, to be fully effective, should be directed towards a small number of highly threatened species. It was not possible for the Council to deal with two of the species covered by that resolution, and he requested that the Conference consider relieving it of the task. A proposal had been made at the Scientific Council to add one species to Appendix I and to develop an action plan in that respect. Concerning the



Houbara bustard (Chlamydotis undulata), some progress towards an Agreement had been made, but work was not yet at an end. A review report on the Slender-billed curlew (Numenius tenuirostris) was being finalized with inputs from several sides. Also, the Councillor from Australia had agreed to take the lead in developing a regional action plan for marine turtles. The Scientific Council had considered Appendix I with a view to identifying additional species requiring concerted action under Resolution 3.2. A number of gazelles had been studied by a working group; the Ruddy-headed goose (Chloephaga rubidiceps) was the subject of work by Argentina and Chile and agreement seemed to be at an advanced stage. Developments with regard to the Agreement on the Siberian crane would be reported later in the meeting.

55. The Chairman of the Council said that the 1993 meeting in Bonn had discussed criteria for establishing priorities for the development of future Agreements. The discussion had resulted in the document contained in annex 4 to document UNEP/CMS/Conf.4.11. Applying those criteria, the Council had developed a list of about 30 possible future Agreements, and for about 20 of those one or more Councillors had offered to produce background papers. However, it would be difficult to manage the development of so many new Agreements at the same time. It was decided to focus attention on Sahelo-Saharan mammals and on albatrosses worldwide. The small working group referred to in paragraph 11 of his report had been given responsibility for an Agreement on the Sahelo-Saharan mammals. The Councillors from Australia and Uruguay had agreed to take the lead for an Agreement on albatrosses and their work had resulted in a number of candidates for future listing of albatrosses in Appendix II of the Convention. Australia had felt it necessary to undertake further consultations, and it was expected that before the next meeting of the Council an action plan could be developed. A working group on small cetaceans in South-East Asia had been set up. The development of an Agreement in that field was hampered by the lack of knowledge concerning the migration of those species and States were asked to undertake further research into the matter.

56. With regard to the work of IUCN on the definition of various categories of threat the Chairman said there might be consequences for CMS. It was better to wait and see what resulted from IUCN and then make further recommendations to a future meeting of the Conference of the Parties. In conclusion, Prof. Wolff expressed his profound thanks to the members of the Scientific Council for their co-operation and commitment and also to the Secretariat. The Chairman of the Conference expressed gratitude to Prof. Wolff for his work in chairing the Scientific Council and congratulated him on being awarded the Wilhelmshaven prize for research on marine ecology.

57. The representative of Pakistan enquired who covered the travel costs for the meetings of the Council. He also believed that the Council was a large body and perhaps a smaller Council would be more cost-effective. The Chairman replied that the developed countries' delegations covered their own travel costs. To that, the representative of the Secretariat added that Conference Resolution 3.4 provided for financing of travel of developing country delegates through sponsorship. The Bonn meeting had been the best attended. Nairobi was also well attended so travel provisions were functioning well. The representative of Pakistan reiterated his view that a small Council of high-level experts was needed. Another representative also expressed reservations about the number of Councillors, saying it presented operational problems and that at recent meetings discussion had covered administrative rather than truly scientific issues. One other representative pointed out that, unlike the Standing Committee, which had been created by the Conference of the Parties, the



Scientific Council had been created under Article VIII of the Convention itself, which stated that any Party could appoint a member to the Council. Thus, it could not and should not be limited, since any Party that wanted to had the right to be involved in its activities. Prof. Wolff said it was an advantage to have many countries on the Council, as there was an improved chance to exchange information and to check on things. One representative deplored the fact that at the last meeting of the Council there had been an absence of representatives from certain regions and he underlined the importance of having more countries represented. Another representative said that the Council was the backbone of CMS. It advised on the species for inclusion in the Appendices and a member from each Party was therefore indispensable.

58. The representative of Saudi Arabia asked for clarification concerning what populations of the Houbara bustard (*Chlamydotis undulata*) were referred to in paragraph 17 of document UNEP/CMS/Conf.4.5.4. for inclusion in Appendix I. The Chairman of the Council replied that it referred to all populations, indeed, to the entire species. The representative then said that his country would need time for consideration and wanted to record a reservation concerning putting the Houbara bustard in Appendix I.

AGENDA ITEM 11: CORRECTION OF CONVENTION TEXTS

59. For the discussion under this item see paragraphs 44 to 47 of the present report.

AGENDA ITEM 12: REVIEW OF IMPLEMENTATION OF THE CONVENTION

A. Overview of Party reports

60. At the 8th session of the meeting, on 11 June, the Chairman drew attention to the draft resolution on Party reports, contained in document UNEP/CMS/Res.4.1. The annex to the resolution contained a proposal for standard formats for initial and updated reports by the Parties.

61. One representative suggested deleting the words "by Parties" in paragraph 4, since the Secretariat gathered information from other sources as well. In view of the constraints of time, however, and as the issue had not yet been discussed between the proponent and the Secretariat, the Chairman proposed that the resolution should be adopted as it stood.

62. The Conference unanimously adopted Resolution 4.1.

B. Review of Article IV Agreements concluded or under development

63. In his brief introduction to sub-item (b), the Co-ordinator drew attention to document UNEP/CMS/Conf.4.8, containing a report by the Secretariat on the issue, which constituted one of the key areas of the Convention. He noted that the Convention itself had invited Party countries to conclude Agreements in which not only Party countries could join, but all Range States, whether Parties or not. Three Agreements had entered into force and two of them had already shown excellent results. The Agreement on the Conservation of Seals in the Wadden Sea had been responsible for concerted action by the Range States, resulting in a recovery of the seal population and its re-establishment at a stable level. The Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas had an interim secretariat established by the United Kingdom, which was preparing the first meeting of the Parties, to be hosted by

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Sweden in September 1994. The CMS Secretariat had also been involved in the preparation, and invitation letters had been sent out. The Agreement on the Conservation of Bats in Europe was possibly the largest and most important Agreement concluded so far, he stated, and the United Kingdom had established an interim secretariat and would also host the first meeting of the Parties, hopefully in June 1995.

64. Concerning section I.D of document UNEP/CMS/Conf.4.8, dealing with the Memorandum of Understanding concerning Conservation Measures for the Siberian crane, the representative of the Secretariat referred to the perilous state of the western and central Asian populations of the Siberian crane noting that only six specimens had wintered in the Islamic Republic of Iran and none in India in 1994, compared to 20 in 1993. The Memorandum of Understanding had taken effect on 1 July 1993, and had been signed by a State that was a non-Party, the Russian Federation, which had undertaken to develop a more detailed Species Conservation Plan, in collaboration with the other Range States. There were nine Range States overall, and the Secretariat had been making efforts to have them sign the Memorandum. There had been a provisional plan to hold a Range State meeting, to be hosted by India, in early 1994. That had not happened, therefore India was now considering hosting such a meeting in 1995.

65. In response to the Chairman's question on further news of accession on the part of India, the representative of India replied that although India still had three reservations concerning the text of the Memorandum, it had initiated procedures to sign and, under a new procedure the Government of India had established, the relevant Ministry had forwarded the Memorandum to the Cabinet Committee. With regard to the wintering of the Siberian crane in India, the numbers involved had been decreasing since 1985; only five birds came in 1993, and none in 1994. However, six captive-bred birds had been introduced, of which two had become residents in the national park; it was hoped the situation would change for the better.

66. On the question of section II of the report, on Agreements under development, the representative of the Secretariat gave an update on the draft Agreement on the Conservation of Small Cetaceans of the Mediterranean and Black Seas. Recalling that the text of a draft Agreement had first been discussed in February 1991, and an intergovernmental meeting had been held in Athens in October 1992, after which re-drafting had begun, the representative of the Secretariat said that no final revised version had yet been arrived at, although all the Range States had expressed considerable interest. To the Chairman's question on whether a deadline existed for the conclusion of the Agreement, the representative of the Secretariat responded that it would try to arrive at a date for a meeting to finalize the Agreement.

67. The Co-ordinator noted that the Secretariat had limited manpower resources, having only two Professional staff members, plus two administrative assistants and the part-time assistance of a scientific adviser, seconded from the German Government. Priorities had had to be set, and, in consultation with the Standing Committee, he had established that the draft Agreement on the Conservation of African-Eurasian Migratory Waterbirds was a high priority. The philosophy guiding the Secretariat in regard to migratory waterbirds had been that, instead of creating 100 or more separate Agreements, those should be gathered together and a larger Agreement created to start with. After the African-Eurasian Agreement, work could turn to an Asian-Pacific Agreement, and then to a third Agreement, for the Americas, or a reactivated Western Hemisphere Agreement, so that the waterbirds of the entire globe could be covered with three Agreements. After that would come Agreements for birds other than waterbirds, and memoranda of understanding for species having special



requirements.

68. The representative of the Netherlands expressed his Government's gratitude to the Secretariat for developing the draft Agreements; his Government had offered to sponsor the Agreement on the Conservation of African-Eurasian Migratory Waterbirds, by financing the secretariat for an initial period of three years and would also agree to act as depositary, as well as organizing the first meeting of the Parties. A Minister of the Netherlands Government would come to Nairobi to open the meeting on the draft Agreement on 12 June.

69. The representative of the European Community drew the attention of the Chairman to paragraph 18 of document UNEP/CMS/Conf.4.8, and its corresponding footnote. He wished to have it reflected in the report of the meeting that it had never been said that there had been a fundamental change in the policy of the Commission of the European Communities in the field of nature conservation. While the Community had withdrawn from the efforts to conclude a separate Agreement for the conservation of the White stork, it had been backing the broader waterbird Agreement, pledging an amount of US\$ 140,000, and had hoped that the current meetings would lead to a final Agreement being signed.

70. One representative thanked those who had taken those initiatives and said that his Government had organized similar agreements at a local level. He hoped that agreements of the type under discussion would support ongoing efforts for conservation in all transborder regions.

71. Speaking on the draft Agreement on the Conservation of Migratory Waterbirds of the Asia-Pacific Region, the representative of the Secretariat reported progress on that draft Agreement and how it fitted into the philosophy guiding the Secretariat in its work. He added that that draft Agreement was moving slowly, perhaps because in the Asia-Pacific region membership of the Convention was less well-established than in other regions. Nevertheless, the draft text needed early revision in the light of developments with respect to the parallel African-Eurasian Agreement. The Secretariat had been looking for a venue for a meeting to discuss this, and had been encouraging other countries to join in. It looked to Australia to give a lead in developing the excellent potential of the draft Agreement.

72. The representative of Australia welcomed the opportunity to inform the Conference of the Parties on what Australia and other countries had been discussing on the issue. He was of the opinion that the initiatives and ongoing work on general conservation issues within the region were quite compatible with the draft Agreement. Australia would host a workshop later in the year and would raise the question of participating in CMS with those attending the workshop. In some ways, since the draft Agreement had a high potential, it might be better to move slowly to obtain a wider Agreement. The representative of the Philippines said that she was happy with the initiation of the draft Agreement and her Government would try to support and facilitate the finalization of the Agreement.

73. Addressing the Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew, the Co-ordinator of the Secretariat said that the Memorandum was a new instrument initiated by the Secretariat, with the encouragement of the European Community and with the help of a scientific adviser seconded by the German Government, BirdLife International and the Scientific Councillor of the European Community. The Secretariat was ready to prepare a revised memorandum, and noted that of 27 Range States, several were represented at the present conference. The Secretariat's scientific adviser would like to invite representatives of



ten Range States of the species to a meeting. Those States were: Austria, Egypt, Hungary, Morocco, Oman, Tunisia and Ukraine (regular Range States) and Georgia, Israel and United Arab Emirates (occasional Range States). The representative of the Netherlands said that, although his was not a Range State of the Slender-billed curlew, a statement of co-operation had been signed with the Biological Institute in Novosibirsk, where the Netherlands had been co-operating to identify the breeding grounds of the bird in Central Siberia and was also working with BirdLife International. He asked whether observers could attend the Range State meeting.

74. Turning to section III, "Other projects" included in the Secretariat report, the Chairman gave the floor to the Conference-appointed Scientific Councillor, Dr. William Perrin, to speak on Agreements arising from the small cetaceans review. Dr. Perrin stated that in the previous year the Scientific Council, at its meeting in Bonn, had discussed cases of small cetaceans for which conservation action might be required or appropriate in addition to what was already on course. The areas and activities involved the Amazon and Orinoco basins, where freshwater dolphins were endangered due to habitat encroachment; the freshwater dolphins of the Indian sub-continent; and the marine dolphins of the South and Central American and the South-East Asian regions, where several species were seriously affected by fishing activities. The Council had already appointed a Small Cetacean Working Group to play a role in developing new Agreements.

75. On the subject of marine turtles, the representative of Australia said that his country had been acting as focus for the development of an Agreement on their conservation, and, while it was too early to say much about the status of a possible Agreement, since a number of Range States were not members of the Convention, he thought that moves should be made at a political level. The representative of the Secretariat said that, following a presentation at the Scientific Council on the conservation of marine turtles, there had been great interest from West Africa. Representatives of coastal States from West Africa and South Africa had been invited to advise the Conference on the potential for marine turtle conservation work in that region. The focus should be on regions where no other organizations had tackled conservation work. The representative of Nigeria said that some States from West Africa would hold a meeting on the issue and report back before the end of the present conference.

76. On the question of migratory mammals in arid and semi-arid zones, the representative of France reported that a small working group established by the Scientific Council had studied and prepared a report on the antelope species Addax nasomaculatus, Gazella dorcas and Gazella leptoceros, and had begun to prepare an Action Plan, for which basic guidelines were ready. The working group's mandate had also included developing proposals for the listing of additional species. After reflection, and due to the workload, the group thought a more flexible mechanism, such as concentrating on the implementation of the Action Plan, might be more productive. The Conference could decide on such an option. The representative of Mali expressed his agreement and also recommended a flexible approach, as the situation in the area was not fully known. It had been suggested that Addax nasomaculatus exists in Mali, but that had not been confirmed, and little information was available about Gazella leptoceros. Mali would like to obtain reliable information; in the meantime, an Action Plan would be the best option. One representative supported the views of the representative of France, and stated that the relevant mechanism existed. Another representative, in supporting the previous speakers, stated that it was a lengthy procedure to obtain draft and later final agreements, whereas it would seem useful to take concrete action as soon as possible.

77. With regard to a possible Agreement on the Houbara bustard, the representative of Saudi Arabia said that a draft Agreement had been formulated by the Saudi Arabian National Commission for Wildlife Conservation and Development, but royal approval had not yet been given to



it. Saudi Arabia had reservations about upgrading the population of that species. Asked by the representative of Pakistan whether the draft Agreement involved other countries, the representative of Saudi Arabia replied that it did include other countries and would be distributed after royal approval had been obtained.

78. The observer from BirdLife International stated that his organization was interested in that rare species, and would like to be informed of any Action Plan that might be formulated. BirdLife International was ready to give assistance regardless of which host country was involved. The representative of India stated that his country was also interested. The 1993 Scientific Council meeting had noted that the species had been found in 11 countries; he suggested that the small working group should coordinate with those countries in the finalization of a draft Agreement. In relation to a memorandum of understanding, he wondered if it were possible to stop the hunting activities that were still continuing. If the Range States agreed to stop hunting activities, that could form the basis of a memorandum of understanding. The representative of Tunisia stated that he was happy a draft Agreement was being prepared and asked if Saudi Arabia could pass a draft to the Secretariat; that was urgent in view of the alarming situation facing the species. The representative of Saudi Arabia replied that he could not define a date, but hopefully in the near future the draft could be distributed to Range States. The Co-ordinator of the Secretariat reminded countries to send status reports to the Secretariat; only two countries had sent those, and the Secretariat needed up-to-date information.

79. With reference to a possible Agreement for Otis tarda, the Great bustard, the representative of Hungary recalled that the species had been included in Appendix II and was proposed for listing in Appendix I at the present conference. Due to agriculture, loss of breeding sites and wintering areas, the species was facing extinction, and now only existed in the Czech Republic, Slovakia, seven middle-European States, Russian Federation and Hungary. Hungary was planning a survey and the development of a draft Agreement over the next eighteen months, but needed recent data from neighbouring countries. By the end of 1995, a draft Agreement would be ready to send to the Secretariat. Commenting on the subject at the Secretariat's request, the observer from IUCN - World Conservation Union, Mr. P. Goriup, expressed the view that Hungary should raise its sights higher and consider the incorporation of dry grassland birds in general, expanding the scope of the draft Agreement to cover Palaearctic species such as the quail, corncrake, etc.

80. The representative of Australia, addressing the list of species identified for consideration by the Scientific Council, said that according to work done over the last three years on the northern Australian population of sirenians, that species was not in any danger, at least in Australia. Albatrosses, he added, should have much higher priority; more of the crucial background research work in the southern oceans was still to be done and his country expected to see a detailed proposal available before the next meeting of the Conference of the Parties.

81. In reply to the Chairman's question about tropical region action on those species identified by the Scientific Council, the representative of Chile regretted the lack of information about the species mentioned. In the case of flamingoes, there was a four-country agreement in place between Chile, Argentina, Peru and Bolivia. Chile would also like the vicuna to be included, and was very concerned about the plight of albatrosses. In the south Atlantic there were other species known to be suffering damage, but the available information was insufficient.



82. The representative of Uruguay said that, as planned at the fourth meeting of the Scientific Council (Bonn, 1993), studies on albatrosses had been provided as a preliminary contribution to the Scientific Council meeting. Uruguay would like to contribute to the drafting of an Agreement and had also been gathering information on migratory species in the Rio de la Plata basin, particularly on the migratory population of pinnipeds. He added that Uruguay was concerned about two Southern Cone species in the South Atlantic: the migrant duck population in Brazil, Argentina and Uruguay, which was being hunted, and the Black-necked swan with a population of about 40,000 in Chile, Brazil, Argentina and Uruguay, which was being exported illegally. Unfortunately there had been no ringing programme, but two meetings had been held to set up a census and determine guidelines for conservation. Under Article IV of the Convention, Uruguay wished to propose the development of a formal Agreement for the Black-necked swan. The representative of the Secretariat drew attention to the suggestions for criteria for priorities included in the Strategy for the Future Development of the Convention (document UNEP/CMS/Conf.4.11) which included neotropical species. The representative of Peru supported the position held by Uruguay, and said that Peru was undertaking a census of vicuna; Peru was of the opinion that that species should also come in for consideration.

#### C. Guidelines on the harmonization of future Agreements

83. The Guidelines contained in document UNEP/CMS/Conf.4.9 were introduced by the Co-ordinator of the Secretariat, who said that, because of the workload of the Secretariat and the difficulty in finding a highly specialized consultant, the work initiated on the basis of the 1991 request for guidelines had been carried out only during the current year and the document had been received in May 1994. The document was very profound and needed further consideration to be transformed into genuine guidelines.

84. The Secretariat recommendations concerning how to approach the guidelines, he continued, were set out in paragraphs 5(a) and 5(b) of the covering note. Meanwhile, the present guidelines could in the short term serve as a basis for the further development of Agreements. The representatives of Sweden and of India supported the suggestion in paragraph 5(b) that a working group to study the guidelines be set up. The representative of the European Community said the document had been received rather late and, owing to the need to consider it and having already noted some problems, he preferred that some other solution be found than those suggested and that discussion be deferred. That suggestion was supported by the representatives of Australia and of Saudi Arabia. The representative of the United Kingdom said that the important document should be given a more detailed hearing, either in Committee II or in a working group. Although finalization of the guidelines would take time, at least something could be made available. A simple set of guidelines which could be helpful could be extracted from the document, thereby avoiding the danger that more time could pass before complete guidelines were ready. The representative of Uruguay observed that Agreements represented the main tools of CMS and such a delicate issue should be discussed in plenary.

85. Re-opening discussion of the sub-item at the 8th session of the meeting, the Chairman drew attention to the draft resolution (UNEP/CMS/Res.4.3) containing a proposal on how to proceed with the guidelines for the harmonization of future Agreements. The representative of the European Community drew attention to the wording of preambular paragraph 2, "Recognizing that the report needs to be examined by the Governments of the Parties," and suggested that the words "the Governments of" should be deleted. In addition, he stated that, while the European Community accepted the general thrust of the Guidelines, it could not

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accept the passage in chapter XII suggesting that regional economic integration organizations should exercise their right to vote with a number of votes equal to the number of their member States which were Parties to the Agreement in question and actually present at the time of the vote. The position of the European Community was that it could not accept any wording which limited its right, as a regional economic integration organization, to act on behalf of all its member States on matters within its competence, whether or not the States concerned were present.

86. With these clarifications and with the agreement of the meeting to amend preambular paragraph 2 in the manner described above, the Conference adopted the resolution unanimously.

D. Measures to improve the conservation status of Appendix I species

87. At the 8th session of the meeting, on 11 June, the Chairman drew attention to the draft resolution on Appendix I species, contained in document UNEP/CMS/Res.4.2, which was introduced by the Secretariat. The resolution was adopted by the Conference unanimously, without amendment.

88. The Chairman then drew attention to the recommendation contained in paragraph 82 of the report of the fifth meeting of the Scientific Council (UNEP/CMS/Inf.4.5), concerning a draft memorandum of understanding on conservation measures for the Slender-billed curlew (Numenius tenuirostris).

89. Several representative recalled the discussion in Committee I on the issue, at which it had been agreed that the text of the memorandum would be finalized with the Range States concerned, and that the Secretariat would review all suggested amendments and circulate a revised text to Parties. It was stressed that problems could arise in the future if the revised text of the memorandum did not take full account of the concerns expressed by Parties.

90. The Co-ordinator of the Secretariat confirmed that Committee I had agreed to recommend to the plenary session of the Conference that it should take note of and endorse the recommendation of the Scientific Council to urge all Range States to accept the memorandum of understanding and to carry out all necessary steps to save the species from extinction. Some minor changes to the text of the memorandum would be necessitated by suggestions from Range States but those would not affect the recommendation to be taken by the plenary at its current session.

91. In the light of that explanation, the Conference unanimously agreed to accept the recommendation of the Scientific Council, as endorsed by Committee I.

AGENDA ITEM 13: STRATEGY FOR THE FUTURE DEVELOPMENT OF THE CONVENTION

92. The Conference considered agenda item 13 (Strategy for the future development of the Convention) at the 3rd session of the meeting, on 8 June 1994.

93. Introducing the item, the representative of the Secretariat drew the attention of the Conference to the Strategy for the Future Development of the Convention (UNEP/CMS/Conf.4.11), which had been prepared following a request made by the Conference of the Parties at its third meeting. The Standing Committee had overseen the preparatory work and had reviewed progress at each of the four meetings it had held since the third meeting

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of the Conference. After initial discussions in 1992, the Secretariat had prepared a series of drafts with inputs from the Chairman of the Standing Committee and the Scientific Council. The document currently before the Conference had been agreed with the Standing Committee and consisted of two broad parts: a review of past performance, which used both indirect and direct performance indicators; and a strategy for achieving the aims and objectives of the Convention. That second part of the Strategy consisted of seven chapters, each containing appropriate recommendations: chapter 3, which was of particular importance, discussed the linkages between CMS, the Convention on Biological Diversity and the Global Environment Facility; chapter 4 focused on ways to increase the membership and the geographical coverage of the Convention; chapter 5 contained recommendations to ensure that work was focused on the species most in need of attention; chapter 6 outlined measures to improve implementation of the Convention; chapter 7 dealt with Agreements and the need to set priorities for their development; chapter 8 concerned institutional arrangements and resource requirements; and chapter 9 focused on ways to promote the objectives of the Convention.

94. The Chairman invited general comments from the participants, on the understanding that the Strategy would be discussed in more detail both in Committee II and in the working group that had been established for the purpose.

95. One representative asked whether all articles of the Convention had been addressed in the Strategy and, if not, which articles had been addressed, which had been omitted and why.

96. In response, the Co-ordinator said that the Secretariat had endeavoured to undertake a thorough study of the operation of the Convention in the 10 years since it had entered into force and to arrive at proposals on means of strengthening it for the future. The Secretariat did not believe that it was necessary to address every single provision of the Convention, especially as the Strategy was not intended to provide a detailed commentary on such matters as, for example, definitions. The Secretariat had endeavoured to tackle all the essential issues and to identify fields of activity for every organ of the Convention, so that the Conference would be in the position to take policy decisions that would benefit the Convention for the future. The Secretariat believed that all necessary issues had been included, but, if something had been omitted, it was for the Conference to point it out.

97. Some representatives noted that it was difficult to assess the past performance under the Convention, owing to the lack of information in many of the tables that appeared in the Strategy. The question arose: was the information not available at all or had it merely not been provided by Parties? It was suggested that all available sources of information should be used, including regional and national monitoring centres and other organizations, to ensure that the data in the tables were as comprehensive as possible.

98. The Chairman pointed out that the tables in the Strategy had been based entirely on information supplied by Parties in the form of their triennial reports, and few reports had been received in sufficient time for inclusion in the document. From other sources, such as suggested amendments to the lists in Appendices I and II, it was clear that considerably more information was actually available.

99. The Co-ordinator of the Secretariat said that when species Agreements were being prepared, all available national information on the conservation status and migration routes of that species was collected. The Secretariat's resources were, however, insufficient for the collection of

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all data on all the species in the Appendices. Additional budgetary and personnel resources would be required for the Secretariat to build up a comprehensive database and information-gathering network.

100. Several representatives expressed dissatisfaction with the failure by many Parties to submit national reports, since those reports were the only reliable way of monitoring the thorough implementation of CMS by the Parties. Some countries had submitted no reports at all, indicating a lack of interest in the purposes of CMS and vitiating the work of the Scientific Council.

101. One representative noted that most countries which had failed to submit reports were developing countries and, since the collection of data and compilation of reports involved considerable expenditure, he suggested the establishment of a small fund to assist countries in that undertaking. The fund could be established at a regional level and its resources allocated on the basis of priorities. That measure would help promote implementation of CMS and ease accession to the Convention, especially for developing countries.

102. The representative of the Secretariat pointed out that the issue of Party reports would be discussed in detail under agenda item 12 (a) and that the Conference might prefer to give its attention at the current meeting to the effectiveness of the Convention's implementation. He noted that little action had been reported on conservation of Appendix I species and wondered whether that meant that no action had actually taken place. During the ensuing discussion, it emerged that some countries had further information on such species which had not been presented in their national reports. They were urged to submit that and any other relevant information to the Secretariat on a bilateral basis. In addition, the representative of the Secretariat pointed out that, in chapter 6.2, the Strategy contained a recommendation for modest funding to be provided for small-scale pilot projects in developing countries.

103. One representative stressed the importance of a proper legal framework within Range States and a proper structure for enforcement. It was also important to undertake a thorough survey of Appendix I and II species in order to convince politicians on the need for conservation measures. Similarly, there should be a transparent and regular exchange of information within and among countries. All countries should have a national conservation fund, a prerequisite for any conservation effort; the CMS Secretariat could assist in national negotiations with international donors. States could also endeavour to develop bilateral and multilateral agreements in order to conserve species.

104. One observer whose Government was engaged in monitoring Asian elephants enquired how, as a non-Party, it could co-operate with its neighbours and obtain support from CMS. In response, the representative of the Secretariat said that the Asian elephant was not listed in the Appendices to the Convention, but the possibility existed within the Convention to develop memoranda of understanding for species considered migratory in the meaning of CMS. He invited the observer concerned to provide further information on a bilateral basis.

105. Another representative said that the Asian elephant was not truly migratory but tended to "oscillate" across borders. In any event, UNEP had separate facility for funding conservation measures for that species and it would not be appropriate to burden the capacity of CMS when such a separate facility was available. The same representative said that since the financial capacity of CMS was limited, it would be wise to become selective in adding new species to the Appendices, which should be reserved for those that were endangered, vulnerable or threatened. Similarly, the Convention must be restricted to those species that were truly migratory with a wide



range of distribution. The conservation of other species that moved across borders was better addressed through bilateral or multilateral negotiations.

106. With regard to the possibility of penalties for non-payment of contributions, one representative pointed to the difficulties of convincing the responsible government authorities to release funds for the Convention and said that a restriction on full participation would simply penalize technical services and not advance the objectives of the Convention. If sanctions had to be imposed, the question should be taken up through the United Nations directly to the Ministry of Foreign Affairs concerned. Another representative said that the prospect of sanctions could deter Governments from acceding to the Convention. Another representative, however, said that, without funding for field programmes, Parties might question the usefulness of the Convention. He felt that Parties should adhere to a strict minimum in order to benefit from the rights they enjoyed under the Convention, and a provision for penalties should be established in order to encourage Parties to fulfil their obligations.

107. On the question of accelerating accessions to the Convention, one representative mentioned that a mission had been sent to the United States to discuss that country's participation in the Convention. He suggested that other missions might be sent to non-Parties important for migratory species.

108. With regard to chapter 3 of the proposed Strategy, one representative asked how the Secretariat saw the relationship between CMS and other conventions dealing with migratory species, especially fish species. Another representative, expressing his Government's support for Action Point 3.1 of the Strategy, said that in view of the length of time that might be needed before action on species was taken under the Convention on Biological Diversity, the time was right for the proposal in Action Point 3.1 to be implemented. The same representative said that the proposal in Action Point 3.2 would be one means of overcoming the problem of funding. He wondered whether the Secretariat had had contacts with the Global Environment Facility, and what type of projects were envisaged under the action point. On the same subject, another representative stressed the need to link species conservation to habitat and ecosystem conservation in order to obtain funding for the Global Environment Facility. He said that it was up to countries themselves to prepare projects in which that link was made. The role of the Secretariat could be to support the action initiated by the countries themselves.

109. In response to the comments on chapter 3, the Co-ordinator of the Secretariat said that it was difficult for the Secretariat, on account of its limited number of personnel, to keep an overview and maintain contacts with all conservation conventions. Of course, there was a special need to liaise with the Secretariat of the Convention on Biological Diversity and, to that end, a date had been fixed in August for a meeting and exchange of views between the two Secretariats. The various areas of overlap and complementarities had to be considered in terms of the conclusion of the Agreements, as had been the case with the African-Eurasian Migratory Waterbird Agreement, where the Secretariat had endeavoured to discuss various aspects with the Secretariats of the Ramsar, Bern and Biological Diversity conventions. The Secretariat was working on acquiring the capacity to exchange data on a regular basis with the International Whaling Commission, CITES, and other convention secretariats. Also, ways and means to receiving funds for the future implementation of the African-Eurasian Waterbird Agreement were being investigated.



110. Concluding the general discussion, the Chairman of the Working Group on the Strategy said that the aim of the group would be to prepare a draft resolution with an annex that would attempt to pinpoint the priorities in the Strategy, since it would be difficult for the Conference to produce a final version of the document in the time allocated. Contrary to the impression that might be given by the report of the Standing Committee (UNEP/CMS/Conf.4.6, para. 23), changes to the Strategy would subsequently be incorporated by the Secretariat, and the document could be issued later in 1994.

111. At the 5th plenary session, at which discussion of the sub-item was resumed, the Chairman of the Working Group on the Strategy for the Future Development of the Convention presented an interim report on the work of the group, which had studied all the key recommendations in the Strategy and intended to prepare for submission to the Conference a draft resolution with an annex listing the priority areas in the form of key tasks.

112. At the 6th plenary session at which discussion of the sub-item was resumed, the Chairman of the Working Group on the Strategy orally presented the report of the group, which was subsequently circulated as document UNEP/CMS/Conf.4/L.2 and would be incorporated into the final proceedings of the Conference (see Chapter IV).

113. At its 7th plenary session, on 10th June 1994, the Conference resumed its discussion of agenda item 13. Introducing the item, the Chairman said that an oral report had already been given by the Chairman of the Strategy working group that morning, and that consideration of the item would revolve around document UNEP/CMS/Res.4.4 and documents UNEP/CMS/Conf.4.11 and UNEP/CMS/Conf.4.13.

114. The Chairman asked the meeting to turn its attention to the draft resolution contained in UNEP/CMS/Res.4.4 and wondered whether preambular paragraph 6, beginning with the word "requesting", should in fact be an operative paragraph. In reply, the representative of the United Kingdom, speaking as the chairman of the Strategy working group, said he believed that the paragraph could even be deleted since the subject was covered by operative paragraphs 5 and 6. The representative of Pakistan supported the deletion. The Chairman declared that paragraph 6 would be deleted.

115. Concerning preambular paragraph 5, the representative of UNEP said she would be happy if the paragraph were deleted or reformulated, since it might be taken to imply that the Strategy of CMS were somehow instructing UNEP. The Chairman said that paragraph 5 would also be deleted.

116. Addressing the operative portion of the resolution, the representative of Australia expressed a reservation concerning the use of the word "adopts" in paragraph 1 and "adoption" in paragraph 6. He noted that the Strategy would, in the interim, go to the Standing Committee for updating. He therefore suggested the word "accepts" in paragraph 1 and use of the term "final adoption" in paragraph 6. The representative of the Netherlands supported those amendments and added that, concerning operative paragraph 2, it was necessary to reflect a time-scale. He suggested that "priorities" read "first priorities" and that the words "for the triennium 1995 to 1997" be added to the end of operative paragraph 2. The representative of the United Kingdom, supporting Australia's proposed amendment to operative paragraph 1 and suggesting that in operative paragraph 2 "1998" should read "1997", said that Australia's proposal for paragraph 6 "final adoption" might better read "consideration". The representative of Australia agreed to that suggestion.

117. The representative of Pakistan, referring to operative paragraph 1, asked what would happen if contradictory amendments were to be submitted: who would decide what would be accepted? The Chairman replied that, in his understanding, that was governed by operative paragraph 6. The



representative of the United Kingdom, expressing his desire to clarify why the Working Group had chosen that phrasing, said that the key word was the word "factual". It was appropriate for Parties to send purely factual amendments. The Working Group had had in mind Part 1 of the Strategy document, believing that Parties should be given the opportunity to submit written comments. He considered it unlikely that purely factual amendments could be contradictory. It was necessary to trust in the Secretariat's abilities to handle any amendments received. He wished it to be reflected in the report that, in his view, the Chairman of the Standing Committee would have to decide on the final text of the Strategy on behalf of the Conference of the Parties. The representative of Pakistan asked, if the amendments were purely factual, why was it felt necessary to have the time limit of 31 August 1994. In reply, the Chairman explained that the idea was to have a version in which all factual errors had been removed as early as possible.

118. The representative of Cameroon said it was not clear to him whether the Strategy was to be adopted now or not. Did it need a new second adoption? In reply, the representative of the United Kingdom requested leave to clarify the sequence of adoption. The Strategy would be the first that the CMS had ever had. It needed to be published soon, as it was an important tool for promoting CMS and for the Parties themselves. It would need factual and substantive changes. A time limit had been set for the factual changes. Operative paragraph 5 of the present resolution set a time limit for the Secretariat to finalize the substantive part. The Strategy agreed upon at the present Conference would be the 1994 Strategy. Operative paragraph 6 referred to an updated Strategy, which would come under consideration in three years' time. He considered it important for there to be such a sequence, since at that future time, the 1994 Strategy might no longer be current.

119. The representative of Pakistan, expressing reservations about the use of the word "amend" in operative paragraph 5, suggested that it be replaced by "redraft" or "correct". The Chairman agreed that the use of the word "redraft" would be more appropriate.

120. Declaring that the draft resolution, in its amended form, had been accepted, the Chairman requested that the 27 "priorities" set out in the annex to the resolution be considered one by one. Concerning Priority 3, the representative of UNEP said there was a need to amend the main action under that point, since UNEP shared the responsibility for that activity. The representative of Australia agreed that it was not just the Executive Director of UNEP that should be named as bearing the sole burden on that point. The representative of Pakistan suggested that Priorities 2 and 3 be joined together. The Co-ordinator of the Secretariat agreed with that view, saying that the identification of political and socio-economic problems in countries lay beyond the capabilities of CMS and the Conference of the Parties. UNEP, perhaps with assistance from the Parties, could best tackle such problems, which could concern for example, such things as the problem of exchange rates for countries with economies in transition. The representative of Germany, agreeing with the Secretariat, said that Priority 3 should clearly formulate the tasks for which UNEP would be responsible. The observer from Georgia recalled that, concerning the problem of exchange rates for countries with economies in transition, a proposal had been made to have a consultant investigate this. The representative of UNEP said it would be more acceptable if the main action were to also direct the Standing Committee and the Parties. The Chairman said it was agreed that Priorities 2 and 3 be merged and he asked the representatives of Pakistan and the United Kingdom to work together to redraft this.



121. Priority 4, said the representative of Pakistan, had financial support implications which required that adequate provisions be made in the budget. The Chairman said a final answer could not be given at the present stage and the question should be raised under the discussion on the budget.

122. With regard to Priority 8, the Co-ordinator of the Secretariat said that use of the term "Article IV" agreements did not make it clear that this also included memoranda of understanding, plans of action, etc and restricted the possibilities of CMS in a way that was not beneficial. The Chairman said that "Article IV" would be deleted.

123. Under Priority 9, the Co-ordinator requested that the word "significantly" be inserted to make the text read "they would significantly benefit", to bring the language into line with that used in the text of the Convention.

124. Concerning Priority 11, the representative of Chile believed that the developing countries and countries with economies in transition would happily support a consultancy to support small-scale projects. The Scientific Council should decide on appropriate projects and determine their geographical distribution and the amounts involved. The representative of the United Kingdom agreed with that and said it was also necessary for the Standing Committee to be involved in the decision, as well as the developing Party countries. The figures in brackets in Priority 11 needed to be agreed, but because they had been taken directly from the budget line they had a neutral impact on the budget. The Chairman asked the representative of Chile to meet with the authors to try to harmonize the text. The representative of the Secretariat added that the issue raised by the representative of Chile was addressed in paragraph 136 of the Strategy. The representative of Pakistan suggested that the last line be rephrased to read "This amount may be increased if there is any voluntary contribution". The representative of Saudi Arabia said the figure could be increased for a project, but not for a budget line. The words "to a certain project" should be added at the end. The observer from IUCN pointed out that the priority did not say who had the authority to exceed a specified amount, the Standing Committee or the Secretariat. The Chairman proposed that the subject be discussed when the representatives of Chile and the United Kingdom were meeting to redraft Priority 11. With regard to the last sentence, it was considered that the original wording was not a major problem and would therefore be retained, the figures in brackets would be discussed during discussion on the budget.

125. The representative of the Secretariat pointed out that Priority 13 used the phrasing "and also use verified scientific data from other sources where necessary", and noted that the Secretariat did have already a database. The proposal here had resource implications if extra information were to be acquired from outside by the Secretariat. That could also confuse the analysis of reports by Parties, since the amount of external information included would not be known. The representative of the Secretariat suggested the deletion of that phrasing and, at the end, the addition of the sentence "The Secretariat should, subject to availability of resources, compile scientific data on migratory species from other sources". The representative of the United Kingdom said that, if the phrasing were to be amended as proposed by the Secretariat, that would not match up with document UNEP/CMS/Conf.4/L.2. That was a sensitive point and there was a need to be clear. The representative of Australia, while agreeing with the formulation suggested by the Secretariat, said it was necessary to incorporate the caution expressed by the representative of the



United Kingdom. The representative of Cameroon expressed strong support for that idea, saying there was a need for summaries and for additional staff for the Secretariat. The Chairman suggested that the Secretariat and the representative of the United Kingdom get together to discuss the phrasing of Priority 13.

126. The Co-ordinator, addressing Priority 15, said that the development of Agreements was a core function under the Convention. The priority should reflect the philosophy of Article IV. He suggested that "Parties should be encouraged to sponsor Agreements" be amended to read "Parties should be urged to take the lead in developing and/or sponsoring Agreements". In addition the sentence "Industrial Party countries, not being Range States should sponsor initiatives of developing Party countries" should be added at the end of the paragraph. The representative of the United Kingdom asked where that latter point was to be found in the Strategy. Supporting the Secretariat's addition, he believed "Industrial" should read "Developed". The representative of the Secretariat suggested the final phrasing should read "Developed Party States, whether or not they are Range States, should be urged to sponsor initiatives of developing countries."

127. Addressing Priority 16, the Co-ordinator said that although it was helpful to have any form of the guidelines referred to, he was not convinced that the item was a priority and recommended that it be deleted. The Chairman, hearing no objections to that, said Priority 16 was deleted.

128. The observer from BirdLife International expressed concern over the phrasing of Priority 18, particularly the use of the term "strike a balance between protection and sustainable use", which he felt suggested that there was a conflict between the two. He suggested the phrasing "should strike a balance between protection and sustainable use: they" should be deleted. Hearing no objections, the Chairman agreed.

129. Concerning Priority 19, the representative of Cameroon said that the draft Strategy made mention of single subscriptions to Agreements. Some countries faced difficulties in undergoing the financial procedures necessary. The representative of Germany said that the Strategy contained a comprehensive chapter on single subscriptions. The topic of procedures was to be addressed. The paragraph should be left as it stood and the ideas expressed by the representative of Cameroon could be brought up in the discussions on the Strategy paper. Agreeing with that view, the representative of the United Kingdom said that in the Strategy working group the subject of single subscriptions had not been agreed upon. The subject was to be considered when discussing the report of the working group. The representative of Saudi Arabia, referring to document UNEP/CMS/Conf.4/L.2, said the idea of a single subscription had been omitted completely. The Chairman said the report would reflect the discussion on this point.

130. Concerning Priority 21, the representative of Germany suggested that "to consider consolidating Secretariat functions" be amended to "to consolidate secretariat functions". He believed the secretariats of the Agreements should be co-located with CMS in Bonn. That would save costs, and costs would also be covered by the Parties to those Agreements. The representative of Sweden strongly supported the idea of co-locating the secretariat functions of Agreements with CMS. Strictly speaking, he continued, the phrasing "European Agreements" should be augmented to read "European Agreements under the Convention". The representative of Israel



pointed out that the correct title "Agreement on the Conservation of Bats in Europe" should be used in the paragraph.

131. With regard to Priority 22, the representative of the European Community requested clarification concerning whether invoices requesting contributions could be sent out before the end of the preceding financial year in order to get contributions earlier. He also asked whether there were measures in force to ensure that the interest from invested contributions to the Trust Fund was made available to the Fund. The representative of the United Kingdom said he believed that interest was already being received, so there was no need to claim it. The Chairman suggested that the United Kingdom, the European Community and the Secretariat look into the matter.

132. The Co-ordinator asked whether Priority 22 really represented a priority for the next three years. He considered it to be a purely administrative point, which could be clarified between UNEP and CMS. The Secretariat suggested the phrasing "annual invoices should be sent to all Parties by the end of the preceding year". The representative of Germany, however, said he considered the issues expressed in the paragraph to be important issues and paragraph 22 should be left as it stood. The representative of Israel said that, as he had noted at the first plenary session of the Conference, his country objected to paragraph 178 of chapter 8 and Action Point 8.2 of the Strategy and now specifically wished now to register that objection again.

133. With respect to Priority 23 the representative of Cameroon, referring to the phrase "the geographic and linguistic balance within the Secretariat should be improved", said there was a need to make the text more forceful and the word "must" should replace "should". The representative of UNEP said that anything involving finances was subject to availability of funds, therefore the words "within the extent of available resources" should be added after the word "augmented" in the first line. In addition, she continued, the words under the main action should read "UNEP", deleting "Executive Director of". The Chairman received no objections and said the text of Priority 23 would be amended accordingly.

134. Under Priority 26, the representative of Sweden said the word "continue" in line 1 was inappropriate. The representative of Australia said that the idea of the Council meeting mid-term was necessary. The representative of Cameroon said that, as in Priorities 25 and 26, the word "should" should be changed to "must", indeed that should be so throughout the text. The representative of France expressed support for that idea. The Chairman replied that changing the text in this way throughout represented a major problem. The representative of Germany agreed and said the text should be left as it stood. The representative of Australia said that the use of the conditional conveyed intention enough and it was undesirable to burden the Secretariat in situations where it was unwise to do so. He foresaw the potential embarrassment of a situation arising in which it might not be possible for the Secretariat to fulfil such an obligation, concerning interpretation for example. Answering the question posed by the representative of Cameroon concerning what legal authority established the languages of the meetings of the Convention, the Chairman said it was the text of the Convention. The representative of the Secretariat clarified that the languages to be used were established by the Rules of Procedure. The Scientific Council had the discretion to determine the languages it used; the Council was adopting its own Rules of Procedure.



135. When asked by the Chairman whether he wanted a vote the next day on the question of whether to substitute "must" for "should" in Priority 25, line 2 and in Priority 26, the representative of Cameroon gave his assent. He added that the words "should" in paragraphs 25 and 26 should be considered bracketed until that vote.

136. At the 9th session of the meeting, the Conference again took up consideration of agenda item 13. Introducing the amended text of the resolution (document UNEP/CMS/Res.4.4/Rev.1), the Chairman said that the changes already discussed had been incorporated into the text before the meeting and he hoped it could now be adopted.

137. The representative of Hungary said that in the annex to the resolution, in paragraph 16, the word "may" should be deleted as this would give more force to the sentence. The Chairman, having received no objection to the amendment, said that it was accepted.

138. In connection with paragraph 24, the representative of the United Kingdom drew attention to the omission of an amendment already agreed during the previous consideration of the text. After "Scientific Council", the words "may meet in mid-term between the Conferences of the Parties, in addition to meeting before the Conference of the Parties" should be inserted.

139. Referring to paragraphs 23 and 24 of the document, the Chairman said it was now necessary to consider the bracketed words in those paragraphs. Earlier, he continued, a vote had been requested concerning whether the phrasing should read "should" or "will". He now sought comments on the question. The representative of the United Kingdom, saying that he considered a vote to be regrettable, suggested some compromise phrasing. The representative of Cameroon said he would like to know the costs of interpretation for meetings. The representative of the Secretariat said that costs were not the only factor and pointed to an earlier comment from the representative of Australia to the effect that there might be some logistical reason why interpretation could not be provided at the locality where the meeting was being hosted. The representative of Australia said that he also considered a vote on the question to be unfortunate, since, although he himself would not vote against it, the use of the word "will" might cause embarrassment to the Secretariat if interpretation could not be made available as outlined previously.

140. Introducing the voting procedure, which he said would be by show of hands, the Chairman said he would first ask those to vote who were in favour of the use of the word "will" in the bracketed text. If that vote were to be defeated, the text would use the word "should". The outcome of the voting was:

FOR: 18,  
AGAINST: None,  
ABSTENTIONS: 11.

141. On the basis of the outcome of the voting, the Chairman said that the word "will" would be used in the bracketed text. That decision, he added, would have financial implications but he would not reopen the debate on that subject. He then declared the resolution to be adopted, as amended.

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AGENDA ITEM 14: PROPOSALS FOR AMENDMENTS TO  
APPENDICES I AND II OF THE CONVENTION

142. Drawing attention to the proposed amendments to Appendices I and II of the Convention in accordance with Article XI the Chairman said that there was no need to submit the proposals to a vote and that Parties were invited instead to raise objections to any of the species listed for inclusion in either of the Appendices. With regard to the proposals for amendments to Appendix I of the Convention, the Parties unanimously agreed to the inclusion of the species Oryx dammah, Oxyura leucocephala and Otis tarda (middle-European population).

143. The Conference unanimously adopted the proposals (Nos. II/1, 14, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40, 43, 46, 48, 49, 50, 53, 54, 55, 60, 62, 64, 66, 72, 73, 74, 75, 79, 80, 85, 90-101, 103 and 104) for inclusion of species in Appendix II of the Convention as recommended by the Scientific Council and Committee I. (See Chapter II for the discussion of Committee I, annex III to the present report for the list of species added to Appendix II, and document UNEP/CMS/Conf.4.12 for a summary of all of the proposals.) Where the species Sterna albifrons was concerned, it was clarified that the whole species, and not only the subspecies albifrons and guineae, as stated in document UNEP/CMS/Conf.4.12, was to be included in Appendix II. With regard to the subspecies Fulica atra atra, it was clarified that the Mediterranean and Black Sea populations were to be included in Appendix II.

AGENDA ITEM 15: REPORTS OF SESSIONAL COMMITTEES

144. At the 8th session of the meeting, the Conference considered the draft report of Committee II (UNEP/CMS/Conf.4/C.2/L.1). The draft report was adopted without amendment. The text of the report is found in chapter III. At its 9th session, on 11 June 1994, the Conference took up the consideration of the draft report of Committee I as contained in document UNEP/CMS/Conf.4/C.1/L.1 and Add.1. The report - including the recommendations pertaining to cormorants, small cetaceans, Crex crex, Chlamydotis undulata, and Sahelo-Saharan ungulates - was adopted, with several amendments. The text of the report is found in chapter II, and the recommendations adopted by the Conference of the Parties are reproduced in annex II of these proceedings.

AGENDA ITEM 16: FINANCIAL AND ADMINISTRATIVE ARRANGEMENTS

145. At the 4th session of the meeting, on 8 June 1994, the Conference took up agenda item 16 (Financial and administrative arrangements), as contained in documents UNEP/CMS/Conf.4.13 and UNEP/CMS/Res.4.6. Introducing the item, the Co-ordinator of the Secretariat said the budget was being presented within a world situation that was much more difficult for CMS than had been the case three years previously. Two main factors were important: first, the conclusion of the Convention on Biological Diversity had drawn to itself considerable financial commitments since UNCED. Second, there were a number of separate initiatives, worldwide and regional, to include migratory species in other bilateral, regional and other treaties. That narrowed the field for CMS and gave rise to concern for the future.

146. The Secretariat, he continued, had laid the basis for a new approach to upgrading CMS. That lay, first, in the Strategy for the Future Development of the Convention and, second, in the budget proposal. On the instructions of the Standing Committee in January 1994, the Secretariat had had to undertake a lot of work preparing the three options set out in paragraph 21 of document UNEP/CMS/Conf.4.13. In his view, if the Strategy were to be accepted in its present form, then Option 1 represented the only



choice. The Standing Committee, he added, had also asked the Executive Director of UNEP to accord more support to CMS than before. In conclusion, he wished to congratulate all 44 countries that were Parties, and to thank the three countries that expected to participate in CMS in the near future, for assuming a responsibility for the world's migratory species, one of the most vulnerable parts of global biodiversity. Countries, he continued, did this with the full knowledge of the financial and administrative implications involved. Those countries that were not members showed an unreasonable approach and one that was adverse to the outcome of UNCED. The Executive Director of UNEP had noted that the Convention on Biological Diversity did not provide for an international co-operative approach to conservation. Traditional conventions, such as Ramsar, CMS and CITES should retain their fields. Article 5 of the Biodiversity Convention instead provided for a traditional approach to conservation. He hoped UNEP could compensate financially for the abstention of a great part of the international community from CMS.

147. The Chairman of the Standing Committee, referring to his recent talks with the Executive Director of UNEP, said he had discussed the need to involve UNEP more in promoting CMS and had received a ready and open response to that idea. The way was open for CMS to obtain more UNEP support, not just financial but political and support in kind from the qualified staff of UNEP. With regard to the budget document, the positions of Administrative Officer and Financial Assistant needed to be reflected within the budget, then, in the bottom line, funding could be identified, either from the Trust Fund or from other sources. The figures should be presented in that way to get resources from UNEP. The Chairman of the Standing Committee reported that the Executive Director had sympathized with the CMS objectives and had said that CMS needed to work within the real framework and be the specialists in implementing the Convention on Biological Diversity as far as migratory species were concerned.

148. The representative of the Secretariat then presented the budget, and pointed out three minor textual corrections to document UNEP/CMS/Conf.4.13. Besides adopting the budget, it was pointed out, the Conference needed to extend the CMS Trust Fund, which expired on 31 December 1994. The Executive Director of UNEP had to be apprised of that in writing after the Conference of the Parties. The representative of the Secretariat provided an update on contributions received to the Trust Fund, as outlined in annex 1 of document UNEP/CMS/Conf.4.13. The representative of the Secretariat said that 1994 contributions had been received from Denmark, Luxembourg, Mali and Panama, and that Australia and Germany had indicated that their payments had been effected. The European Community said that payment of the 1993 contribution had been delayed for technical reasons, still to be resolved by UNEP. Nonetheless, excluding the above contributions, the total received as at the end May 1994 amounted to only \$15,000 and was a source of great concern. Regarding an update of 1992-1993 expenditures, a correction to the document would be issued stating that total expenditures in 1993 had been \$345,000, instead of the \$320,000 that had been projected. Annex 3 to the document UNEP/CMS/Conf.4.12 would also be updated and a statement on 1993 income and expenditures submitted to the Conference.

149. The tenth meeting of the Standing Committee, the representative of the Secretariat continued, had requested that three options for the budget be prepared. The Committee wanted to link the Strategy and the justification for the budget. The table in document UNEP/CMS/Conf.4.12 summarized the main objectives of the Strategy. To attain these objectives, it was clear that additional allocations would be needed in the next triennium to strengthen the capacity of the Secretariat, which had remained unchanged at a small level since 1985, when CMS had only 19 Parties. It was expected that in 1995, there were likely to be 50 Parties and many more Agreements requiring the involvement of the Secretariat. Paragraphs 13 and 14 of document UNEP/CMS/Conf.4.13 set out the proposed new Professional positions required. Paragraph 21 of that same report detailed the three budget options. Clearly, Option 3 would have the effect



of limiting the number of Agreements the Secretariat could service in the triennium. The Standing Committee had, in principle, agreed to recommend that a portion of the CMS Trust Fund be used to offset partially any raise in contributions if Option 1 were to be adopted. In addition, the Terms of Reference of the Trust Fund needed to be considered. The Standing Committee had considered the budget document on 6 June 1994 and had recommended a different presentation to accommodate some concerns of UNEP. Further tables would be available to the meeting to reflect the amendments, but the presentation changes did not effect the scale of contributions nor the medium-term plan; they referred only to the administrative posts proposed for the Secretariat for which a funding source needed to be identified.

150. The Chairman and several of the representatives said they had not seen any requests addressed to their countries concerning payment of contributions and asked when invoices were sent out. The representative of the Secretariat replied that reminders were usually sent from UNEP by letter; UNEP would provide more information. He added that the Strategy suggested how contributions might be requested more effectively.

151. One representative asked how the United Nations scale of assessments for contributions was worked out and what would be done concerning the outstanding contributions of a few Parties. The Chairman replied that those questions would be answered in Committee II. The representative of UNEP, replying to the question of invoicing, said that usually at the end of a meeting of Parties, the adopted document transmitted to each country the information on its financial commitment. UNEP's Office of Contributions automatically sent letters to remind Parties when contributions were due in a given year. It was the responsibility of each country not to wait for the UNEP Secretariat, since the contribution for the triennium was known and did not usually change. If a country were to ratify CMS in the middle of a triennium, then its contribution would be calculated independently and that country informed individually. Concerning assessments, the United Nations Committee on Contributions assessed Members and non-Members to see how much they could contribute and that was dependent on a country's economic power and was regularly reviewed. In concluding, the Chairman pointed out that sometimes it was necessary for the administration of a country to receive reminders about when contributions were due.

152. At the 5th plenary session, the Chairman of the Working Group on the proposed budget for the triennium 1995-1997, which had been established by Committee II, presented an interim report on the work of the group. The group intended to meet again and would present its final report for consideration by Committee II in due course. That report was issued as document UNEP/CMS/Conf.4/C.2/L.2.

153. At its 7th session, the Conference again took up discussion of agenda item 16. The Chairman gave the chair to the Vice-Chairman to lead discussions on the budget for 1995-1997.

154. The Vice-Chairman drew the attention of the meeting to documents UNEP/CMS/Conf.4.13 (report by the Secretariat on financial support for the Convention), UNEP/CMS/Res.4.6/Add.1 (an alternative presentation by the Secretariat of the three budget options on staffing) and UNEP/CMS/Conf.4/C.2/L.2 (the report of the Committee II working group on budget matters), which would be relevant to the discussion.

155. The representative of the Secretariat gave a brief presentation on the implications for the administrative work of the Secretariat of the three budget options on staffing. Option 1 provided for the full complement of additional staff, i.e. three Programme Officers, (Information, Scientific and Agreements) plus additional support staff,

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beginning in 1995. Option 2 provided for the installation of one Programme Officer in January 1995 and deferred the entry on duty of the second until mid-1995, and the third until 1997, and deferred the filling of one secretarial post until mid-1995. Option 3 provided for the creation of one Programme Officer (Information) post in January 1995, and a second Programme Officer (Scientific) post in mid-1995. In Option 2 and 3, other costs (travel, communications, etc.) would be adjusted accordingly. The representative of the Secretariat pointed out that Option 3 did not represent a major increase in staff, as the scientific officer seconded by the German Government would only be with the Secretariat until June 1995, and the net result of Option 3 would be one additional Programme Officer and a secretary, above the current level of staffing.

156. The representative of India then gave a summary of the report of the Committee II working group on budget matters (document UNEP/CMS/Conf.4/C.2/L.2). He said that it had to be decided whether the interest on the Trust Fund and a part of the capital should be utilized in the running of the work of CMS. The representative of the Secretariat drew the attention of the meeting to an error in the document mentioned: the balance figure for the Trust Fund should have read \$1.7 million. Several representatives requested clarification, as the figure had been given previously in other documents, notably in annex 3 of documents UNEP/CMS/Conf.4.13 and in UNEP/CMS/Conf.4.13/Add.1. A representative of UNEP confirmed that the figure was indeed \$1,653,705, as audited at 1 January 1994, and explained what the other figures referred to.

157. One representative said that the report presented by the Committee II working group on budget matters really only submitted specific figures for Option 3. The Vice-Chairman agreed that the working group had given their considered view in favour of Option 3.

158. The Conference had to address three questions: what levels of staffing was the Convention able to support? What option did that lead to, and, to assist in choosing an option, at what level could the Trust Fund be used to subsidize the budget?

159. The representative of Pakistan asked whether the plenary could request Germany not to withdraw the scientific officer on secondment, and whether the plenary had the duty of determining what the Convention staffing needs were. He also wondered what was to be done about the 100 per cent increase in contributions that would be required of developing countries. The representative of Germany responded that, while Germany had been glad to provide 80 per cent of the working time of a scientific officer for two years, it was not in a position to extend that offer beyond May 1995.

160. One representative of the African countries had participated in the Committee II working group, in which Option 3 received much more attention than the other options. They believed that the working group was not fully representative of the plenary. The representative of Cameroon objected to the major contributors to the Convention being shown in a table in the working group report. He said it were as if those contributors had some kind of veto rights over the other budget options.

161. One representative suggested that the Convention Secretariat could be moved from Bonn to UNEP headquarters in Nairobi, to obtain greater support from UNEP staff. The representative of UNEP responded that such a move would be subject to the approval of UNEP Governing Council, which could be able to consider the issue at its meeting in 1995.

162. The Vice-Chairman requested representatives to express their view on which of the three staffing options they favoured, as all the information

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on the issue had been put before them. One representative asked if the Secretariat could give the Conference a clear idea of its opinion on the matter. The Co-ordinator replied that the Secretariat preferred Option 1, unless there was a possibility of a compromise between Options 1 and 2.

163. The representative of the Netherlands said that his country was in favour of Option 1, as it provided the Secretariat with two additional Professional staff members. As far as the level of the Trust Fund was concerned, it should always retain a minimum amount, sufficient to cover the Convention expenditure for one year.

164. The representative of Belgium said that the budget for his country's contribution had been declining over the previous three years and it could not be increased. Although as a compromise his delegation supported Option 2, his delegation supported Option 3 for purely financial reasons.

165. The representative of Saudi Arabia said that he presumed the Secretariat had taken the worst case of the three options into account and, to save further discussion, he suggested that the matter be put to the vote. The Vice-Chairman responded that the budget had to be approved unanimously or at least by consensus, so a vote could not be taken.

166. The representative of Germany said that, although he saw the need for additional staff to promote the Convention, he was in favour of Option 3 for the next triennium. A considerable increase in the budget had already been envisaged under Option 3. He believed the Convention could manage without a Programme Officer for Agreements and also questioned whether the recruitment times mentioned were realistic; it often took a lengthy period of time to recruit Professional staff.

167. The representative of the United Kingdom said his delegation was broadly in favour of Option 3, as that option already represented a substantial increase compared to the present expenditure. However, the subject of what to do about the surplus of the Trust Fund had not been addressed.

168. The representative of Senegal stated that his delegation was in favour of Option 2.

169. The representatives of the Czech Republic, France, India, Morocco, Pakistan and Tunisia said that their delegations were in favour of Option 3. The representative of Pakistan said that Table 10 of document UNEP/CMS/Conf.4.11 set out financial and technical obligations which might deter countries from joining CMS, because of excessive costs of implementing the Convention provisions and the financial obligations of Convention membership. He said that that should be kept in mind when deciding on the options, since an excess of obligations could be counter-productive.

170. Several representatives said that the Convention would not function properly without an increase in Secretariat staff. The representative of Chile said that developing countries paid a low scale of contributions. His delegation accepted Option 1 and would pay its contribution as soon as possible.

171. The Vice-Chairman asked if there were delegations that could not accept Option 3. The representatives of Senegal and the Netherlands stated that they could not support it. The representative of Sweden said that, while all along he had supported Option 2, he was prepared at the current stage to change to Option 3. The representative of Burkina Faso said that he continued to support Option 2.



172. The Vice-Chairman, in summing up the debate, said that, although he sensed that the majority of delegations favoured Option 3, and a smaller group Option 2, he was not prepared to close the matter and he encouraged delegations to continue private discussions after the meeting. The issue would have to be decided the following day, presumably in favour of Option 2 or Option 3, or perhaps some intermediate option between the two.

173. At the 8th session of the meeting, on 11 June, the Conference took up the draft resolution on financial and budgetary matters (UNEP/CMS/Res.4.6). It also had before it an amended budget proposal for 1995-1997 prepared by the Secretariat, the scale of contributions to the Trust Fund for the same period and the medium-term plan 1995-2000 (UNEP/CMS/Res.4.6/Add.2), which would be attached as annexes 1-3 of the resolution.

174. The preamble and paragraph 1 of the draft resolution were approved without comment or amendment.

175. Introducing the revised budget estimates, the scale of contributions to the Trust Fund and medium-term plan (UNEP/CMS/Res.4.6/Add.2), in connection with paragraphs 2 and 3 of the draft, the Co-ordinator said that the basic point was that if the Conference of the Parties wanted CMS to be competitive with other conventions, the Secretariat must be made operational. The only way to do that was to give the Secretariat the staff requested. Therefore, after consultations with the representative of UNEP and in the light of the discussions at the previous session, the Secretariat had prepared a new proposal, the essential elements of which were in the document being presented. He drew attention to the importance of the statement made by the Executive Director at the opening session of the Conference and her discussions with the Standing Committee to the effect that UNEP would not refuse additional support to CMS, if it were shown necessary. However, the Conference should be clear that the situation would be thoroughly reviewed at the end of the meeting of the Conference, and future support from UNEP would be commensurate with the efforts made by the Parties themselves to strengthen the organs of the Convention. Therefore, the Secretariat was asking for full staffing, but with the dates of entry on duty staggered over the triennium. The proposal before the Conference would reduce the contribution of all Parties relative to Options 1 and 2 with the additional funds needed being taken from the Trust Fund reserve, and the Secretariat would seek ways of obtaining additional funding, one possibility being from UNEP.

176. The representative of the Secretariat said that the entry on duty of the new programme officers had been staggered to reduce the cost, and there had been minor changes on other budget lines. The asterisks against budget lines 1106 and 1302 (Administrative Officer and Finance Assistant/Secretary) indicated that the funding sources for these posts had not yet been identified. In the new tables, the source of funding had been broken down, and the actual costs indicated. The grand total was close to that in Option 3 of the previous submission. The scale of contributions had been adjusted accordingly.

177. The representative of the United Kingdom said that, if progress was to be made, the Conference must consider the question of the amount available from the Trust Fund to strengthen the Secretariat, to improve operational activities and to distribute to the Parties. The United Kingdom believed that use could be made of the resources in the Trust Fund. Working on the premise that the Trust Fund must have one year's expenditure as a reserve, and given the projected balance of the Fund at the end of the triennium, he proposed that \$900,000 should be taken from the Fund, \$500,000 of which would be used to reduce subscriptions and \$400,000 to enhance Secretariat activities through consultancies carried out in the next triennium. None of the \$400,000 would be used for the implementation

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of small projects.

178. The representative of the Secretariat cautioned, that, according to his calculations, and bearing in mind the payment rate of subscriptions of approximately 85 per cent, only \$450,000 could be taken out of the Fund, and still leave a healthy balance in the Trust Fund at the end of the triennium of about \$1,000,000. He considered that to be the absolute maximum that the Trust Fund could support

179. The representative of UNEP agreed with the Secretariat's calculation on the assumption that the payment level contributions remained at 85 per cent. He did, however, believe that there was some greater margin and that, possibly, only eight months' expenditure need be kept in reserve.

180. The proposal of the representative of the United Kingdom was supported by a number of other delegations. One representative, however, said that the usefulness of the Convention might be lost if small-scale projects could not be supported. Other representatives believed that the reserve should not be used for the purposes of reducing contributions but rather to strengthen the Secretariat, particularly by recruiting staff from neo-tropical regions in order to promote the full involvement of all Parties and improve the geographical distribution of personnel within the Secretariat.

181. Following a brief meeting of the working group on the budget, the representative of the United Kingdom reported that agreement had been reached on the staffing of the Secretariat and the broad budget as contained in Option 3 in document UNEP/CMS/Res.4.6/Add.1. It had also been agreed that \$500,000 should be taken from the Trust Fund 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. A further \$300,000 would be taken in order to reduce subscriptions. That agreement had been based on the assumption that the existing projections did not include that \$300,000.

182. The representative of the Secretariat explained that, as had been indicated in the table in annex 2C to document UNEP/CMS/Res.4.6/Add.1 and in the accompanying footnote, the \$300,000 deduction had already applied to contributions. The working group held another meeting, after which the representative of the United Kingdom presented to the Conference a revised figure of \$900,000 to be taken from the Trust Fund, \$500,000 of which would, as before, be allocated for block consultancies and \$400,000 to reducing subscriptions. He called on the Secretariat to prepare a table to show the effect it would have on the contributions expected from Parties. Some outstanding points regarding the budget still remained but that was the fundamental one. Finally, he said that the process of deciding on the budget had been a tortuous one, and he hoped that the baseline options presented by the Secretariat to future meetings of the Conference would be submitted rather earlier and be rather firmer than had been the case at the current meeting.

183. The Co-ordinator stated later that in view of comments made during the 8th session of the plenary, he felt compelled to defend the work of the Secretariat in preparation for the present Conference. He said that the preparation of the budget by the Secretariat had been correct in every respect, undertaken on advice received from the Standing Committee at its tenth meeting (Buenos Aires, January 1994) and circulated within the deadline prescribed by the text of the Convention. If the Parties at the conference wanted the budget changed and documents revised, that in no way reflected upon the previous work of the Secretariat.

184. Turning to the budget, the representative of Panama suggested that



both programme officers should be information officers and that their titles should be deleted.

185. The representative of Saudi Arabia and Uruguay supported the proposal made by the representative of Panama. In addition, the representative of Uruguay suggested that an information officer should be recruited from a neo-tropical country, possibly directly by the Standing Committee.

186. The Chairman said that he was unsure if direct recruitment by the Standing Committee was possible, but he did appreciate the point concerning the need for equitable geographical distribution.

187. The representative of UNEP, speaking on the question of recruitment, said that CMS Secretariat staff were United Nations personnel and United Nations recruitment policies applied. That did not, however, necessarily conflict with the requirement for broader geographical distribution.

188. The Chairman announced that the budget had been accepted, at least in principle, and that the revised tables would be presented to the Conference at its next session. He pointed out that budget lines 1106 and 1302 would be financed by extra budgetary resources, possibly from UNEP.

189. The representative of Panama said that, in future, the budget should reflect the cost for UNEP and support from the Trust Fund. The Chairman said that consideration might need to be given to the way in which the proposed budget was presented.

190. With regard to paragraph 4 of the draft resolution 4.6, mention was made of the possible problems caused by the non-coincidence of financial years in different countries. The Conference agreed, on the proposal of the representatives of Saudi Arabia, to amend the paragraph to read: "Requests all Parties to pay their contributions promptly as far as possible, but in any case not later than the end of the year to which they relate".

191. In addition, the Conference agreed that paragraph 5 should contain a reference to the provisions of Resolution 4.4 on the Strategy for the Future Development of the Convention, by adding the phrase "and of the priorities agreed in Resolution 4.4, at the end of the paragraph.

192. The Conference also agreed that the budget line referred to in paragraph 6 should be 1200, "Consultants", in the light of the agreement already reached on the Strategy. The representative of UNEP pointed out that, in accordance with the accounting system followed in the United Nations, contracts with organizations and consultancies with individuals came under separate budget lines. Therefore, in order not to restrict the mandate of the Standing Committee, he suggested that either both budget lines should be included in the resolution or the reference to budget lines should be omitted altogether. It was decided, however, that, since it had already been agreed to place the expenditure under budget line 1200, that reference should be retained and the wording of the paragraph amended accordingly. The paragraph, as amended, read: "Determines that the Standing Committee may allocate resources from budget line 1200 "Consultants" to assist developing countries Parties in accordance with priority 10 of the Convention, as set out in the annex to Resolution 4.4."

193. In paragraph 8, the Conference agreed that the provision should be made more flexible by adding the words: "or to special activities" at the end of the paragraph.

194. With reference to paragraph 9, the representative of one developing

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country pointed out that, for non-governmental organizations from developed countries, a participation fee of \$200 was negligible and he wondered whether a higher fee might be charged, in line with the practice of some other international forums. The Chairman suggested that the issue could be taken up by the Standing Committee, with a view to preparing a recommendation for consideration by the Conference at its next meeting.

195. With regard to paragraph 11 of the draft, the representative of the United Kingdom drew attention to the amendments to the existing terms of reference proposed by UNEP in the Secretariat's report on financial support for the Convention (UNEP/CMS/Conf.4.13, para. 28). He said that his delegation could accept the first amendment if there was general agreement on the subject. It could not, however, accept the amendments to paragraphs 7 and 18: the existing paragraph 7 (of the 1991 terms of reference) should be retained so that, when new Parties joined, the contribution of existing Parties would be reduced; similarly, paragraph 18 was perfectly reasonable as it stood in that the Executive Director already had the power to act in emergencies and the general rule that sanction from the Standing Committee was required should not be omitted. He further proposed that paragraph 20 of the terms of reference should contain the sentence: "These shall include full details of actual expenditure compared to the original provisions for each budget line". Such wording would ensure that the Standing Committee had adequate information to monitor the pattern of expenditure.

196. The representative of Germany supported the representative of the United Kingdom and sought clarification on the proposed new paragraph 5 of the terms of reference.

197. In response, the representative of UNEP said that UNEP had no problems with the proposal of the United Kingdom. Replying to the representative of Germany, he said that the proposed new paragraph 5 was simply an administrative clarification; there would be no change in the actual programme support cost.

198. The Co-ordinator of the Secretariat expressed his appreciation to UNEP for not levying a charge on voluntary contributions for the forthcoming meeting on the African-Eurasian Migratory Waterbird Agreement. The question might, however, arise as to whether sponsors would be willing to contribute to other meetings or special activities if UNEP levied a charge on their contributions.

199. In response to the statement made by the Co-ordinator, the representative of UNEP said that the 13 per cent deduction was on expenditure from the Trust Fund. Contributions for other activities not paid through the Trust Fund were subject to no such deduction by UNEP. It was his understanding that that practice would continue in the future.

200. In response to a question by the representative of Panama, the representative of UNEP said that all UNEP funds were held at United Nations Headquarters in New York, together with other United Nations funds, and were invested in whatever manner was deemed most suitable. The interest accruing on the proportion of such investments accounted for by the Trust Fund was credited to that Fund. In reply to the representative of France, he said that UNEP did not charge on voluntary contributions for specific conservation projects within CMS. He also wished to point out that if voluntary contributions were made to the Trust Fund, rather than for special activities, the use of such resources would have to be decided upon by the Conference of the Parties at a future meeting.

201. The Conference decided to revert to the original wording of the terms

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of reference adopted in 1991 (Resolution 3.6) with respect to revision of the scale of contributions (paragraph 7, fourth sentence) and Standing Committee sanction for transfer of any uncommitted balance of appropriations (paragraph 18, last clause of second sentence) and to retain the rest of the text of the terms of reference as presented in document UNEP/CMS/Res.4.6. The Conference then approved the draft resolution as amended, pending submission in writing of the tables to be included in annexes 1-3 thereto.

202. At the 9th session of the meeting, the Conference again took up its consideration of agenda item 16. Re-introducing the item, the Chairman said that a revised version of the tables of annex 1 was available in document UNEP/CMS/Res.4.6/Add.3. He asked delegates whether, in light of the discussion held at the meeting that morning, they could now adopt the decision on the budget as a whole with the revised scale of contributions in the new annex 2. The representative of the Netherlands said that his country had problems accepting Option 3. He wanted to point out that the first choice for the Netherlands had been Option 1, but he had no wish to block a compromise.

203. The representative of Australia, referring to the budget estimates in annex 1 in document UNEP/CMS/Res.4.6/Add.3, asked where the asterisks had gone which he believed pertained to budget lines 1106 and 1302. He was under the impression, from the previous discussion, that the asterisks were to be retained, since they pinpointed funds to be made available from unspecified sources. The representative of Germany agreed that those budget lines should be marked with asterisks, since they were subject to negotiations with UNEP. The Chairman said that he did not wish to revisit the debate of the Standing Committee in which that alternative presentation had been discussed. The representative of UNEP, saying that UNEP had no problems per se with the asterisks, pointed out that what was now before delegates was the budget to be adopted. From UNEP's point of view, the budget to be adopted should be complete and he would be happier to see annex 1 left in its present form. The representative of Australia, saying he did not wish to press the issue, wanted the record of the meeting to show that he believed lines 1106 and 1302 clearly matched the text at the end of the budget referring to amounts for which the source of funding was to be determined. The representative of the United Kingdom supported that statement. The representative of the Secretariat suggested that the report also reflect the fact that the qualifier "source of funding to be determined", associated with budget line 1302, referred only to the year 1997.

204. In reply to a question from the representative of Panama, the representative of the Secretariat explained that footnote a/ at the end of the table applied to budget line 1220 and to the very last line of the table (referring to \$ 500,000 in the Trust Fund to be used for consultancies) and that an a/ should be inserted beside those lines.

205. The Chairman, noting no further comments from the floor declared Resolution 4.6 on financial and budgetary matters adopted.

#### AGENDA ITEM 17: INSTITUTIONAL ARRANGEMENTS

206. The Conference took up agenda item 17 (Institutional arrangements) at the 3rd session of the meeting, on 8 June 1994.

207. Introducing the report on institutional arrangements contained in document UNEP/CMS/Conf.4.14, the Co-ordinator of the Secretariat pointed out that some matters relating to the Scientific Council and Standing

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Committee were covered by the Strategy for the Future Development of the Convention and would be taken up during the discussion of that item. Following that discussion, one or two resolutions could be prepared reflecting the views and proposals put forward.

#### A. Standing Committee

208. The Co-ordinator of the Secretariat recalled that the terms of reference of the Standing Committee had been laid down in Resolution 2.5 (Geneva, 1988), adopted by the Conference of the Parties at its second meeting. That resolution had been amended at the third meeting of the Conference of the Parties by Resolution 3.7 (Geneva, 1991) to provide for alternate regional representatives. Since that time, the experience with alternate representatives had been positive. It was therefore felt that there was no need to propose any new arrangements except what had been previously discussed. He also noted that, by the end of the meeting, the Conference would have to elect new representatives from Europe and Asia, since the United Kingdom and India would have served for two full terms and would stand down in accordance with rule 9 of the Committee's rules of procedure. Certain new elements for future activities of the Committee were proposed in the Strategy for the Future Development of the Convention. They would, however, be considered in the context of the Strategy and the conclusions of that discussion could be drawn up in the form of a new resolution on the commitments and tasks of the Standing Committee.

209. One representative noted that, while the Scientific Council was established by the Convention, the Standing Committee had been created by a resolution of the Conference. Since he considered that the Committee was the more important organ, he suggested that a new article should be added to the Convention to provide for the establishment of that body.

210. After a brief discussion of that proposal, it was agreed that, in view of the time needed for an amendment to the Convention to enter into force, the matter should not be pursued until such time as the Parties might take a decision to amend the Convention for substantive reasons. The introduction of an additional article by which the Convention could establish the Standing Committee could be discussed at that time.

211. With regard to paragraph 12 of document UNEP/CMS/Conf.4.14, concerning matters relating to both the Standing Committee and the Scientific Council, the Co-ordinator recommended that the Chairmen of both the Standing Committee and the Scientific Council be invited, as necessary, to attend each other's meetings. One representative recommended that, in addition to the Chair, the Vice-Chair of the Scientific Council should be invited to participate as an observer in meetings of the Standing Committee and that the Vice-Chair of the Standing Committee should have similar observer status at meetings of the Council.

212. In response to that proposal, a number of delegations said that it was sufficient for the Chairs to attend meetings of the other body. Other representatives, however, felt that, in the interests of consistency and continuity, it was important for the Vice-Chairs also to attend.

213. On the proposal of the Chairman, the Conference agreed that the question of attendance by officers of one body at meetings of the other should appear in square brackets in the relevant draft resolution to be submitted to the Conference until the financial implications were discussed.

214. At the 9th plenary session of the meeting, the Co-ordinator proposed orally a draft resolution concerning the attendance of the Chairman of the



Scientific Council, as observer, at meetings of the Standing Committee. After an exchange of views concerning the appropriateness of meeting expenses only up to US \$1000, the draft resolution was withdrawn as a consensus could not be reached. The debate concerning the complementary provision in the resolution on arrangements for the Scientific Council (Resolution 4.5) was not reopened, as it had already been adopted (see paragraphs 221 to 234 below).

215. Turning to another matter, the Chairman reiterated that the representatives of Asia and Europe had served their terms on the Standing Committee and it was therefore necessary to elect new representatives for those regions. The Chairman asked for nominations.

216. The representative of India proposed Saudi Arabia as the representative of Asia. The proposal was seconded by Sri Lanka and accepted by Saudi Arabia. For the same nomination, the representative of Israel proposed Pakistan. The Chairman asked for a seconder for that proposal, which was subsequently withdrawn by Israel when no seconder came forward. The representative of Saudi Arabia nominated Pakistan as alternate representative of Asia. That proposal was seconded by Israel. The Chairman said it was so decided.

217. The representative of Sweden nominated the Netherlands as the representative for Europe on the Standing Committee. That proposal was seconded by Denmark and accepted by the Netherlands. The Chairman explained that, as the nomination for the Netherlands did not create a vacancy for the position of alternate representative, Finland would continue to fulfil that role.

218. The representative of Australia, pointing out that, with the accession of the Philippines, the Oceania region was now able to have an alternate representative, nominated and himself seconded the Philippines, which accepted the nomination.

219. The representative of the Depository (Germany) announced that the Standing Committee had elected Dr. Peter Bridgewater (Australia) as its new Chairman. On behalf of all the Parties, the Chairman congratulated Dr. Bridgewater on his election and added that he wished to make a personal suggestion that the Chairman of the Standing Committee should act as Chairman of the next meeting of the Conference of the Parties. With the agreement of the Conference he suggested that the proposal be reflected in the present report.

220. The representative of India drew the attention of the plenary to the fact that elections of office bearers in various committees in many other international conventions were usually carried out at each meeting of the parties of those conventions. While he did not wish to propose that procedure for the present Convention, he would like to propose that no country should hold any office for more than two terms. The Chairman, noting that no Party in the plenary was opposed to that proposal, said that it was so decided. The Co-ordinator indicated that the Secretariat would prepare, for the next meeting, an amendment to the rules of procedure to cover the election of Standing Committee officials at each meeting of the Conference.

#### B. Scientific Council

221. At the third session of the meeting, on 8 June 1994, the Co-ordinator of the Secretariat reported that, to date, nearly 90 per cent of the Parties (39) had appointed Scientific Councillors, bringing the total number of such Councillors to 43 (including four Conference-appointed

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Councillors). At its May 1993 meeting, the best-attended ever, the Scientific Council had decided to refer three issues for consideration by the Conference of the Parties and, at its meeting on 4-5 June 1994, it had prepared a recommendation for the Conference, suggesting the adoption of a resolution on inter alia, those three issues.

222. The first issue concerned the frequency of meetings of the Council. In view of the growth in its size and number of tasks, the Council considered it necessary to hold at least one additional regular meeting, to be scheduled between the meetings of the Conference of the Parties. It recommended, therefore, that the provision of Resolution 1.4 (Bonn, 1985), which authorized the Council to meet intersessionally on an exceptional basis only, should be modified accordingly.

223. Secondly, the Council had concluded that all Parties should be entitled to nominate alternate Councillors to ensure representation at all its meetings. While it was important to maintain stability and continuity in the Council's deliberations, the Council felt that it was more important to have the benefit of the experience of all Parties.

224. Thirdly, in view of the increased size and responsibilities of the Council, which entailed a considerable increase in the work and commitments of the Chairman, the Secretariat recommended the establishment of a post of Vice-Chair. Since the Vice-Chair could be a representative of a developing country the establishment of the post might have financial implications. He proposed that the recommendations of the Council, if approved by the Parties, could be incorporated in a resolution modifying previous resolutions of the Conference.

225. A number of representatives requested information on the possible financial implications for CMS of those recommendations and asked the Secretariat to provide information for them to examine before reaching a decision.

226. The Chairman confirmed that intersessional meetings would involve financial implications, since the CMS budget covered the travel costs of delegations from some developing countries; the appointment of alternates to the Scientific Council would not, however, entail additional costs; and any costs relating to the attendance of the Vice-Chair at Scientific Council meetings would be minor.

227. After some discussion, the Parties agreed to accept the recommendations of the Scientific Council in principle, subject to approval of any financial implications, and to draft appropriate resolutions for adoption towards the end of the meeting.

228. At the 9th plenary session of the meeting, on 11 June, the Chairman introduced a draft resolution dealing with arrangements for the Scientific Council (UNEP/CMS/Res.4.5/Rev.1).

229. The representative of the United Kingdom stated that he wished to make a general point which had been discussed both in the Strategy working group and in the plenary. The consensus had been that a review of Appendices I and II had not been considered necessary. The draft resolution did not reflect that view. He therefore proposed that the fourth preambular paragraph should be amended to read "Notes also that the Scientific Council in addition to the duties described in Article VIII of the Convention should undertake three additional tasks, viz:". He also suggested that paragraph 5 of the preamble should read "keeping under review the composition of Appendices I and II of the Convention". He also proposed that in the operative part of the resolution, the paragraph beginning "further directs" should start "Further directs the Scientific

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Council to undertake the following additional tasks - keep under review the composition of Appendices I and II of the Convention;...". When the Chairman asked if paragraphs 5, 6, and 7 should be completely deleted, the representative of South Africa suggested that, as paragraphs 5, 6 and 7 were already covered in paragraph 3, they could be deleted altogether. The Conference so agreed.

230. Under the same agenda item, the representative of Chile requested that he be given the floor to clarify what he had agreed together with the representatives of South Africa and the United Kingdom concerning the amendment of UNEP/CMS/Res.4.5/Rev.1. It was agreed that a clause be inserted under the additional tasks undertaken by the Scientific Council, reading: "advise on selecting and monitoring small scale pilot projects which will promote the implementation of the Convention".

231. The Co-ordinator of the Secretariat proposed the following addition, at the end of the resolution: "Advises that the Chairman of the Standing Committee be invited to attend the meetings of the Scientific Council as an observer, with expenses paid from the Trust Fund (when they cannot be met by his or her own country), provided the cost of participation does not exceed US \$1,000".

232. The Conference unanimously adopted the draft resolution with the amendments introduced by the United Kingdom and the Co-ordinator.

233. The Chairman then gave the floor to Dr. Wolff, the outgoing Chairman of the Scientific Council. Dr. Wolff gave details of the elections that had taken place in the 5th meeting of the Scientific Council, in which Dr. Pierre Devillers had been elected the new Chairman of the Council; that election was received with acclamation by the delegates of the plenary. Dr. Wolff went on to say that the new Vice-Chairman was Dr. Jean Ngog Nje from Cameroon.

234. The Chairman said that the following proposals were made during discussions, for the following experts to be re-appointed or appointed to the Council by the Conference: Dr. Moser, Dr. Perrin, Dr. Pfeffer, Dr. Schlatter and Dr. Limpus as a new expert on marine turtles. In the absence of any objections from delegates, the Chairman decided that those experts would be the Scientific Councillors appointed by the Conference.

#### AGENDA ITEM 18: DATE AND VENUE OF THE FIFTH MEETING OF THE CONFERENCE OF THE PARTIES

235. At the 9th session of the meeting, on 11 June, the Conference took up agenda item 18 (Date and venue of the fifth meeting of the Conference of the Parties).

236. The Chairman drew attention to documents UNEP/CMS/Conf.4.15 and UNEP/CMS/Res.4.7 and called on the Secretariat to make a brief presentation of those documents. In response, the Co-ordinator said that, for the third time, the meeting of the Conference was taking place at a United Nations office. At the previous meeting of the Conference of the Parties, held in 1991 in Geneva, a discussion had taken place and a resolution (Resolution 3.8) had been passed resulting in an invitation to all Parties to consider the possibility of holding the next meeting of the Conference in a Party country. Reminders had later been sent, but no serious offer to host the meeting had been received. The Standing Committee had then decided that the present meeting would take place at UNEP headquarters in Nairobi. While he was aware that UNEP had been happy to host the meeting in Nairobi, the Co-ordinator believed that it would be a good strategy to have the next meeting of the Conference in a Party country. That would

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involve costs and work on the part of the host country, but would also bring advantages and benefits for the country itself. He therefore called on the Parties to take all that into account and carefully consider the matter in their discussions on the draft before them.

237. The Chairman asked whether there was any Party that wished to make a proposal or to comment on the issue. As there were no comments, he declared Resolution 4.7 adopted.

#### AGENDA ITEM 19: OTHER BUSINESS

238. At the 6th session of the meeting, the Chairman invited representatives to raise any outstanding matters under the item. No delegation took the floor.

239. Returning to the agenda item at the 8th session of the meeting, on 11 June 1994, the Chairman drew attention to the draft recommendation on the role of non-governmental organizations in CMS, contained in document UNEP/CMS/Conf.4/CRP.3 and said that, if there were no objections, he would take it that the plenary wished to adopt the recommendation. The observer from BirdLife International said that his organization particularly welcomed the recommendation, a view in which he was certain other non-governmental organizations would concur, since it gave them the same status in CMS which they already enjoyed in the Ramsar Convention, following its adoption of a similar recommendation at its meeting in 1993.

240. At its 9th meeting, the Conference again took up its consideration of agenda item 19. The Chairman asked delegates if there were any miscellaneous issues they wished to raise. The representative of Sweden asked if, at the next meeting of the Conference of the Parties, some machine could be provided for the numbering of documents.

241. The representative of Nigeria said he wished to introduce a proposal for the study of marine turtles of the West African Atlantic coast, on behalf of Benin, Cameroon, Côte d'Ivoire, Ghana, Guinea, Nigeria, Senegal, South Africa and Togo. The West African Range States of the marine turtles of the African Atlantic oceanic coast that were Parties to the Convention, as named above, had deliberated on the state of knowledge of marine turtles on the West African coast and were of the consensus opinion that there was inadequate scientific information on the status of the species. From the foregoing, the Party States requested the Convention to finance a scientific study of those marine turtles in order to elicit the following: (1) the species present and their status, (2) the breeding ecology of the species, (3) the utilization of the species. The study would be a prerequisite for the eventual development of Agreements among the Party States for the conservation of the marine turtles. The Parties named fully supported the recommendation of the Scientific Council on the appointment of Dr. Limpus of Australia, the Conference-appointed expert on marine turtles. The representative concluded by saying that he also wished to suggest that the above proposal be included as one of the priorities in Dr. Limpus' terms of reference.

#### AGENDA ITEM 20: ADOPTION OF THE REPORT OF THE MEETING

242. At the 5th plenary session, the Conference considered the first part of its draft report (UNEP/CMS/Conf.4/L.1). The draft was adopted with a number of amendments.

243. During the adoption of the first part of the draft report, the representative of the European Community said that recently introduced environmental conservation legislation in the Community would have implications for the revised list of Range States referred to in



paragraph 36 of the draft report. The European Community would submit more detailed information directly to the Secretariat in due course. The representative of the Secretariat indicated that it would appreciate the assistance of the European Community to update the Range State list for all of the species affected.

244. At the 6th session of the meeting, the Conference considered the second part of its draft report (UNEP/CMS/L.1/Add.1). The draft report was adopted with a number of amendments.

245. At the 8th and 9th sessions of the meeting, on 11 June 1994, the Conference considered the remaining parts of its draft report (UNEP/CMS/L.1/Add.2, Add.3 and Add.4). The draft report was adopted with several amendments.

#### AGENDA ITEM 21: CLOSURE OF THE MEETING

246. At the 9th session, on 11 June 1994, turning to agenda item 21, the Chairman expressed his thanks to UNEP, to the Secretariat, the Standing Committee and the Scientific Council, especially to their Chairmen, and to the Parties for their hard work to assist the present Conference of the Parties. The representative of Pakistan expressed gratitude to the Chairman on behalf of the delegates for the efficient and cordial way in which he had conducted the meeting. The representative of UNEP said UNEP was pleased at the outcome of the meeting and especially at the agreement reached to accept the Strategy for the Future Development of the Convention, which would prove a useful tool for the Parties, the Standing Committee, the Scientific Council, the Secretariat, and UNEP in obtaining results to improve the conservation of migratory species. UNEP would also do its best to assist in the implementation of the resolutions and recommendations of the meeting and to catalyse donors to help mobilize resources. Given the urgency of the issue, UNEP would endeavour to facilitate the design of projects, especially those for funding under GEF. It would also try to facilitate co-operation between CMS and the Ramsar Convention and the Convention on Biological Diversity.

247. With that, the Chairman declared the fourth meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals to be closed.



## CHAPTER II

### REPORT OF SESSIONAL COMMITTEE I (SCIENTIFIC COMMITTEE)

#### INTRODUCTION

1. Under the Chairmanship of Dr. Sylla (Senegal), Committee I held three meetings on 9 and 10 June 1994 to consider matters arising under agenda items 12 (Review of implementation of the Convention), 13 (Strategy for the future development of the Convention), 14 (Consideration of proposals for amendments to Appendices I and II of the Convention) and 17 (Institutional arrangements).

#### AGENDA ITEM 14: CONSIDERATION OF PROPOSALS FOR AMENDMENTS TO APPENDICES I AND II OF THE CONVENTION

2. At its 1st meeting, on 9 June 1994, the Committee took up agenda item 14 (Consideration of proposals for amendments to Appendices I and II of the Convention).

3. Introducing the item, the representative of the Secretariat drew attention to the proposals for amendments to Appendices I and II of the Convention, which had been circulated in a single document in their original language. He also drew attention to the summary of all the proposals prepared by the Secretariat (UNEP/CMS/Conf.4.12) and the relevant discussion and recommendations of the Scientific Council at its fifth meeting (UNEP/CMS/Inf.4.5, paras 9-30).

4. By way of general comment on the proposals, one representative said that his delegation believed that several species listed in the summary of the proposals as having a "C" conservation status did not warrant inclusion in the Appendices.

5. The representative of the Secretariat said that, for a species to be listed in the Appendices of the Convention, certain criteria had to be met. In accordance with Article III, paragraph 1, of the Convention, Appendix I listed species that were endangered. For inclusion in Appendix II, there were two possible criteria: that the conservation status of the species was unfavourable or that the species would benefit significantly from the international co-operation that could be achieved by an international Agreement. The purpose of the final column in the summary table as contained in document UNEP/CMS/Conf.4.12 was to indicate which criteria would be applicable. It did not represent a judgement by the Secretariat as to whether or not the criteria were fulfilled.

6. The Committee proceeded to consider the first proposal (no. I/1), which had been submitted by France on behalf of the European Community, and which concerned the inclusion of Oryx dammah in Appendix I.

7. Introducing the proposal, the representative of France said that the proposal had been discussed and approved by the European Community as a whole. Drawing attention to paragraphs 9-13 of the report of the fifth meeting of the Scientific Council (UNEP/CMS/Inf.4.5), she said that it was necessary to include the species in Appendix I as its conservation status was very serious: the range of the species had diminished and its population had decreased drastically in those places where it still existed. There was therefore an urgent need to list species in Appendix I on the understanding that listing alone was not enough: urgent measures would have to be taken to conserve the species and restore its habitat, to implement a concerted plan of action and to embark upon a policy of reinforcement and reintroduction.

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8. Dr. Ford (United Kingdom), representing the Scientific Council in the absence of its Chairman, said that the Council had discussed the proposal at length and had decided that the inclusion of the species in Appendix I was urgent. There was a consensus in the Council that the species was endangered. The Council had also agreed, after a discussion on whether or not the species was migratory, that it occurred outside Chad and that its potential range was considerably larger. Chad was in the process of becoming a Party to the Convention and would therefore be in a position to give effect to an Appendix I listing. The recommendation of the Council was that the species should be added to Appendix I.

9. The representative of Niger, a Range State of the species, said that he supported the proposal. He would, however, request the Committee to be cautious of the population figures contained in the proposal as there had been no recent count of the species in his country.

10. The Committee recommended the proposal to include Oryx dammah in Appendix I of the Convention for forwarding to the plenary.

11. The proposal to include the entire population of the White-headed duck (Oxyura leucocephala), in Appendix I (proposal No.I/3) was introduced by the representative of Belgium, who said that the proposal had been prepared by the Government of Spain on the initiative of the European Community. The species was highly endangered and its population had declined throughout its range. The distribution of the species was very fragmented, with only small populations remaining in southern Europe, north Africa, the eastern Mediterranean and central Asia. The threats to the species derived not only from habitat destruction but also from competition with another species introduced from North America to the United Kingdom in the 1950s, which had established itself in the wild and whose population was increasing. The European Community therefore urged the Committee to approve the proposal.

12. The representative of Morocco, one of the Range States, supported the proposal and emphasized the threats to the species posed by hybridization. Several representatives sought clarification of the issue of hybridization and, in particular, how the integration of another, exotic species and the resulting "genetic pollution" could be prevented.

13. Dr. Moser, the Conference-appointed expert on waterbirds in the Scientific Council, and Dr. Ford, representing the Scientific Council, explained that a set of recommendations for controlling the spread of introduced species had been prepared at a workshop held in the United Kingdom in early 1993 and that, once a species was included in Appendix I, Range States became liable to the obligations set forth in Article III of the Convention, in particular the provisions of Article III, paragraph 4 (c), requiring Parties to eliminate or control already introduced exotic species. It was also pointed out that the two species in question did not occur naturally in the same range: the current overlap between the species was therefore the result of human intervention.

14. In the light of the arguments put forward, the Committee recommended that the proposal to include Oxyura leucocephala in Appendix I of the Convention be forwarded to plenary for adoption.

15. Introducing the proposal to include the middle-European population of the Great bustard (Otis tarda) in Appendix I of the Convention (proposal No.I/4), the representative of Hungary said that the populations of the species had suffered a marked decline resulting in its extinction in some breeding areas of Europe. The primary causes of the decline in population were destruction of breeding area due to agriculture and losses during migration. At the first meeting of the Parties, in 1985, the species had been included in Appendix II in response to the dramatic decline in its



population. In view of the continuing threats to its survival, Hungary proposed its inclusion in Appendix I.

16. Representing the Scientific Council, Dr. Ford said that the Council supported the Hungarian proposal and he commended the Government of Hungary on its suggestion that an Agreement on the species should be proposed. Representatives of other Range States supported the proposal and suggested that an exchange of information and experience between Hungary and States in the Iberian Peninsula, where a useful conservation programme on the local population of the species had been implemented, would be beneficial.

17. As inclusion in Appendix I would entail specific obligations for Range States, some representatives requested more precise information on the States included in the middle-European area. The representative of Hungary listed the following middle-European Range States where there were active populations: Austria, Czech Republic, Hungary, Romania, Slovakia, Ukraine and former Yugoslavia. The representative of Germany pointed out that there was a small population in Germany, that wintering populations were attested in Albania and Italy and that, while the species had become extinct in Bulgaria and Poland, it could possibly be reintroduced in those States. Consequently, the list of Range States should include those five States and the European Community.

18. The Committee endorsed the proposal to include Otis tarda (middle-European population) in Appendix I of the Convention.

19. The representative of the United Kingdom, introducing the proposal to include Tadarida teniotis, the European free-tailed bat, in Appendix II (proposal No.II/1), said that the proposal had been prepared on behalf of the European Community. The species was distributed around Mediterranean Europe and North Africa in low population densities, which were subject to the same threats as other bat populations, namely insecticide and pesticide use and habitat destruction. Tadarida teniotis was the only species of bat occurring in Europe not covered by the Agreement on the Conservation of Bats in Europe, and its listing in Appendix II would facilitate its eventual inclusion. The proposal was not, however, limited to Europe as it felt that the species needed protection throughout its range.

20. The Committee approved the proposal to include Tadarida teniotis in Appendix II of the Convention.

21. At its 2nd meeting, on 9 June 1994, the Committee resumed its consideration of agenda item 14.

22. The representative of Germany stated that the amendment proposed by Germany, subject to approval by the European Community, for consideration by the Conference of the Parties was that the 92 species listed under numbers II/14 to II/105 in the table in document UNEP/CMS/Conf.4.12 be considered for inclusion in Appendix II of the Convention. The idea had been that, based on the African-Eurasian Migratory Waterbird Agreement, all waterbird species should be covered, irrespective of their conservation status. However, all those species were to be accorded different priorities. On the basis of Germany's proposal, the Scientific Council had recommended the inclusion of 50 species as an amendment to Appendix II. Further, as concerned the remaining 42 species, it had recommended that more information was required for their inclusion to be considered at the next meeting of the Conference of the Parties. The majority of the European Community member States had accepted the recommendation of the Scientific Council and had supported the inclusion of Fulica atra atra but with the provision that only its Mediterranean population be included in the listing. In view of those developments, Germany was withdrawing its previous motion for the inclusion of the whole species. In addition, in agreement with the European Community member States, it proposed that



Sterna albifrons be included as a whole. With regard to annex 3 of the report of the fifth meeting of the Scientific Council, the European Community supported the recommendation of the Scientific Council and would seek more information to determine the conservation status of the listed species, and would make a proposal to the next meeting of the Parties. Thus, Germany withdrew its proposal to have the 42 species included in Appendix II at the present meeting of the Conference.

23. Dr. Ford, clarifying the views of the Scientific Council, which were to be found in paragraphs 17-30 of the report of the fifth meeting of the Council, said that the advice to the Conference had been that the 50 species listed in annex 2 of the Scientific Council report should be included in Appendix II of the Convention. Germany had now withdrawn its proposal with regard to the other 42 species, which were listed in annex 3 of the Scientific Council report. The Scientific Council had recommended that those species be put forward at the next meeting of the Parties and had invited the Parties, in the meantime, to provide whatever further information they could on them.

24. The representative of Belgium, referring to Fulica atra atra, said that the intention was to specify the Mediterranean and Black Sea populations. The representative of Germany expressed gratitude for the clarification. He added that, with regard to Norway's proposal to include Crex crex in Appendix II, the European Community would have supported the proposal, if it had been adequately prepared and on time. He encouraged Norway to submit the proposal to the Conference of the Parties at its next meeting.

25. With regard to Fulica atra atra, one representative questioned whether geographically distinct populations could be identified as distinct. Speaking in reply, Dr. Moser stated that the species had a wide distribution in the northern part of western Eurasia. What had been done, on the basis of ringing studies, was to identify the major flyways to separate wintering areas and define the list of countries, which were called Mediterranean and Black Sea countries. There might be overlaps, but separate wintering areas had been identified.

26. The representative of Australia said that, with reference to Fulica atra atra, he was not at all convinced that species' populations could be defined by political boundaries, and he feared the possible precedent that might create. The representative of Germany explained that the populations of the species could be clearly identified and distinguished in reference to the Mediterranean and the Black Seas, whereas, for example, the Scandinavian population could not be distinguished biologically. He therefore suggested that the proposal to include only the Mediterranean and Black Sea populations in Appendix II should be accepted and put forward.

27. Dr. Ford explained that the Council had discussed the species Crex crex and had established that it was a migratory species with an unfavourable conservation status. The Council had supported its inclusion in Appendix II, and encouraged Norway to put forward a proposal to the next meeting of the Conference. In the interim, the Range States could usefully take conservation measures. The representative of Norway agreed to that suggestion, and said that a draft recommendation to that effect had already been circulated.

28. The Chairman declared that the two proposals under discussion be recommended by the Committee and forwarded to the plenary for adoption. One representative questioned whether there was a possible repetition of recommendations when Committee I accepted and recommended proposals to the plenary, while the plenary already had before it the recommendations of the Scientific Council in respect of the same proposals. Dr. Ford replied that the report of the fifth meeting of the Scientific Council



constituted the advice of the Council to the Conference of the Parties. Committee I was a subsidiary body of the Conference and would pass on its own report to the plenary.

29. Several representatives raised the question of how the Committee's recommendation to the plenary would deal with the proposal to list 42 species, a proposal which Germany had withdrawn. The representative of Germany said the Council had recommended that work continue to gather information concerning the 42 species. A proposal for their inclusion in Appendix II would be forwarded to the Conference of the Parties at its next meeting. The Co-ordinator of the Secretariat stated that his understanding was that the proposal for inclusion of the 42 species had been withdrawn, and no formal request was being made to the plenary to deal with the proposal in any way. As far as the question of repetition of recommendations was concerned, the Committee's recommendation could state that it had taken note of the Scientific Council's recommendations. The Conference of the Parties would decide how to act on this, as under Article VIII of the Convention, the Scientific Council was entitled to make recommendations to the plenary. It might therefore be worthwhile for the Committee to undertake careful consideration of the recommendation made to the plenary. The Chairman concluded that, as there were no objections, the Committee's recommendation would be submitted to the plenary.

#### RECOMMENDATIONS

30. At its 3rd meeting, on 10 June 1994, the Committee considered a number of draft recommendations for submission to plenary (see annex II).

31. Introducing the draft recommendation on the conservation and management of cormorants in the African-Eurasian region (UNEP/CMS/Rec.4.1), the representative of Denmark said that the recommendation had been prepared in two workshops held in Denmark in December 1993 and March 1994, with participants from other European countries. The legislation of most Range States protected the Great cormorant, whose population had increased significantly over the last 10 years, but allowed control measures where there were conflicts with fishery and other interests and where there were no other satisfactory solutions. Many different methods of control were used and there was a consequent need for the exchange of knowledge, for coordination and for the elaboration of common guidelines as a first stage towards the preparation of an international conservation plan for the subspecies.

32. Turning to the other two species covered by the recommendation, the Socotra cormorant and the Pygmy cormorant, he pointed out that neither species caused any conflict with human interests and that, while the population of the Socotra cormorant was unknown, the Pygmy cormorant was seriously endangered. He stressed the need for measures to improve the conservation status of both species.

33. The Chairman of the Scientific Council said that the Council supported the recommendation and believed that measures should be adopted to improve the conservation status of the species. He pointed out that the recommendation was not necessarily linked to listing in one of the Appendices and could be considered within the framework of CMS.

34. The representative of Denmark then introduced two amendments agreed in discussions within the European Community, which had endorsed the draft recommendation, as amended. There followed a brief exchange of views in the Committee, in which it was pointed out that two of the species were included in the list of 50 species with an unfavourable conservation status recommended for inclusion in Appendix II. The representative of Denmark then withdrew the first of the amendments proposed by the European



Community and agreed that the third preambular paragraph of the draft recommendation should be revised to read: "Noting the proposals to include the Pygmy cormorant and the Socotra cormorant in Appendix II of the Convention on the Conservation of Migratory Species of Wild Animals". The Committee adopted the second amendment of the European Community by which paragraph 2 (f) of the Guidelines for Conservation and Management of the Great cormorant, contained in the annex to the recommendation, would read: "Intervention within the breeding colonies, if it appears to be necessary, may only be authorized in particular cases where it can be scientifically demonstrated that it will not have a negative impact on the conservation status of cormorants as mentioned in the opening paragraph and in points (a) and (b) above, and only under strict supervision and in accordance with the principles laid down in point (d) above. Control methods should respect good ethical principles."

35. The representative of France noted that certain editorial and linguistic improvements could be made to the French translation of the recommendation. The Secretariat took note of those comments and said that the Secretariat would be grateful if the representative of France could, in consultation with the proponent, convey specific suggestions on how the French translation might be improved.

36. The Committee agreed to recommend to the plenary session of the Conference that it should adopt the draft recommendation, as amended and with the corrections to the French text introduced by the representative of France (see annex II to the present report).

37. Introducing the proposed memorandum of understanding concerning conservation measures for the Slender-billed curlew (Numenius tenuirostris), the Co-ordinator of the Secretariat said that the proposal to develop a memorandum of understanding under CMS had arisen out of discussions held in the Scientific Council in 1993, with BirdLife International and with the scientific advisors of the European Community. The proposed memorandum was a last effort to save the species, which had been on Appendix I for a long time without any visible conservation improvement.

38. The Secretariat had undertaken to coordinate preparation of the memorandum and had circulated a draft to Range States, whose comments and amendments had been incorporated in the revised draft contained in annex 9 of the report of the fifth meeting of the Scientific Council (UNEP/CMS/Inf.4.5. and Corr.1). Following consultations at that meeting with some Range States, further amendments had become necessary and the final text of the memorandum would be circulated to Governments of Range States with the request that they should sign and accept the memorandum. With the scientific assistance of Birdlife International and financial assistance from the European Community, research, monitoring and habitat conservation projects and other essential measures could be undertaken to safeguard the survival of the species.

39. The Chairman of the Scientific Council said that the Council had fully supported the recommendation and hoped it would be adopted by the Conference.

40. The Committee agreed to recommend to the plenary session of the Conference that it should take note of and endorse the objectives and orientation of the recommendation of the Scientific Council to urge all Range States to accept the revised Memorandum of Understanding and to carry out all necessary steps to save the species from extinction.

41. Introducing the draft recommendation on research on migration in small cetaceans (UNEP/CMS/Inf.4.5 and Corr.1, annex 6), which had been endorsed by the Scientific Council for forwarding to the Conference, the

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Chairman of the Scientific Council said that the lack of knowledge on migratory movements of most small cetaceans prevented their inclusion in the Appendices and he therefore urged Parties to support research on such migratory behaviour.

42. In response to the concerns expressed by India that efforts should be made to avoid duplication between CMS and the International Whaling Commission (IWC) where small cetaceans were concerned, the Co-ordinator of the Secretariat said that the Secretariat strongly favoured the development of closer contacts with the secretariats of other conventions but was constrained in its efforts to collect and exchange data on small cetaceans by its limited resources. Agreement had been reached, however, with the Secretary of IWC on the need for closer contact and a regular exchange of information. The Conference-appointed Scientific Councillor Dr. Perrin already had close contacts with the IWC scientific working group on small cetaceans and those contacts had recently been strengthened through the recent election of the Vice-Chairman of the CMS Standing Committee as Chairman of the International Whaling Commission (IWC).

43. In addition, it was pointed out that, at its meeting in 1993, the Scientific Council had recommended holding consultations with IWC on the question of small cetaceans and that, while within IWC there were differences of view on the competence to deal with issues of small cetaceans, in recent years there had been some detailed studies in that area, including one for the United Nations Conference on Environment and Development (UNCED). It was agreed that there was unlikely to be any conflict of interest or duplication between the scientific activities of CMS and IWC, as CMS would focus on the migratory aspects of the species while the IWC Scientific Committee was concerned with its habitat and population. Indeed, there were significant prospects for complementarity.

44. The Committee agreed to recommend to the plenary session of the Conference that it should adopt the draft recommendation prepared by the Scientific Council (see annex II to the present report).

45. The representative of Norway then introduced the draft recommendation on the conservation status of Crex crex. She said that the species had not originally been proposed for inclusion in Appendix II, as there was some question as to whether it was considered to be wetland-dependant. The Scientific Council had, however, determined that the species had a highly unfavourable conservation status throughout its range and was clearly migratory. Norway supported paragraphs 24-26 of the report of the fifth meeting of the Scientific Council (UNEP/CMS/Inf.4.5 and Corr.1.) and had formed a recommendation for Crex crex to be listed in Appendix II. She then orally corrected two errors in paragraph 4 of the draft recommendation.

46. The Chairman of the Scientific Council said that the matter had been discussed in the Council and he had nothing to add.

47. The representative of Australia supported the draft recommendation but felt that the meaning of paragraph 4 would be clearer if it were amended to read: "Recommends that Range States identify breeding habitats and promote agricultural management practices sympathetic to the conservation of Crex crex in those areas."

48. The representative of Norway accepted the amendment proposed by the representative of Australia. In addition, on a proposal by the representative of Belgium, she revised paragraph 3 of the draft recommendation by replacing the word "listed" by the words "considered for listing".

49. The Committee then agreed to recommend to the plenary session of the



Conference that it should adopt the draft recommendation, as amended and revised (see annex II to the present report).

50. The representative of Pakistan then introduced the draft recommendation on the proposed Agreement on the Houbara bustard (*Chlamydotis undulata*) (UNEP/CMS/Conf.4/CRP.1) and urged its acceptance by the Committee.

51. The Chairman of the Scientific Council said that, while the Council had not discussed the specific draft recommendation, its discussion had proceeded along the same lines. In particular, he drew attention to the extremely unfavourable conservation status of the birds and the fact that an important part of its population was migratory.

52. The representative of Saudi Arabia introduced two corrections to paragraphs 2 and 3 of the draft. The representative of India, supported by the representative of Saudi Arabia, said that he broadly agreed with Pakistan's premises but believed that the first priority was to conduct studies to ascertain the population status of the species in various countries. That report could then be forwarded to the Secretariat and discussed at the next meeting of the Scientific Council.

53. The Co-ordinator of the Secretariat invited the representative of India to present the proposed amendment in writing.

54. The Committee then agreed to recommend that the plenary session of the Conference should adopt the draft recommendation, as amended by the representative of Saudi Arabia and with the inclusion of the text proposed by India (see annex II to the present report).

55. The representative of Morocco then read out the draft recommendation for concerted action for six Appendix I species of Sahelo-Saharan ungulates: Addax nasomaculatus, Oryx dammah, Gazella dama, Gazella leptoceros, Gazella cuvieri, Gazella dorcas (UNEP/CMS/Conf.4/CRP.5), which was submitted by the delegations of Tunisia, Morocco, Niger, Egypt, Mali, Burkina Faso, France and Belgium but which had not yet been circulated in writing.

56. The Chairman of the Scientific Council said that that group of animals had been discussed by the Council at its 1993 meeting in Bonn and at its recent meeting in Nairobi. The Council was strongly in favour of the draft recommendation.

57. The Committee agreed to recommend that the plenary of the Conference should adopt the draft recommendation (see annex II to the present report).

#### AGENDA ITEM 17: INSTITUTIONAL ARRANGEMENTS

##### Appointment of members of the Scientific Council

58. On the proposal of the Co-ordinator the Committee agreed to recommend to the plenary of the Conference that it take note of and endorse the recommendation of the Scientific Council that the four current members of the Council appointed by the Conference in 1991 be re-appointed and that Dr. Limpus from Australia, an expert on marine turtles, also be appointed by the Conference to the Council.

59. The representative of India suggested that, since the Council did not receive much input from the Asian countries and since the Conference was

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entitled to appoint up to eight Councillors, an expert Councillor from the Asian region might be chosen.

60. In reply, the Co-ordinator of the Secretariat said that the point raised by the representative of India could have been usefully discussed in the Scientific Council. It was, however, important not to follow regional issues but, rather, to respond to the requests of the Scientific Council for the expertise needed for its work programme. He did not believe that the Committee was in a position to address that issue.

61. The representative of India agreed that the proposal should first be discussed in the Scientific Council. However, during the Council meeting he could find no place on the agenda under which the matter could be revised. He had thought that since the question of appointment of Scientific Councillors was before the current meeting, that was the appropriate forum in which to make his suggestion.



### CHAPTER III

#### REPORT OF SESSIONAL COMMITTEE II (ADMINISTRATIVE COMMITTEE)

##### INTRODUCTION

1. Under the Chairmanship of Dr. P. Bridgewater (Australia), Committee II held two meetings on 8 and 9 June 1994 to consider questions arising from agenda item 12(a) (Overview of Party reports), agenda item 13 (Strategy for the future development of the Convention) and agenda item 16 (Financial and administrative arrangements).

##### Agenda item 16: Financial and Administrative Arrangements

2. At its 1st meeting, on 8 June 1994, the Committee took up consideration of agenda item 16 (Financial and administrative arrangements). The Chairman, referring to document UNEP/CMS/Conf.4.13, said the Committee had before it a detailed presentation from the Secretariat which also showed the linkages between the strategic objectives and the budget, which were quite complex. He expressed hope that progress could be made on specific issues. Referring first to sub-item 16 (a) (Extension of the CMS Trust Fund), the Chairman, on receiving no comments regarding the extension of the Trust Fund, concluded that there was a consensus in favour of paragraph 10 of the resolution contained in document UNEP/CMS/Res.4.6, requesting the Executive Director of UNEP to extend the Trust Fund through 31 December 1997.

3. Turning to Section D of document UNEP/CMS/Conf.4.13, dealing with terms of reference for the administration of the Trust Fund, the Chairman gave the floor to the representative of UNEP for a brief presentation. The representative said that the amendments proposed by UNEP were to streamline the terms of reference, so as to bring them in line with other trust funds administered by UNEP. He added that the 13 per cent charge to the Trust Fund by UNEP for administration was the normal practice and was included in all UNEP-administered Trust Funds. Indeed, it was required by the United Nations Rules and Regulations.

4. The representative of Germany raised a question on procedure, asking if the discussion on the budget could be in a separate working group. Certain details would need discussion and a working group could be useful for this, instead of holding the discussion in the Committee. The representative of the United Kingdom agreed with the proposal of a working group for the budget. He further referred to the additional amendments proposed by UNEP to the Terms of Reference for the administration of the Trust Fund, and stated that the United Kingdom reserved its position on the amendments proposed in paragraph 28 of document UNEP/CMS/Conf.4.13. He said that the second and third of the changes proposed were unlikely to be acceptable to the United Kingdom.

5. After a detailed discussion of the arrangements for consideration of the budget, the representative of Pakistan reiterated that the budget was very important and thus needed discussion in the plenary and needed to be adopted by the plenary. The representative of Panama was of the opinion that the discussion on the budget should be tackled at the present meeting of the Committee, while many delegates were assembled.

6. The Chairman proposed that an initial discussion should be held with the full Committee, after which a working group could meet, to avoid a clash with the working group on the Strategy which was to take place later in the evening. He called for a nomination for chairman of the working

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group. The representative of the United Kingdom proposed that India chair the working group and the representative of Saudi Arabia seconded that proposal. The representative of India accepted the nomination, with the proviso that the working group would have adequate regional representation of the Parties. In view of that, the Chairman proposed that the Committee first discuss the budget in general terms and then break to hold the working group meeting.

7. The representative of Panama, referring to the three options for staffing levels in the Secretariat, wondered whether the increase in the number of staff in the Secretariat would make any substantial difference to other budget lines. He also wished to know if the budget lines for reporting were fixed, or if some additional amounts could be set aside for a reporting fund for countries. He wondered whether other countries not Parties to the Convention could give some support to the Convention by providing consultancies. The representative of the Secretariat clarified that reporting costs as outlined in budget line 5200 referred to the reporting costs of the Secretariat and not to those of Parties. The representative of Panama, referring to budget line 5300, said that he would like to know what effect the three staffing options for the Secretariat would have on budget lines such as communications, telex, telephones, etc. The representative of the Secretariat replied that, while there would be some variation, communications costs in the main were fixed because the addition of one or two staff would have only a marginal impact on the volume of material it produced and sent out, for example in relation to meetings, which was reflected in communications costs. The main difference would be reflected in the staffing options themselves rather than in other budget lines.

8. One representative, referring to the strategic objectives and activities highlighted in the table of document UNEP/CMS/Conf.4.13, requested a breakdown of the cost of each of the strategic activities highlighted. In reply, the representative of the Secretariat stated that it had not been possible to cost those activities: at the present stage the aim was to prioritize them. In the event of the Secretariat preparing an action plan for the implementation of the Strategy, more detailed plans of the costs of those activities might be prepared.

9. The representative of the Netherlands said that he was not against the discussion of the budget in a working group. However, the brief discussion had shown that the various staffing options did have consequences with regard to the contributions of the Parties and the views of different Parties on that might differ greatly. Since the Netherlands had always been in favour of promoting the Convention as far as possible, it would support Option 1.

10. The Chairman asked for an indication of those Parties that would wish to participate in the working group to discuss the budget. France, Germany, India, Netherlands, Pakistan, Panama, Saudi Arabia, Tunisia, United Kingdom and the European Community indicated their wish to do so. The Chairman then adjourned the meeting of the Committee, in order that the working group might meet and discuss the budget.

#### AGENDA ITEM 13: STRATEGY FOR THE FUTURE DEVELOPMENT OF THE CONVENTION

11. At its 2nd meeting, the Committee took up its consideration of agenda item 13. The Chairman of the Committee said that the chairman of the working group dealing with the Strategy would give a brief verbal presentation on the general direction of the working group, which would be likely to affect any discussion of the budget by the Committee later.

/...



12. The representative of the United Kingdom, speaking as chairman of the working group dealing with the Strategy, stressed that his words should not be viewed as a report on the activity of the group. They were intended simply to help with the upcoming discussion on the budget as a whole. The previous night's meeting of the Working Group had produced a draft resolution and an annex, which would be circulated in due course. The group had identified 27 priorities, essentially contained in the Strategy document UNEP/CMS/Conf.4.11, where it considered it necessary to give guidance on areas which were concerned mainly with questions pertaining to whether or not additional manpower would be required.

13. The Working Group had identified a number of actions in the Strategy which it considered to be lower priorities, and which should therefore be deleted or allocated reduced resources. The first area of relevance in the Strategy occurred under chapter 4 and entailed Actions 4.4, on provision of financial assistance to encourage implementation of Agreements and to encourage more developing countries to join CMS, and 4.5 on alternative methods of payment of contributions. There should be a consultancy to investigate the possibility of Parties providing non-cash support to the Convention, so as not to reduce the requirement for countries to pay subscriptions. That area was considered to have no particular manpower implications for the Secretariat. Concerning Action 4.6, the working group considered there was no need for the Secretariat to develop a formal strategy for each new Party's implementation; the Secretariat should, nonetheless, hold discussions with and advise new Parties.

14. Under chapter 5 of the Strategy, the second part of Action 5.1, concerning the review of Appendix I, should be deleted as it was not considered a priority. Action 5.3 concerning the review of the Appendices should not be carried out in the coming triennium. It was considered that both of these points had Secretariat manpower implications.

15. In chapter 6, Action 6.2 had been considered controversial in the Working Group. It was proposed that the Standing Committee engage a consultant under budget line 1200, to assist developing countries in the development of project proposals. The resource implications would remain the same in terms of finances made available, thus the effect was neutral, but the consultant would mean lower manpower implications for the Secretariat. Action 6.4 was not considered a high priority and had minimal manpower implications. Action 6.6 should be deleted: existing networks e.g. of IUCN, should be used. The effective of the deletion on resource requirements would be limited, as it was long-term action.

16. In chapter 7, Action 7.3, concerning the development of a list of existing legal instruments, was accorded low priority.

17. The working group considered that within chapter 8, Action 8.1 should be deleted. It was recommended that multiple subscriptions to the Trust Fund be retained. Action 8.7 concerning a systematic review of the Appendices should be deleted.

18. Finally, under chapter 9, Action 9.1 on the development of a communications strategy was considered of low priority. Action 9.3 on the global atlas was considered of medium priority and not urgent. Individual Parties could carry out such work. Action 9.4, concerning the development of guidelines for use of the CMS logo, was accorded low priority.



AGENDA ITEM 12(a): OVERVIEW OF PARTY REPORTS

19. At its 2nd meeting, on 9 June 1994, the Committee took up its consideration of agenda item 12(a) (Overview of party reports), as contained in document UNEP/CMS/Conf.4.7. In introducing the item, the representative of the Secretariat explained that the list of reports received was continually being updated; it was not current, since reports had even been submitted that very day. So far, 20-25 reports had been submitted, approximately half of those expected. About one third of the Parties submitting reports had done so for each meeting of the Parties, i.e. about eight Parties reported regularly.

20. Concerning formats, he continued, some countries had followed the format proposed at the last meeting of Parties, while others had not. Some country reports provided clear information on measures taken to implement the Convention, while others lacked the necessary detail. In his view, the report by Australia submitted to the 1991 meeting and updated for the present meeting might be considered a model for consideration by other Parties. In developing the database on Party reports annexed to the document, the Secretariat realized there was a need to reassess the amount of information that needed to be included in the reports and to disregard some elements that could be considered superfluous. For example, with regard to reporting on actions to implement Agreements, Parties would probably be under an obligation to submit official reports to the meetings of Parties to those Agreements. Therefore, it was considered unnecessary to provide the same level of detail in the general report submitted to the Conference of the Parties to CMS. The format proposed three years ago had been agreed on a trial basis and perhaps now was the time for that format or some other to be adopted more formally. The representative of the Secretariat suggested a number of ways of improving the reporting process. In addition to publishing and circulating the agreed formats, the Secretariat should also give further instructions on how the reports themselves should be delivered, e.g. perhaps using diskettes. The Secretariat might also help to improve the delivery of reports by issuing those reminders further in advance.

21. The Chairman said that Party reports were essential, not just for internal communications, but also externally. One representative, agreeing that the reports were essential, said that the work of the Secretariat in preparing document UNEP/CMS/Conf.4.7 had been hampered by the late arrival of reports and he fully understood the problem. However, he considered that no real synthesis of the data had been made. Rather, one simply had a database. He would have preferred a summary, showing progress and weaknesses in the implementation of Agreements and of CMS. The representative of the Secretariat replied that Chapter II of the Strategy provided the kind of synthesis the representative sought, albeit based on a limited number of reports made available to the Secretariat and insufficient information.

22. One representative asked whether it would be possible to have country reports on an annual basis, so that the Secretariat could go back to countries if clarifications were needed and so that trends could be viewed before the Conference of the Parties. Another representative said that most of the countries that had not submitted reports were developing countries. They faced problems in obtaining information, finding personnel and processing data. He also considered that the limited Secretariat staffing could not handle the workload of annual analysis of reports. The representative of the Secretariat pointed out that there was no constraint on Parties giving information and updates between sessions of the Conference of the Parties, and encouraged Parties to do so. However, he sensed that there was an unwillingness to formalize an annual reporting procedure. The Chairman said he believed it was necessary to look at the problems countries faced in preparing reports and see how to improve the collection of information.



23. One representative, while emphasizing the importance of national reports for the Conference of the Parties, said that the text of the Convention actually made no specific mention of country reports. In that context he quoted from Article VI, paragraph 3, which called on Parties to provide information on their implementation of the Convention. It was important that Parties should be alerted to the need to produce a report for the Conference. Although the Secretariat had made a request for reports when the invitations to the Conference were sent out, that gave too little time before the deadline of six months before the conference to produce the report. A separate letter was required well in advance, copied to the Scientific Councillors and to the CMS focal points.

24. Another representative suggested that Article VI, paragraph 3, was not restrictive or binding. He asked what could be done concerning non-compliance in reporting. In connection with document UNEP/CMS/Conf.4.7, Table 1, he proposed that a section be inserted concerning the status of payment of contributions to help remind Parties of their obligations vis-à-vis the Trust Fund. The representative of the Secretariat replied that, in connection with contributions, recommendations contained in the proposed Strategy went further than that: the Strategy suggested that the Secretariat circulate a status list of contributions twice yearly, which would be more effective than mentioning outstanding contributions in a report prepared only every three years.

25. The observer from BirdLife International said that it was crucial that useful reports for the Conference of the Parties be provided to furnish data on how commitments were being followed. The representative of the Secretariat agreed that it would be desirable to have a section in the report on progress made by Parties in the development of Agreements. The observer went on to say that it was regrettable that missing or less than complete reports had been submitted as that gave no idea of what had been done concerning several species of birds listed under Appendix I, which he enumerated, though of course such a lack of information applied to other listed animals as well.



#### CHAPTER IV

##### REPORT OF THE WORKING GROUP ON THE STRATEGY FOR THE FUTURE DEVELOPMENT OF THE CONVENTION\*

1. The working group met on two occasions on 8 and 9 June. Representatives were present from Australia, Germany, the Netherlands, Saudi Arabia, South Africa, the United Kingdom and Birdlife International. The CMS Secretariat were present on 8 June. The United Kingdom chaired the group and provided a rapporteur.

2. The main outcome of the group was a draft resolution (UNEP/CMS/Res. 4.4) endorsing the Strategy as submitted by the Secretariat, but with a number of amendments to ensure that there is a better match between available resources and objectives. The resolution identifies 27\*\* activities which the Conference of the Parties is invited to accept as priorities for the Convention, particularly over the next triennium.

3. In addition the group identified the following areas in the Strategy where the Secretariat should make modifications in the final version:

Page 24 Para 73. An update on the Bats Agreement would be submitted by the Interim Secretariat (United Kingdom) and should be incorporated;

Page 25 Para 76. Factual amendments to be submitted by the Depositary (Germany) should be incorporated;

Page 47 Para 103. The Group felt that co-operation with other organisations (including the Biodiversity Convention) was of particular importance and the text should be strengthened;

Page 48 Action Point 4.1 (targeted recruitment) was agreed to be of high priority and should include a specific progress report to the next Conference of the Parties. However the use of consultancies to compile data on each target Party should also be selective : in many cases the Scientific Council and Secretariat would have sufficient information without the need for extra work;

Page 48 Action Point 4.2 (lobbying potential Parties) was also felt to be of high priority. The leading political role of the Executive Director of UNEP should be given greater prominence;

Page 48 Action Points 4.4. and 4.5 should be modified and amalgamated into a single point recommending a consultancy to investigate support to new Parties in kind. However, the Group felt that all Parties to the Convention and Agreements should be required to pay the subscriptions agreed by the Parties to those treaties;

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\* The present report was presented orally in full by the Chairman of the working group at the 6th plenary session, on 10 June 1994.

\*\* 25 activities are identified in the final version of the resolution adopted by the Conference.



Page 48 Action Point 4.6 - There was not felt to be a need for the Secretariat to develop a formal strategy for implementation by each new Party to the Convention. Individual Parties should draw on their own national strategies, including those being prepared under the Biodiversity Convention. A standard package of written guidance supplemented by specific advice where needed should be the norm;

Page 53 Action Point 5.1 - The Appendix I "deletions" review was regarded as a low priority. However the other elements of both 5.1 and 5.2 were high priorities;

Page 53 Action Point 5.3 - A full review of the Appendices was not felt to be needed in the next triennium;

Page 53 Action Point 5.4 - The main criteria for listing on the Appendices should be the conservation status of the species or population rather than the need to obtain an even global spread. It had to be accepted that some areas contained more threatened migratory species than others;

Page 54 Para 121. This should be expanded to make it clear that both addition and deletion proposals should be supported by substantial documentation;

Page 55 Para 123. This needs updating to reflect the fact that the Scientific Council has recommended against any change in the definition of the term "endangered" for the time being;

Page 57 Action Point 6.2. As worded the proposed project fund was likely to be unacceptable partly because some Parties felt that the Convention's budget should be restricted to administrative matters and also because of concerns about the time which the Secretariat would have to spend managing projects. However there appeared to be consensus on a proposal that the Standing Committee should appoint a consultancy under line 1200 of the Trust Fund to assist developing countries to prepare more comprehensive proposals for submission to the GEF and to support small scale pilot projects. The maximum support available via consultancy support for any single project would be limited, as would the number of projects which could be funded in any individual country. The total resources allocated in the triennium 1995 - 1997 for this activity would also need to be restricted;

Page 57 Action Point 6.4 was not of high priority and Point 6.6 (networking) should be deleted in favour of using existing information networks, such as those of the Species Survival Commission of IUCN;

Page 57 Action Point 6.5 should be expanded to emphasise (as in para 129) that existing reporting fell short of the Convention's requirements. Pressure must be applied on all Parties to submit reports. Where gaps existed the Secretariat should be able to include in their overview report scientific data obtained from other sources (including NGOs) provided that this had been properly verified and the relevant Party states given the opportunity to comment in advance of its inclusion;

Page 61 Action Point 7.3 was of low priority;

Page 61 Action Point 7.10. There was considerable discussion of the option of locating secretariat functions for the European Agreements with the CMS Secretariat. It was agreed that a formal offer should be made to the Meetings of the Parties of the Bats and ASCOBANS Agreements, provided that there were no additional costs incurred by the CMS Trust Fund. In addition, Germany said that it would probably be able to offer free office space for one or more of these Agreements;



Page 67 Action Point 8.1 should be deleted - multiple subscriptions should be retained as single subscriptions were unlikely to be acceptable to some Parties;

Page 67 Action Point 8.7 should be deleted (a consequential of Point 5.3 above);

Page 76 Action Points 9.1 and 9.4. A "Communications Strategy" was considered to be of low priority, as were the guidelines on the use of the CMS logo;

Page 76 Action Point 9.3 (Global Atlas) was of medium priority - and it may be possible for Parties to undertake this work on behalf of the Convention.

4. The Group felt that the existing document should now be modified by the Secretariat to reflect the substantive changes recommended above and in the draft resolution. In addition, Parties should be invited to submit any factual comments in writing by 31 August so that these could also be incorporated in the final version which should be published and distributed to Parties no later than the end of October 1994. The resolution should also require the Standing Committee and the Secretariat to update and roll forward the strategy for approval at the next and subsequent meetings of the Conference of the Parties.



ANNEX I

RESOLUTIONS ADOPTED BY THE FOURTH MEETING OF THE CONFERENCE  
OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF  
MIGRATORY SPECIES OF WILD ANIMALS

Contents

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RESOLUTION 4.1: PARTY REPORTS

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

*Recalling* Article VI, paragraph 3, of the Convention calls upon Parties that are Range States of migratory species listed in Appendices I and II to inform the Conference of the Parties on their implementation of the Convention,

*Noting* the importance for such reports to be submitted at least six months before any given meeting of the Conference of the Parties, to allow the Secretariat to prepare a meaningful synthesis,

*Aware* that many Parties to the Convention have never submitted national reports or have not submitted information in sufficient detail,

*Recognizing* that a standard format for national reports would provide a useful structure for organizing the information received, and would facilitate its incorporation in a comprehensive database,

1. *Urges* all Parties to submit to the Secretariat comprehensive national reports on their implementation of the Convention following the agreed formats annexed to this resolution;
2. *Encourages* national focal points and their Scientific Councillor counterparts to liaise on the preparation of national reports before they are submitted to the Secretariat through official channels;
3. *Requests* the Secretariat to send a reminder to Parties well in advance of the deadline for submission of reports, six months before the meeting of the Conference of the Parties; and
4. *Directs* the Secretariat to compile the information received from Parties in a database, to be updated intersessionally with any new information that may be made available by Parties.

8th meeting  
11 June 1994



Annex

A. Format A

OUTLINE FOR INITIAL COMPREHENSIVE REPORT BY PARTIES ON  
ACCESSION TO THE CONVENTION

I. General information, including:

- Name of Party
- Date of the report
- Period covered by the report
- Date of entry into force of the Convention for the Party
- Territory to which the Convention applies, including dependent territories
- Reservations:
  - Under Article XIV: in respect of species already listed in the Appendices
  - Under Article XI: with regard to amendment of the Appendices
- Appointment to the Scientific Council: name; address; and telephone, telefax and telex numbers
- Designated focal point: name; address; and telephone, telefax and telex numbers
- Membership of the Standing Committee (if appropriate)

II. Implementation of the Convention

1. Legislation<sup>1</sup> through which the Convention is implemented, including:
  - Sources of law
  - Competent authorities
2. Species listed in Appendix I:
  - (a) Species for which the Party, including its dependent territories, is a Range State and information on flag vessels which are engaged outside national boundaries in taking these migratory species;
  - (b) Population size and trends for species; if appropriate, relevant data on previous and present level;
  - (c) Measures taken in accordance with Article III(4), including conservation/restoration of habitats, amelioration of impediments to migration and factors endangering species;

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<sup>1</sup> Title, number, date of adoption of the law



- (d) Measures taken in accordance with Article III(5), taking of animals, including:
    - Prohibition of taking (national legislation)<sup>2</sup>;
    - Exceptions (grounds for exceptions, period of exceptions, legislation and statistics).
  - 3. Species listed in Appendix II:
    - (a) AGREEMENTS/agreements to which the State is a Party or Signatory in accordance with Articles IV(3) and IV(4); including date of signature, ratification, etc;
    - (b) Progress made by the Party in efforts to develop and conclude new AGREEMENTS/agreements;
    - (c) Additional measures taken to conserve migratory species listed in Appendix II (within or outside the framework of CMS AGREEMENTS/agreements).
  - 4. Any further action taken by the Party as a result of resolutions adopted by the Conference of the Parties.
- III. List of national activities relating to species listed in Appendices I and II and to other migratory species (Article II(3a)):
- (a) Surveys;
  - (b) Monitoring;
  - (c) Research.
- IV. Any other comments.

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<sup>2</sup> Details and description of legislation



B. Format B

OUTLINE FOR UPDATING REPORTS BY PARTIES TO EACH MEETING  
OF THE CONFERENCE OF THE PARTIES

I. General information

- Name of Party
- Date of the report
- Changes regarding:
  - Inclusion/exclusion of dependent territories;
  - Reservations;
  - Appointment to the Scientific Council;
  - Designated focal point;
  - Membership of the Standing Committee, if appropriate.

II. Measures taken to implement decisions of the previous meeting of the Conference of the Parties

1. Concerning species added to Appendix I:

- (a) Species for which the Party, including its dependent territories, is a Range State and information on flag vessels which are engaged outside national boundaries in taking these migratory species;
- (b) Population size and trends for species; if appropriate, relevant data on previous and present level;
- (c) Measures taken in accordance with Article III(4), including conservation/restoration of habitats, amelioration of impediments to migration and factors endangering the species;
- (d) Measures taken in accordance with Article III(5), taking of animals, including:
  - Prohibition of taking (legislation);
  - Exceptions (grounds for exceptions, period of exceptions, legislation, statistics).

2. Concerning species added to Appendix II:

Steps taken to develop and conclude AGREEMENTS under Article IV(3) and agreements under Article IV(4).

3. Actions taken to implement other resolutions of the Conference of the Parties.

/...



- III. Other changes with respect to the implementation of the Convention
1. Changes regarding national legislation and competent authorities.
  2. Concerning species listed in Appendix I\*:
    - (a) Changes regarding status as "Range State";
    - (b) Measures which have been taken in accordance with Article III(4) since the last report;
    - (c) Exceptions made with respect to Article III (5) since the last report.
  3. Concerning species listed in Appendix II\*:
    - (a) Membership in AGREEMENTS/agreements: Articles IV(3) and IV(4);
    - (b) Progress in developing and concluding new draft AGREEMENTS/agreements;
    - (c) Update of additional measures to conserve migratory species listed in Appendix II.
  4. Any further new action taken by the Party as a result of resolutions of the Conference of the Parties.
- IV. Updated list of national activities relating to species listed in Appendices I and II and to other migratory species (Article II(3a)):
- (a) Surveys,
  - (b) Monitoring,
  - (c) Research.
- V. Any other comments.

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\* Note by the Secretariat: These sections request the provision of new or updated information concerning species already listed in the Appendices at the time the previous report was prepared.



RESOLUTION 4.2: APPENDIX I SPECIES

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

*Recalling* Resolution 3.2 (Geneva, 1991) regarding Appendix I species,

*Recognizing* that Resolution 3.2 decided *inter alia* that at each meeting of the Conference of the Parties a formal review process be established for a selected number of species listed in Appendix I,

*Recalling* further that Resolution 3.2 instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention,

*Noting* the recommendation of the fourth meeting of the Scientific Council (Bonn, 1993) that *Monachus monachus*, *Gazella dama*, *Chloephaga rubicildes*, and *Grus leucogeranus* be the subject of concerted actions for the 1995-1997 triennium,

*Noting* further the recommendation of the fourth meeting of the Scientific Council that subject to their inclusion in Appendix I, *Otis tarda*, *Oryx dammah*, *Chlamydotis undulata* (entire population) and *Oxyura leucocephala* also be the subject of concerted actions,

*Recommends* that the concerted actions and preparation of review reports envisaged within the framework of Resolution 3.2 be carried out for the above-mentioned species during the 1995-1997 triennium, and that the Conference of the Parties review the results at its next meeting.

*8th meeting*  
*11 June 1994*



RESOLUTION 4.3: GUIDELINES FOR THE HARMONIZATION OF FUTURE AGREEMENTS

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Acknowledging that the expert report "Elements for the formulation of guidelines for the harmonization of future Agreements" submitted by the IUCN-Environmental Law Centre is a comprehensive report which contains useful advice for the formulation of Guidelines,

Recognizing that the report needs to be examined by the Parties,

1. *Instructs* the Standing Committee

(a) To undertake, assisted by the Secretariat, the consultant and an open working group of the Parties, a review of the report; and

(b) To submit to the fifth meeting of the Conference of the Parties a proposal to be adopted;

2. *Recommends* that the elements of the above-mentioned report already be taken into consideration in the development of Agreements under the Convention.

*8th meeting  
11 June 1994*

*/...*



RESOLUTION 4.4: STRATEGY FOR THE FUTURE DEVELOPMENT OF THE CONVENTION

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Noting that Article VII, paragraph 5, of the Convention requires the Conference of the Parties to review the implementation of the Convention, and, in particular, to decide on any additional measure that should be taken to implement its objectives,

Recalling that, at its third meeting, the Conference of the Parties agreed that the Standing Committee should, as a priority, prepare a strategy for the future development of the Convention to be put before the Parties,

Appreciative of the efforts made by the Standing Committee and the Secretariat in preparing the Strategy for the Future Development of the Convention circulated to the Conference as document UNEP/CMS/Conf.4.11,

Conscious of the need to establish clear priorities to guide the work of the Scientific Council, the Standing Committee, the Secretariat and individual Parties in implementing the Convention,

1. Accepts the Strategy for the Future Development of the Convention subject to any factual amendments submitted by Parties by 31 August 1994 and those substantive amendments agreed by the Conference of the Parties at its fourth meeting;
2. Decides that the objectives and activities listed in the annex to the present resolution shall be the first priorities of the Convention for the triennium 1995-1997;
3. Requests the Parties and the institutions of the Convention to follow the Strategy and priorities as far as possible;
4. Also requests the Executive Director of the United Nations Environment Programme to take full account of the Strategy and priorities in determining the support to be provided for the Convention by UNEP;
5. Instructs the Secretariat to redraft the Strategy in accordance with the decisions taken by the Conference and to publish it by 31 October 1994;
6. Also instructs the Standing Committee and the Secretariat to update the Strategy and present a revised version for consideration by the Conference of the Parties at its fifth meeting.

9th meeting  
11 June 1994



Annex: PRIORITIES

1. CMS should establish a partnership with the secretariat of the Convention on Biological Diversity, with other post-UNCED bodies and with existing wildlife conventions. The CMS Secretariat should have a senior focal point for liaison with these bodies.

Main action : Secretariat

2. UNEP and the Standing Committee, with the active support of the Secretariat and Parties, should take the lead in initiating high-level political discussions to persuade potential Parties to join the Convention. On the basis of advice from the Scientific Council and the Secretariat, the Standing Committee should identify a target list of non-Party States on which recruitment efforts should be concentrated and report progress to the Conference of the Parties at its next meeting. The advice about each target State should, if necessary, be supplemented by the use of outside consultants.

Main action : UNEP, Parties, Standing Committee, Secretariat

3. The Secretariat should prepare and update information material, including brochures, posters, videos, mobile displays, a Convention Directory, and regular bulletins. Such material should be used both to promote implementation in existing Party States and to promote the Convention to potential new Parties. Individual Parties should be encouraged to produce information materials for national or regional audiences, with financial assistance for this purpose provided from the core budget in case of need.

Main Action : Secretariat, Parties

4. A consultancy should investigate the options for providing support other than direct financial assistance to countries which may require it to join or implement the Convention. The report should be submitted to the Standing Committee.

Main Action : Secretariat

5. The Secretariat should work together with each new Party to discuss implementation of the Convention.

Main Action : Secretariat

6. The Scientific Council should identify species (or populations) for which concerted action by Range States is a high priority.

Main Action : Scientific Council

7. The Scientific Council should review Appendix II of the Convention to assess the potential for new Agreements and to consider whether any additional species should be added to the Appendix.

Main Action : Scientific Council



8. Further migratory species should be proposed for listing on Appendix I if they are endangered, and for listing on Appendix II if they would significantly benefit from an Agreement. Assistance should be made available, if needed, to developing countries wishing to submit proposals;

Main Action : Parties, Scientific Council, Secretariat

9. The Scientific Council should continue to commission reviews of selected Appendix I species identified by the Conference of the Parties in order to provide a sound basis for conservation actions. The Council should report to the Conference of the Parties with recommendations for any further measures to be taken by Parties with respect to the species concerned.

Main Action : Scientific Council

10. The Standing Committee shall appoint a consultancy under line 1200 of the Trust Fund budget to assist developing countries to prepare more comprehensive proposals for submission to the Global Environment Facility (GEF) and to support small scale pilot projects. The Scientific Council should advise the Standing Committee as appropriate on the selection and geographical distribution of such projects. The maximum support available via consultancy support for any single project would normally not exceed \$ 15,000 without the express authority of the Chairman of the Standing Committee. The total resources allocated in the triennium 1995-1997 for this activity will be \$ 130,000. This amount may be increased if there is any voluntary contribution for this activity to a certain project.

Main Action : Secretariat, Standing Committee

11. The Conference of the Parties should continue to make provision in the core budget to assist developing countries with expenditures related to CMS meetings.

Main Action : COP, Secretariat

12. All Parties should be encouraged to submit reports well before each meeting of the Conference of the Parties (COP). An analysis of reports submitted by Parties should be prepared before each meeting. The Secretariat should request more detailed information from Parties if reports are insufficient. All information received should continue to be stored in a computer database. The Secretariat should, subject to availability of resources, compile scientific data on migratory species from other sources and may include this in their overview report, provided that this has been properly verified and the Party States given the opportunity to comment in advance of its inclusion.

Main Action : Parties, Secretariat

13. The Secretariat should act primarily as a catalyst for the elaboration of new Agreements rather than providing ongoing support to existing ones; its capacity to facilitate the development of new Agreements should be strengthened.

Main Action : Secretariat, Standing Committee, UNEP



14. Parties should be urged to take the lead in developing and/or sponsoring Agreements and to host interim secretariats; sponsors should specify clearly to the Standing Committee how they intend to proceed in this regard. Developed Party States, whether or not they are Range States, should be urged to sponsor initiatives of developing countries.

Main Action : Parties to Agreements

15. Agreements should continue to be developed as legally binding instruments. Recommendations and memoranda of understanding should be used where necessary to conserve species through non-binding instruments linked to the Convention.

Main Action : Parties, Secretariat

16. Future Agreements should incorporate the "precautionary principle" and should also provide for the sustainable use of species where this is consistent with their conservation.

Main Action : Parties to Agreements

17. Secretariats for individual Agreements should be financed entirely by their Parties, except when the membership is such that financial support from the Convention is essential in the early stages of development.

Main Action : Parties Agreements, Secretariat, Standing Committee

18. Parties to Agreements should be invited to consider consolidating secretariat functions for one or more Agreements in regional centres which would facilitate links to the CMS Secretariat.

Main Action : Parties to Article IV Agreements

19. The Parties to the Agreement on the Conservation of Bats in Europe, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and other European Agreements under the Convention should be invited to consolidate secretariat functions in a special Agreements Unit co-located with the Secretariat of the Convention.

Main Action : Parties to European Agreements

20. Additional measures should be taken to encourage Parties to pay their contributions to the Trust Fund. In particular, annual invoices should be sent to all Parties by the end of the preceding year to which they apply; outstanding contributions prior to 1991 and totalling up to \$5000 should be forgiven by the Standing Committee on condition that the Parties take steps to pay all subsequent subscriptions; the rules of procedure should be amended to remove voting rights from Parties which are three years behind with their subscriptions at the time of the Conference of the Parties; and Parties which are two years behind with their subscriptions should be ineligible for the assistance under Priority 10 above.

Main Action : Secretariat, Standing Committee



21. The personnel of the Secretariat should be augmented within the extent of available financial resources to improve delivery of services in relation to technical and scientific matters, and developmental and organizational activities; the geographic and linguistic balance within the Secretariat must be improved in order to strengthen its capacity in regions not adequately represented.

Main Action : UNEP

22. Meetings of the Conference of the Parties should be held at intervals of roughly 2 ½ to 3 years; and Parties should be encouraged to host them in order to raise the profile of CMS in other regions.

Main Action : Secretariat

23. Standing Committee members should actively promote CMS in their respective regions. Meetings of the Committee will have simultaneous interpretation in English, French and Spanish. The Chairs of the Standing Committee and Scientific Council should have reciprocal observer status at their respective meetings.

Main Action : Standing Committee, Secretariat

24. The Scientific Council may meet in mid-term between meetings of the Conference of the Parties, in addition to meeting before the Conference of the Parties. Simultaneous interpretation will be provided whenever possible. Parties should have the option of appointing an alternate representative to the Council.

Main Action : Scientific Council, Secretariat

25. Specialized non-governmental organizations should be encouraged to play a more active role in the Convention, particularly by providing scientific advice, assisting in promotional activities and implementing projects for migratory species. The Secretariat should hold at least one intersessional meeting with NGOs, and individual Parties should also consult and, where appropriate, make use of NGOs in implementing the convention.

Main Action : NGOs, Secretariat, Parties



RESOLUTION 4.5: ARRANGEMENTS FOR THE SCIENTIFIC COUNCIL

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Notes that Article VIII of the Convention describes the position and tasks of the Scientific Council. It shall, inter alia:

1. provide scientific advice to the Conference of the Parties, to the Secretariat, and, if approved by the Conference of the Parties, to any body set up under the Convention or an Agreement or to any Party;
2. recommend and coordinate research in order to ascertain the conservation status of migratory species, evaluate the results of such research and report to the Conference of the Parties on the conservation status of species and ways to improve it;
3. make recommendations to the Conference of the Parties on species to be included in Appendices I and II, and recommendations as to specific conservation and management measures to be included in Agreements on migratory species; and
4. recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention, in particular with regard to the habitats of migratory species;

Aware that, since 1985, funding has been included in the budget adopted by the Conference of the Parties to cover travel expenses for travel undertaken by the Chair of the Standing Committee on behalf of the Conference of the Parties or on behalf of the Secretariat,

Further aware that in 1985 the Conference of the Parties directed the Secretariat to provide for payment of travel costs for representatives from least developed countries and in 1988 for representatives from developing countries and in 1991 for the expenses of the experts appointed by the Conference of the Parties in relation to attendance at meetings of the Scientific Council,

Determines that the expenses for the attendance of the Chairman of the Scientific Council at meetings of the Standing Committee shall be met from the Convention budget;

Directs the Scientific Council to meet at least once mid-term between meetings of the Conference of the Parties;

Further directs the Scientific Council to undertake the following additional tasks:

- keeping under review the composition of Appendices I and II of the Convention;
- advising on measures for the conservation of Appendix I species and their priorities;
- advising on the development of existing Agreements and on priorities for development of new Agreements with its mandate for the 1995 - 97 triennium;
- advising on selecting and monitoring small-scale pilot projects which will promote the implementation of the Conservation;



*Invites* the Parties to nominate a permanent alternate Scientific Councillor authorized to participate in meetings of the Scientific Council if the regular Scientific Councillor cannot attend;

*Takes note* of the decision of the fifth meeting of the Scientific Council to create a post of Vice-Chair to assist the Chair in its duties; and

*Advises* that the Chairman of the Standing Committee be invited to attend the meetings of the Scientific Council as an observer, with expenses paid from the Trust Fund (when they cannot be met by his or her own country), provided the cost of participation does not exceed US\$ 1,000.

*9th meeting  
11 June 1994*



RESOLUTION 4.6: FINANCIAL AND BUDGETARY MATTERS

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Recalling Article VII, paragraph 4, of the Convention which states:

"The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference",

*Acknowledging* with appreciation the financial and other support provided by the United Nations Environment Programme, the depositary Government, and the Parties to the Convention,

*Recognizing* the need to strengthen the capacity of the Secretariat of the Convention to enable it to better serve the Parties in all regions,

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities,

*Noting* the considerable number of Parties as well as organizations attending the meeting of the Conference of the Parties as observers, and the resulting additional expenditure to Parties so incurred,

1. *Confirms* that all Parties shall contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;

2. *Adopts* the budget for 1995-1997 attached as annex 1 to this resolution;

3. *Agrees* to the scale of contributions of Parties to the Convention as listed in annex 2 to this resolution and to the application of that scale *pro rata* to new Parties;

4. *Requests* all Parties to pay their contributions promptly as far as possible but in any case not later than the end of the year to which they relate;

5. *Takes note* of the medium-term plan for 1995-2000 attached as annex 3 to this resolution and of the priorities agreed in Resolution 4.4;

6. *Determines* that the Standing Committee may allocate resources from budget line 1200 "Consultants" to assist developing country Parties in accordance with priority 10 of the Convention, as set out in the annex to Resolution 4.4;

7. *Urges* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the Convention throughout the triennium;

8. *Invites* States not parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund referred to below or to special activities;

9. *Decides* that the standard participation fee for all non-governmental organizations shall be fixed at 200 United States dollars (except as otherwise reduced by the Standing Committee in particular cases) and urges such organizations to make a greater contribution if possible;

10. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 1997;

11. *Approves* the terms of reference for the administration of the Trust Fund as set out in annex 4 to the present resolution, for the period 1995-1997.

*8th meeting  
11 June 1994*



Annex 1

BUDGET ESTIMATES FOR 1995-1997  
(Budget lines correspond to standard UNEP budget codes)

	Estimated cost in United States dollars					
	1995	1996	1997	1995	1996	1997
	w/m	w/m	w/m	w/m	w/m	w/m
<b>10 PERSONNEL COMPONENT</b>						
1100 Professional Staff						
1101 Co-ordinator (P-5)	12	112000	12	115000	12	118000
1102 Deputy Co-ordinator (P-4)	12	85000	12	87000	12	89000
1103 Programme Officer (P-3)	12	100000	12	80000	12	82000
1104 Programme Officer (P-3)	6	60000	12	80000	12	82000
1105 Administrative Officer (P-2/3)	12	90000	12	75000	12	77000
1199 Total		447000		437000		448000
1200 Consultants						
1201 Translators (external)		12000		14000		18000
1220 Other consultants a/		70000		78000		85000
1299 Total		82000		92000		103000
1300 Administrative support						
1301 Senior Administrative Assistant (G-4/5)	12	47000	12	48000	12	49000
1302 Finance Assistant/Secretary (G-3/4)	12	35000	12	36000	12	37000
1303 Secretary (G-3)	12	28000	12	29000	12	30000
1304 Secretary (G-3)	6	14000	12	29000	12	30000
1305 Clerk: half-time (G-2)	12	10000	12	10500	12	11000
1321 Temporary assistance		2000		3000		5000
1322 Temporary assistance/Conference						250000
1399 Total		136000		155500		412000
1600 Travel on official business						
1601 General		55000		60000		50000
1602 Conference						20000
1699 Total		55000		60000		70000
1999 COMPONENT TOTAL		720000		744500		1033000
<b>30 MEETINGS COMPONENT</b>						
3300 Meetings						
3301 Scientific Council		35000		3000		39000
3302 Working groups		18000		20000		22000
3303 Standing Committee		15000		16000		17000
3404 Developing country participants (at meetings)		15000		15000		25000
3199 Total		83000		54000		103000
3999 COMPONENT TOTAL		83000		54000		103000
<b>40 EQUIPMENT COMPONENT AND PREMISES COMPONENT</b>						
4100 Expendable equipment						
4101 Miscellaneous office supplies		5000		6000		7000
4199 Total		5000		6000		7000
4200 Non-expendable equipment						
4201 Office equipment		15000		6000		7000
4299 Total		15000		6000		7000
4300 Premises (rent)						
4301 Rental of offices b/		0		0		0
4399 Total		0		0		0
4999 COMPONENT TOTAL		20000		12000		14000

50 MISCELLANEOUS COMPONENT

5100 Operation and Maintenance			
5101 Computers	2000	2000	2000
5102 Photocopier	6000	7000	8000
5103 Other equipment	500	500	500
5104 Premises b/	0	0	0
5199 Total	8500	9500	10500
5200 Reporting costs			
5201 Document production	8000	9000	10000
5202 Information materials	8000	9000	10000
5203 Acquisition of reference material	500	500	500
5299 Total	16500	18500	20500
5300 Sundry			
5301 Communications (telephone, fax, postage)	40000	43000	48000
5303 Other/Contingency	5000	5000	5000
5399 Total	45000	48000	53000
5400 Hospitality			
5401 Hospitality	3000	3000	3000
5499 Total	3000	3000	3000
5999 COMPONENT TOTAL	73000	79000	87000
TOTAL ALLOCATIONS FOR SECRETARIAT USE	896000	889500	1237000
SOURCE OF FUNDING:			
TRUST FUND	806000	814500	1123000
SOURCE OF FUNDING TO BE DETERMINED	100000	85000	125000
6000 UNEP costs (applied to Trust Fund only)	104780	105885	145990
TOTAL TO BE FUNDED BY THE PARTIES	910780	920385	1268990
LESS USD 400 000 TO BE WITHDRAWN FROM TRUST FUND IN ORDER TO REDUCE OVERALL CONTRIBUTIONS	100000	100000	200000
ACTUAL COST TO PARTIES	810780	820385	1068990
GRAND TOTAL FOR TRIENNIUM 1995-1997:	2700155		
ADDITIONAL AMOUNT TO BE WITHDRAWN FROM TRUST FUND TO FINANCE CONSULTANCIES a/	500000		

a/ Approval of conservation projects in developing countries to be determined by the Standing Committee

b/ Paid by the German Government only if the Secretariat remains in Germany

\* Note by the Secretariat: the line "SOURCE OF FUNDING TO BE DETERMINED" provides for a contingency, related to the recruitment of new administrative staff, of US\$ 10 000 in the years 1995 and 1996, and US\$ 11 000 in 1997.



Annex 2 / Annexe 2 / Anexo 2

SCALE OF CONTRIBUTIONS TO THE TRUST FUND  
BAREME DES CONTRIBUTIONS POUR LE FONDS D'AFFECTATION SPECIALE  
ESCALA DE CONTRIBUCIONES PARA EL FONDO FIDUCIARIO

PARTY/ PARTIE/ PARTE	UN SCALE (%) BAREME N.U. ESCALA ONU	ANNUAL CONTRIBUTION (USD)/ CONTRIBUTION ANNUELLE/ CONTRIBUCION ANUAL			TOTAL
		1995	1996	1997	
ARGENTINA/ ARGENTINE	0.57	11957	12103	15886	39945
AUSTRALIA/ AUSTRALIE	1.51	31675	32062	42083	105819
BELGIUM/ BELGIQUE/ BELGICA	1.06	22235	22507	29542	74284
BENIN	0.01	210	212	279	701
BURKINA FASO	0.01	210	212	279	701
CAMEROON/ CAMEROUN/ CAMERUN	0.01	210	212	279	701
CHILE/ CHILI	0.08	1678	1699	2230	5606
CZECH REPUBLIC/ REP. TCHEQUE/ REP. CHECA	0.42	8810	8918	11705	29433
DENMARK/ DENEMARK/ DINAMARCA	0.65	13635	13801	18115	45551
EGYPT/ EGYPTO/ EGIPTO	0.07	1468	1486	1951	4906
FINLAND/ FINLANDE/ FINLANDIA	0.57	11957	12103	15886	39945
FRANCE/ FRANCIA	6.00	125859	127397	167217	420473
GERMANY/ ALLEMAGNE/ ALEMANIA	8.93	187320	189610	248874	625804
GHANA	0.01	210	212	279	701
GUINEA/ GUINEE	0.01	210	212	279	701
HUNGARY/ HONGRIE/ HUNGRIA	0.18	3776	3822	5017	12614
INDIA/ INDE	0.36	7552	7644	10033	25228
IRELAND/ IRLANDE/ IRLANDA	0.18	3776	3822	5017	12614
ISRAEL	0.23	4825	4884	6410	16118
ITALY/ ITALIE/ ITALIA	4.29	89989	91089	119560	300638
LUXEMBOURG/ LUXEMBURGO	0.06	1259	1274	1672	4205
MALI	0.01	210	212	279	701
MONACO	0.01	210	212	279	701
MOROCCO/ MAROC/ MARRUECOS	0.03	629	637	836	2102
NETHERLANDS/ PAYS-BAS/ PAISES BAJOS	1.50	31465	31849	41804	105118
NIGER	0.01	210	212	279	701
NIGERIA	0.20	4195	4247	5574	14016
NORWAY/ NORVEGE/ NORUEGA	0.55	11537	11678	15328	38543
PAKISTAN	0.06	1259	1274	1672	4205
PANAMA	0.02	420	425	557	1402
PHILIPPINES/ PHILIPINAS	0.07	1468	1486	1951	4906
PORTUGAL	0.20	4195	4247	5574	14016
SAUDI ARABIA/ ARABIE SAOUDITE/ ARABIA SAUDITA	0.96	20137	20384	26755	67276
SENEGAL	0.01	210	212	279	701
SOMALIA/ SOMALIE	0.01	210	212	279	701
SOUTH AFRICA/ AFRIQUE DU SUD/ SUD AFRICA	0.41	8600	8705	11426	28732
SPAIN/ ESPAGNE/ ESPANA	1.98	41533	42041	55182	138756
SRI LANKA	0.01	210	212	279	701
SWEDEN/ SUEDE/ SUECIA	1.11	23284	23569	30935	77788
TUNISIA/ TUNISIE/ TUNEZ	0.03	629	637	836	2102
UNITED KINGDOM/ ROYAUME-UNI/ REINO UNIDO	5.02	105302	106589	139905	351796
URUGUAY	0.04	839	849	1115	2803
ZAIRE	0.01	210	212	279	701
EC/ CE 1/	---	25000	25000	25000	75000
TOTAL TO BE FUNDED BY THE PARTIES (AFTER DEDUCTION OF AMOUNT WITHDRAWN FROM TRUST FUND) 2/	37.46	810780	820385	1068990	
ACTUAL BUDGET/ BUDGET ACTUEL/ PRESUPUESTO ACTUAL		910780	920385	1268990	

1/ Contribution fixed by the European Community  
1/ Contribution fixée par la Communauté Européenne  
1/ Contribución fijada por la Comunidad Europea

2/ Total contributions in 1995, 1996 and 1997 are reduced by USD 100 000, 100 000 and 200 000 respectively, by drawing instead on the funds accumulated in the CMS Trust Fund.

2/ Les contribution totales en 1995, 1996 et 1997 sont reduites par 100.000, 100.000 et 200.000 dollars des Etats-Unis respectivement, en puisant dans les réserves accumulées dans le Fonds d'affectation spéciale de la CMS.

2/ En 1995, 1996 y 1997 el total de las contribuciones se disminuirá en 100.000, 100.000 y 200.000 dólares de E.E.U.U., respectivamente; para ello se recurrirá a las reservas acumuladas en el Fondo Fiduciario de la CMS.

Annex 3

MEDIUM-TERM PLAN 1995-2000  
United States dollars

Budget line

	1995	1996	1997	1998	1999	2000
1100 Professional Staff	447000	437000	448000	485000	480000	495000
1200 Consultants	82000	92000	103000	110000	120000	130000
1300 Administrative support	136000	155500	412000	170000	180000	400000
1600 Travel on official business	55000	60000	70000	75000	80000	90000
3200 Meetings	83000	54000	103000	90000	65000	110000
4000 Equipment (stationary, machines, premises)	20000	12000	14000	18000	20000	22000
5100 Operation and maintenance (premises, machines)	8500	9500	10500	12000	13000	14000
5200 Reporting costs	16500	18500	20500	18000	19000	22000
5300 Sundry (communications)	45000	48000	53000	55000	60000	70000
5400 Hospitality	3000	3000	3000	4000	4000	4000
6000 UNEP administration costs	104780	105885	145990	134810	135330	176410
TOTAL	1000780	995385	1382990	1171810	1176330	1533410

N.B. Amounts include some budget lines for which funding source has not been determined and do not take into account USD 400 000 withdrawn from Trust Fund in order to reduce contributions.



Annex 4

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST  
FUND FOR THE CONVENTION ON THE CONSERVATION OF  
MIGRATORY SPECIES OF WILD ANIMALS

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be for three calendar years beginning 1 January 1995, and ending 31 December 1997.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP), subject to the approval of the Governing Council of UNEP and the consent of the Secretary-General of the United Nations.
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations, and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
6. In the event that the Parties wish the Trust Fund to be extended beyond 31 December 1997, the Executive Director of UNEP shall be so advised in writing immediately after the fifth meeting of the Conference of the Parties. It is understood that such extension of the Trust Fund shall be decided at the discretion of the Secretary-General of the United Nations.
7. The financial resources of the Trust Fund for 1995-1997 shall be derived from :
  - (a) The contributions made by the Parties by reference to annex 2, including contributions from any new Parties;
  - (b) Further contributions from Parties and contributions from States not parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
8. All contributions to the Trust Fund shall be paid in fully convertible United States dollars. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined *pro rata* based on the contribution of other States Parties on the same level on the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis would be more than 25 per cent of the budget, the contribution of that Party shall be 25 per cent of the budget for the financial year of joining (or *pro rata* for a part-year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. The contributions shall be due on 1 January 1995, 1996 and 1997. Contributions shall be paid into the following account:

/...

Account No. 015-002756  
UNEP Trust Funds Account  
Chemical Bank, United Nations Branch  
New York, N.Y. 10017, USA

9. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.
10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.
11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.
12. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in US dollars, shall be submitted to the ordinary meeting of the Conference of the Parties to the Convention.
13. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditures, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.
14. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretariat of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of the Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 1998-2003, inclusive, and shall incorporate the budget for the financial period 1998-2000.
15. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties.
16. The budget and medium-term plan shall be adopted by unanimous vote of the Parties present and voting at the ordinary meeting.
17. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
18. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention. No commitments shall be made in advance of the receipt of contributions.

/...



19. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first or second calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second or third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded, unless this is specifically sanctioned in writing by the Standing Committee.

20. At the end of each calendar year of the financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.

21. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

22. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.

23. The present terms of reference shall be effective from 1 January 1995 to 31 December 1997.

RESOLUTION 4.7: DATE, VENUE AND FUNDING OF THE NEXT MEETING  
OF THE CONFERENCE OF THE PARTIES

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Recalling Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise",

Noting that the meeting of the Conference of the Parties has not been hosted by a Party since 1985,

Appreciating the benefits that may accrue to the Convention and to Parties, particularly those with developing economies, that host meetings of the Conference of the Parties in different regions of the world,

Recalling further the resolution on assistance to developing countries adopted in association with the Final Act of the conference to conclude the Convention (Bonn, 1979),

1. Decides that the fifth meeting of the Conference of the Parties should take place some time between January and June 1997;

2. Invites Parties to offer to host the meeting and to inform the Secretariat accordingly before the end of 1995;

3. Invites Parties, States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to make voluntary contributions to the Trust Fund to enable the fifth meeting of the Conference of the Parties to be convened in a developing country;

4. Instructs the Standing Committee:

(a) to decide on the most suitable venue from the offers received; or,

(b) should no suitable offers be received from Parties, to decide after consultations with the United Nations Environment Programme on the most appropriate alternative venue.

9th meeting  
11 June 1994

/...



ANNEX II

RECOMMENDATIONS ADOPTED BY THE FOURTH MEETING OF THE CONFERENCE OF THE  
PARTIES TO THE CONVENTION ON THE CONSERVATION  
OF MIGRATORY SPECIES OF WILD ANIMALS

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RECOMMENDATION 4.1: CONSERVATION AND MANAGEMENT  
OF CORMORANTS IN THE AFRICAN-EURASIAN REGION

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Pursuant to Article VII, paragraph 5, of the Bonn Convention, which provides that the Conference of Parties at its meetings may make recommendations for improving the conservation status of migratory species,

Noting that the species Pygmy cormorant is included in the list of specially protected wild fauna species (Appendix II) and the other species of cormorants in the list of protected wild fauna species (Appendix III) in the Convention on the Conservation of European Wildlife and Natural Habitats (Berne Convention),

Noting the proposals to include the Pygmy cormorant and the Socotra cormorant in Appendix II of the Convention on the Conservation of Migratory Species of Wild Animals,

Noting also the draft Agreement on the Conservation of African-Eurasian Migratory Waterbirds,

Aware that the draft Agreement covers, *inter alia*, migratory species of cormorants,

Also aware that the Management Plan of the draft Agreement underlines the desirability of preparing species conservation plans for species of waterbirds which frequently come into conflict with human interests,

Acknowledging that, in the African-Eurasian region:

(a) The small population of the globally threatened species Pygmy cormorant (*Phalacrocorax pygmaeus*) is decreasing;

(b) The population trend of the species Socotra cormorant (*Phalacrocorax nigrogularis*) is unknown;

(c) The population trend of the Great cormorant subspecies *Phalacrocorax carbo carbo* is presumed overall to be increasing;

(d) The population trend of the Great cormorant subspecies *Phalacrocorax carbo sinensis* is increasing strongly in both numbers and range;

Acknowledging also that:

(a) Cormorants breed in dense colonies and are specially vulnerable during the breeding season;

(b) That different cormorant species and populations may utilize the same breeding and wintering sites;

(c) Persecution of *Phalacrocorax carbo sinensis* and *Phalacrocorax carbo carbo* in its breeding colonies continues in some countries;

(d) The increases in the populations of *Phalacrocorax carbo carbo* and *Phalacrocorax carbo sinensis* have brought conflicts with human interests, especially in fish-farming areas, coastal inland water and river systems;

(e) In some countries these increases are in conflict with human activities in fish-pond areas that contribute to the management and the conservation of habitats of waterbirds,

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Aware that many Range States have developed national legislative and administrative provisions to protect wild birds, including regularly occurring species of migratory birds and their habitats,

Further aware that, within the European Community, national provisions relating to the protection of wild birds are required to implement EEC Directive 79/409 on the conservation of wild birds, that, for member States of the European Community, other national provisions in the same field are required to be consistent with the principles set out in that Directive and that article 9 of the Directive permits derogations from the requirement that member States of the Community should prohibit the deliberate killing or capture of wild birds, where there is no other satisfactory solution, in order to prevent serious damage to fisheries and certain other interests,

1. *Recommends* Parties and non-Parties to the Convention that are Range States for migratory species of cormorants to take appropriate steps to:

- (a) Improve and protect the conservation status of the Pygmy cormorant;
- (b) Improve and protect the conservation status of the Socotra cormorant;
- (c) Maintain a favourable conservation status of the Great cormorant subspecies *carbo carbo* and *carbo sinensis*;
- (d) Monitor cormorant populations in breeding, moulting, staging and wintering areas;
- (e) Commission research on:
  - (i) The assessment of damage caused by cormorants to fishing interests;
  - (ii) The effectiveness of scaring techniques and the development of other techniques to protect fisheries;
  - (iii) Ornithological, ecological, limnological and fishery data to get a better understanding of the ecological network in which cormorants live;
  - (iv) Genetic analysis in order to confirm the existence of the two sub-species and the different populations of Great cormorant and to define the current range;
- (f) Increase the awareness of the public and special interest groups, including fisheries interest, to cormorant conservation issue;
- (g) Secure that cormorants may only be killed under controlled conditions;
- (h) Exchange information under the sponsorship of a Party Range State on the action taken under subparagraphs (e)(iv), (v), (vi) and (vii) above. A working group should be established to report to the CMS Scientific Council. After the adoption of the African-Eurasian Waterbird Agreement, a working group of that Agreement should be established under the Technical Committee;

2. *Encourages* Parties and non-Parties to the Convention that are Range States to follow the attached Guidelines for Conservation and Management of the Great cormorant;

3. *Encourages* under sponsorship of a Party Range State or other Range States to consider and co-operate in the preparation of international species conservation plans for migrating species of cormorants in accordance with the principles of the draft Agreement on the Conservation of African-Eurasian Migratory Waterbirds, taking also into consideration the guidelines attached to the present recommendation;

4. *Directs* the Secretariat to assist Parties that are Range States in these endeavours.



## Appendix

### GUIDELINES FOR THE CONSERVATION AND MANAGEMENT OF THE GREAT CORMORANT

#### 1. Background

The general increases in population of the Great cormorant have caused a number of conflicts with human activities. Many fishermen report that this species causes damage especially in fish-farming areas, but also in other inland waters along the coast. These conflicts with human activities result in demands for joint guidelines on the handling of the conflicts.

There are two subspecies of the Great cormorant normally recognized in Europe. The nominate subspecies *carbo* has an estimated total population of at least 45,000 pairs with an increasing trend, and the subspecies *sinensis* an estimated total population of at least 150,000 pairs with a strongly increasing trend (1992 estimates). Increases are also apparent in the winter quarters.

These increases are thought to be mainly due to legal protection of the species and increased food availability due to eutrophication of water bodies.

The Great cormorant breeds in dense colonies and is widespread during the non-breeding period. These features make it especially vulnerable during the breeding season. The species needs undisturbed breeding sites and possibilities to permit site shifting.

The Great cormorant is reported to cause conflicts with fishery and forestry activities. Conflicts with other interests, including nature conservation, have also been reported.

The Great cormorant is protected in most of the Range States. In all western, central and northern European countries there is currently no hunting season, except in Sweden, Norway and Switzerland.

The legislation of most Range States, including all States members of the European Community allows the control of the species, where it causes serious damage to specified interests and where there are no other satisfactory solutions. Many different methods of control are used, and there is a need for exchange of knowledge, for coordination and elaboration of common guidelines.

#### 2. Principles

The Range States will endeavour to maintain a favourable conservation status for the Great cormorant.

- (a) Where appropriate, a conservation and management plan or policy should be developed. The plan and subsequent changes in the plan should be communicated to the Secretariat for distribution to the Range States.
- (b) A number of breeding colonies adequate to maintain a favourable conservation status should be fully protected in each of the countries where the Great cormorant has or establishes breeding colonies.
- (c) The Range States should undertake regular monitoring of Great cormorant populations during the breeding and/or non-breeding season.

- (d) Control of the species may be allowed where serious damage to specified interests can be verified, and where there are no other satisfactory solutions.
- (e) Serious damage, however, should be alleviated primarily by appropriate management of the human activities concerned, including, among others, a policy of support to fish-farming where it is favourable to fauna, flora and habitats, adaptation of fishing methods and gear, and scaring techniques.
- (f) Intervention within the breeding colonies, if it appears necessary, may only be authorized in particular cases where it can be scientifically demonstrated that it will not have a significant negative impact on the conservation status of cormorants as mentioned in the opening paragraph and in points (a) and (b) above, and only under strict supervision and in accordance with the principles laid down in point (d) above. Control methods should respect good ethical principles.
- (g) Once a year, the extent of controls and the methods used should be communicated to the Secretariat for distribution to the Range States.
- (h) Efforts should be made to increase international exchange of information concerning damage to fisheries, including both the assessment of damage and the alleviation of problems. The Range States recognize the activities of the EIFAC working group and the IWRB Cormorant Research Group. These organizations may provide platforms for mutual exchange of scientific information.



RECOMMENDATION 4.2: RESEARCH ON MIGRATION IN SMALL CETACEANS

*The Conference of the Parties to the Convention on Migratory Species of Wild Animals,*

*Noting, as resolved by the Conference of the Parties at its third meeting (Resolution 3.3, 1991), that the Bonn Convention and certain existing and contemplated regional international Agreements under its auspices include small cetaceans,*

*Recalling that 27 species of small cetaceans are included in Appendix II of the Convention, and*

*Recognizing that the migratory behavior of most small cetaceans in most regions is scientifically very poorly known, making the nature and scope of international conservation problems difficult to determine, and making regional and international co-operation difficult to achieve,*

*Recommends:*

(a) that the Parties to the Bonn Convention carry out scientific studies to investigate and describe the migrations of small species in their waters, giving priority to species and populations of threatened or uncertain status;

(b) that those Parties having the technical expertise and resources necessary for such studies advise and assist other Parties and other Range States (through appropriate mechanisms such as memoranda of understanding) to plan and carry out needed studies including, for example, sighting surveys conducted over seasons and years, tagging, use of natural marks, conventional radio-tracking or satellite-based radio-tracking and genetic studies of stock identity; and

(c) that the Parties concerned report to the next meeting of the Conference of the Parties on measures taken in response to the present recommendation.

RECOMMENDATION 4.3: CONSERVATION STATUS OF *Crex crex*

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Noting that the Scientific Council at its fifth meeting (Nairobi, June 1994) strongly recommended that *Crex crex* be included on Appendix II on the basis of its migratory habits and highly unfavourable conservation status, due to rapid declines in population status throughout its range,

Recognizing that Article X, paragraph 3, of the Bonn Convention requires, *inter alia*, that the text of any amendment and the reasons for it shall be communicated to the Secretariat at least 150 days before the meeting at which it is to be considered,

Noting that *Crex crex* is fully protected in a number of countries throughout its range, and is also listed on Appendix II of the Berne Convention on the Conservation of European Wildlife and Natural Habitats,

1. *Confirms* the Scientific Council's conclusion that this species has an unfavorable conservation status;
2. *Recommends* that *Crex crex* be considered for listing in Appendix II at the time of the fifth meeting of the Conference of the Parties, provided that it continues to meet the relevant criteria;
3. *Urges* that in the interim period this species be accorded measures consistent with a species of unfavourable conservation status that would be appropriate for a species which has already been listed on Appendix II; and
4. *Recommends* that Range States identify breeding habitats and promote agricultural management practices sympathetic to the conservation of *Crex crex* in those areas.



RECOMMENDATION 4.4: PROPOSED AGREEMENT ON THE  
HOUBARA BUSTARD (*Chlamydotis undulata*)

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

Aware that *Chlamydotis undulata* is listed on Appendix II of the Convention (Asian populations) and also on Appendix I of the Convention (Northwest African populations),

Noting the reference in document UNEP/CMS/Conf.4.8 (Review of Article IV Agreements concluded or under development) to a possible Agreement on this species having been under discussion for several years, with a draft text being under discussion internally by the Government of the Kingdom of Saudi Arabia,

Noting the Party report of the Kingdom of Saudi Arabia to the present meeting of the Conference of the Parties,

Further noting the contributions to the plenary session on 7 June 1994 from the delegations of the Kingdom of Saudi Arabia, Pakistan, Tunisia, and the observer from BirdLife International on this matter,

Taking account of the recommendation contained in the report of the fifth meeting of the Scientific Council (document UNEP/CMS/Conf.4.5.4) that a concerted action plan should be developed for the entire population of this species,

1. Requests that the Government of the Kingdom of Saudi Arabia complete as soon as practicable internal formal approval for its current draft of an Agreement concerning *Chlamydotis undulata*;
2. Further requests that this draft Agreement then be forwarded to the Secretariat and the Range States concerned for their consideration and amendment. The Range States will return the modified/accepted text to the Secretariat for collation and the Secretariat will circulate further observations to the Range States;
3. Urges all Range States to complete the studies with respect to the population, status and distribution of the species as already requested under item 26 of the report of the fourth meeting of the Scientific Council, held in Bonn in May 1993, and to report on the same to the Secretariat by March 1995;
4. Suggests that a meeting of Range States of the species, hosted by one or more of the Range States with the assistance of the Secretariat and appropriate experts, should be convened by the end of March 1995 to develop a conservation action plan for the species.

RECOMMENDATION 4.5: CONCERTED ACTION FOR SIX APPENDIX I SPECIES OF SAHELO-SAHARAN UNGULATES: *Addax nasomaculatus*, *Oryx dammah*, *Gazella dama*, *Gazella leptoceros*, *Gazella cuvieri*, *Gazella dorcas*

*The Conference of the Parties of the Convention on the Conservation of Migratory Species of Wild Animals,*

*Considering that the six above-mentioned species are included in Appendix I of the Convention,*

*Taking into account Resolution 3.2, paragraph 4, adopted by the Conference of the Parties at its third meeting,*

1. *Takes note of the proposed Action Plan prepared by the Scientific Council for a concerted action on the Sahelo-Saharan ungulates (UNEP/CMS/Inf.4.5, annex 4);*

2. *Encourages the Parties to participate in the revision and finalization of the Action Plan;*

3. *Encourages the Parties to implement the Action Plan upon finalization; and*

4. *Requests the Secretariat and the Scientific Council to provide the necessary support to the concerted action.*



RECOMMENDATION 4.6: THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN THE  
CONVENTION ON CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

*The Conference of the Parties to the Convention on the Conservation of  
Migratory Species of Wild Animals,*

Recalling that Article IX of the Convention provides for assistance  
from and liaison with, *inter alia*, suitable non-governmental bodies  
technically qualified in the protection, conservation and management of  
wild animals, and international organizations concerned with migratory  
species;

Aware that these organizations have continued to make important  
technical, promotional and financial contributions to the implementation of  
the Convention, and to support the Convention Secretariat;

Further aware that national environmental non-governmental  
organizations can represent influential movements in society and that -  
through their expertise - they can play an active role in the conservation  
of migratory species of wild animals;

Conscious that the Convention on Biological Diversity signed at Rio de  
Janeiro in 1992 stresses the importance of and the need to promote co-  
operation among States and intergovernmental organizations and the non-  
governmental sector for the conservation of biological diversity and the  
sustainable use of its components;

Taking account of the Strategy for the Future Development of the Bonn  
Convention (accepted under Resolution 4.4);

1. *Recommends* that Parties strongly support and give particular  
attention to the development and functioning of national and international  
non-governmental organizations which aim for conservation of migratory  
species of wild animals.
2. *Encourages* Parties to consult non-governmental organizations,  
provide them with relevant information and offer them ample opportunities  
to contribute to the formulation and implementation of governmental policy  
on migratory species conservation;
3. *Recommends* that Parties to Agreements concluded under the  
Convention invite appropriate representatives of non-governmental  
organizations to participate in meetings held to discuss the development or  
implementation of such Agreements;
4. *Requests* the Secretariat to organize periodic briefing sessions  
with non-governmental organizations, in order to involve them more fully in  
the activities of the Convention and to solicit their support.

ANNEX III

LIST OF SPECIES ADDED TO APPENDICES I AND II BY THE FOURTH MEETING  
OF THE CONFERENCE OF THE PARTIES

Appendix I

Scientific Name	Annotation
Order/Family, Species or spp.	(where applicable)
<p style="text-align: center;">MAMMALIA</p> <p>ARTIODACTYLA</p> <p>Bovidae</p> <p><i>Oryx dammah</i></p> <p style="text-align: center;">AVES</p> <p>ANSERIFORMES</p> <p>Anatidae</p> <p><i>Oxyura leucocephala</i></p> <p>GRUIFORMES</p> <p>Otididae</p> <p><i>Otis tarda</i></p>	<p style="text-align: right;">Middle-European population</p>



Appendix II

Scientific Name	Annotation
Order/Family, Species or spp.	(where applicable)
MAMMALIA	
CHIROPTERA	
Molossidae	
<i>Tadarida teniotis</i>	
AVES	
GAVIIFORMES	
<i>Gavia stellata</i>	Western Palearctic populations
<i>Gavia arctica</i> , ssp. <i>artica</i> and <i>suschkini</i>	
<i>Gavia immer immer</i>	Northwest European population
<i>Gavia adamsii</i>	Western Palearctic population
PODICIPEDIFORMES	
Podicipedidae	
<i>Podiceps grisegena grisegena</i>	
<i>Podiceps auritus</i>	Western Palearctic populations
PELECANIFORMES	
Phalacrocoracidae	
<i>Phalacrocorax nigrogularis</i>	
<i>Phalacrocorax pygmaeus</i>	
Pelecanidae	
<i>Pelecanus onocrotalus</i>	Western Palearctic populations
CICONIIFORMES	
Ardeidae	
<i>Botaurus stellaris stellaris</i>	Western Palearctic populations
<i>Ixobrychus minutus minutus</i>	Western Palearctic populations
<i>Ixobrychus sturmi</i>	
<i>Ardeola rufiventris</i>	

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Scientific Name	Annotation
Order/Family, Species or spp.	(where applicable)
<i>Ardeola idae</i>	
<i>Egretta vinaceigula</i>	
<i>Casmerodius albus albus</i>	Western Palearctic populations
<i>Ardea purpurea purpurea</i>	populations breeding in the Western Palearctic
Ciconiidae	
<i>Mycteria ibis</i>	
<i>Ciconia episcopus microscelis</i>	
Threskiornithidae	
<i>Geronticus eremita</i>	
<i>Threskiornis aethiopicus aethiopicus</i>	
<i>Platalea alba</i>	excluding Malagasy population
GRUIFORMES	
Rallidae	
<i>Porzana porzana</i>	populations breeding in the Western Palearctic
<i>Porzana parva parva</i>	
<i>Porzana pusilla intermedia</i>	
<i>Fulica atra atra</i>	Mediterranean and Black Sea populations
<i>Aenigmatolimnas marginalis</i>	
<i>Sarothrura boehmi</i>	
CHARADRIIFORMES	
Dromadidae	
<i>Dromas ardeola</i>	
Laridae	
<i>Larus hemprichii</i>	
<i>Larus leucophthalmus</i>	
<i>Larus ichthyaetus</i>	West Eurasian and African population
<i>Larus melanocephalus</i>	



Scientific Name	Annotation
Order/Family, Species or spp.	(where applicable)
<i>Larus genei</i>	
<i>Larus audouinii</i>	
<i>Larus armenicus</i>	
<i>Sterna nilotica nilotica</i>	West Eurasian and African populations
<i>Sterna caspia</i>	West Eurasian and African populations
<i>Sterna maxima albidorsalis</i>	
<i>Sterna bergii</i>	African and Southwest Asian populations
<i>Sterna bengalensis</i>	African and Southwest Asian populations
<i>Sterna sandvicensis sandvicensis</i>	
<i>Sterna hirundo hirundo</i>	populations breeding in the Western Palearctic
<i>Sterna paradisaea</i>	Atlantic populations
<i>Sterna albifrons</i>	
<i>Sterna saundersi</i>	
<i>Sterna balaenarum</i>	
<i>Sterna repressa</i>	
<i>Chlidonias niger niger</i>	
<i>Chlidonias leucopterus</i>	West Eurasian and African population

ANNEX IV

REPORT OF THE ELEVENTH MEETING OF THE STANDING COMMITTEE

Nairobi, Kenya, 6 June 1994

Opening remarks by the Chairman

1. The Chairman opened the meeting, pointing out that this brief pre-conference session was being held to prepare the ground for the meeting of the Conference of the Parties. All regional members were present, in addition to the observer from the European Community. The list of participants appears as the annex. The Chairman outlined for the participants the brief agenda he had prepared concerning arrangements for the meeting of the Conference. He pointed out that as the United Kingdom was at the end of its term of office on the Committee and would not be standing for re-election, it would be necessary for the Standing Committee to hold a meeting at the end of the conference to elect a new Chairman.

1. Arrangements for the meeting of the Conference

2. Turning to item 1 on his agenda, the Chairman referred the participants to documents UNEP/CMS/Conf.4.1 and UNEP/CMS/Conf.4.3. He reminded the meeting that the Bureau of the Conference would be meeting throughout. The two sessional committees would consider issues which would not be expected to be re-opened in the plenary, since the committees themselves more or less constituted a plenary. Concerning the plenary session scheduled for the afternoon of Friday 10 June, the Chairman said he was not sure it was necessary to touch again on issues dealing with the budget and institutional arrangements, since he assumed this would have been dealt with by the committees. In reply, the Secretariat said the budget would have to be submitted for final adoption by the plenary and, in addition, there might be other aspects of the institutional arrangements that needed to be tidied up.

3. Concerning the time-table of the meeting of the Conference of the Parties, the Chairman noted that the meeting would open at 9.30 and would be addressed by the Executive Director of UNEP and the Minister of Tourism and Wildlife of Kenya. The Secretariat pointed out that it would be necessary to ensure the timely opening of the meeting, because of the busy schedule of the Executive Director. The Vice-Chairman suggested that there be a short break after item 2 of the conference agenda, to enable the Executive Director and the Minister to leave.

Rules of Procedure

4. Turning to the Rules of Procedure adopted in Buenos Aires in January 1994 and contained in document UNEP/CMS/Conf.4.4, the Chairman noted that the rules contained no provision for Vice-Chairman of the two sessional committees of the Conference. He said that changes would have to be made to allow for that. Concerning rule 14.1, the Chairman believed that a portion of the text was missing and he asked that this be rectified. Rule 2.4, he continued, used the wording "State or Party", which seemed to contain a redundancy. It was agreed that the words "or Party" in that sentence would be deleted. Rule 11 also posed problems and had caused difficulties in the meeting of the Scientific Council. The problems concerned interpretation of section (1) of the rule governing when the Presiding Officer could permit discussion of a proposal for an amendment of the Convention and its appendices. The Chairman believed that an ambiguity

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in the phrasing could be interpreted to mean that the Presiding Officer could permit discussion of almost anything, including late amendments. He wondered whether it was best to leave the wording as it was and interpret the rules in a common-sense way.

5. The Secretariat said the problem was difficult and could entail a long discussion in the conference. One could try to make proposals to change the rule or leave it, or try to revise the rule before the next meeting of the Conference of the Parties. The Vice-Chairman saw no complication in the rule and asked for clarification of the problem. In reply, the Secretariat explained that the Scientific Council, on the basis of new scientific findings, had recommended at a late stage the inclusion of a species into an appendix. The rules of the Convention did not allow for such an inclusion without prior notification. He wondered whether it would be necessary to change the Rules of Procedure to enable the inclusion of the species in question. The Chairman observed that the Convention stated that a proposal for amendment had to be circulated 150 days before the meeting. The rules had to be in line with the Convention and one had to be careful not to set a precedent.

6. The Representative of Asia (India), while agreeing with the Chairman concerning the need for a time period, said that if some new scientific development made inclusion of a species advisable it might be necessary to consider such a proposal, even though due to circumstances it could not be actually decided at that time. The Chairman believed that the rules did not need to be changed tomorrow: the Standing Committee considered that Rule 11 needed clarification and the plenary should ask the Committee to examine it. The inclusion of the species in question raised by the Scientific Council should not be addressed at this point in order to avoid an awkward debate. The Vice-Chairman said he was happy to give the subject further consideration, as the Rules of Procedure had to be clarified. He was uneasy about the proposed addition of one species which could be construed as a change. He felt it unwise to deal with an issue on which there were no instructions and an early opportunity should be found to raise the issue in plenary so that such instructions may be obtained. The Chairman agreed, saying it was necessary to flag the issue very early in the conference.

7. The Representative of the Depositary (Germany) said that he agreed with the proposal, and that the issue might be dealt with on Thursday. His delegation took a narrow interpretation of the rule and believed it was necessary to stick to the period of 150 days. The Chairman said he felt that the majority would support that view; one should be careful of setting dangerous precedents.

8. The Representative of America and the Caribbean (Panama) said that the 1994 meeting of the Conference of the Parties would have implications into the next century. It had to find its niche. The strong point of the conference should be the Strategy and it was necessary for it to send a very clear message and not get bogged down in procedural matters.

9. Taking up consideration of "other logistics", the Chairman and those present at the Committee exchanged ideas on the representation of the geographical regions as Chairmen and Vice-Chairman of the various committees of the forthcoming meeting of the Conference of the Parties.

## 2. Updates since Buenos Aires

10. Introducing item 2 of his agenda, the Chairman requested any news on prospective future members of the Convention and emphasized the need to talk to potential Parties. The representative of Asia said that during his discussions on the Siberian crane with the former USSR he had received the



impression that his partners in the dialogue were unaware of the Convention. He also believed that China was favorable to joining CMS. The Co-ordinator of the Secretariat replied that very great efforts had been made to foster the Russian Federation's awareness of CMS. He believed the Russian Federation as many other countries in economic transition faced a problem in joining a convention which might have hard currency implications. He had received a similar official response from China.

11. Concerning the approach of the United States of America to CMS, the Chairman said that the news was not good and quoted from a letter received from the Assistant Secretary of the State Department to the effect that the United States' position on CMS had not changed. The United States had concerns about the Convention, was not prepared to join at this stage and would not be sending an observer to the 1994 meeting.

12. The Secretariat noted that observers from 40 countries would be attending the conference. At the meeting of the Scientific Council, Chad had described its initiation of ratification procedures. Perhaps the members of the Standing Committee could request the countries in their regions to provide written information about how things stood in connection with their countries' possible joining. The Chairman agreed that that suggestion should be announced in plenary. The Secretariat went on to point out that one evening of the conference had been set aside for regional consultations and that could provide an opportunity to gather more information. The Chairman added that he was optimistic concerning the attitude of the host country towards joining CMS.

### 3. Key conference papers

#### (a) Report of Standing Committee

13. The Report of the Standing Committee is reproduced as document UNEP/CMS/Conf.4.5.3. The Chairman stated that this report would need to be updated to reflect a recent communication from Ms. Eleanor Constable, a United States Assistant Secretary of State, in regard to the Convention. It was pointed out that paragraph 12 of the report stated that a copy of the Washington press release was attached as an annex, whereas this was attached in error as an annex to another document.

#### (b) Article IV Guidelines

14. The Article IV Guidelines was a document prepared by a consultant, the Chairman stated, and should prove extremely useful. He expected a working group of the Conference to go through the document. It was important that the final version of the guidelines be available quickly for the preparation of future Agreements. The Chairman expressed the thanks of the Committee to the consultant concerned for the detailed work he had completed.

#### (c) Budget

15. The budget proposals were mainly contained in document UNEP/CMS/Conf.4.13 and Resolution 4.6. The Secretariat made a brief presentation and reported that discussions had been held with UNEP officers with regard to the possible provision of administrative support by UNEP in the form of an Administrative Officer and a Financial Assistant, subject to negotiation. The discussion had resulted in the suggestion from UNEP that:

- (i) The posts of Administrative Officer and Financial Assistant should appear in the actual budget so that the full cost of the Secretariat arrangements was reflected in the budget;



- (ii) At the bottom of the budget, the sources of funding should be identified; the source of the Trust Fund should be on one line and, on another, sources not yet identified or unknown.

16. The Chairman explained that since proposals had been made subsequent to the last Standing Committee meeting and since these had come from UNEP and were significant, they would need to be carefully considered. A revised document should therefore be prepared in time for the budget discussion in the plenary session. The Secretariat responded that this would be done.

17. With regard to annex 1 of document UNEP/CMS/Conf.4.13, dealing with contributions by the Parties, the Chairman asked if requests to the Parties for the 1994 contributions had been sent. The Secretariat confirmed that they had been sent and added that, by the end of May 1994, the total contributions made was in the range of US \$ 15,000. That represented much less than last year's total at the same date, and the situation was therefore somewhat worrying.

18. The Representative of the Depositary stated that Germany had paid 90 per cent of its contribution for 1994, and so the data given in annex 1 should be updated. The Vice-Chairman, speaking on behalf of Australia also expressed concern that his country's contribution had not been listed. The Secretariat stated that the present list had been prepared at the end of February, and the table would be updated for presentation to the Conference of the Parties.

19. The observer from the European Community stated that the conditions the Community attached to its 1993 contribution had not yet been met by UNEP, and similar conditions would be attached to its 1994 contribution.

20. The Representative of Europe (United Kingdom) stated that his Government had not yet received any request for payment of the 1994 contribution. He said he would check with the Secretariat on the date the letter requesting contributions had been sent and would ensure that the contribution was paid as soon as possible.

21. The Representative of Asia expressed the opinion that Parties that had not made contributions for a period of years should not really be proposed as office-bearers for Committees.

22. Finally, the Chairman noted that the role of the Standing Committee needed to be addressed by the committee dealing with the budget. The Standing Committee was meant to review expenditures against budget figures year by year, but it only received information covering a three-year period, and again expenditures were not shown compared to budget provisions. In order to review past budget performance, the Committee would need to receive information more quickly.

(d) Strategy

23. The Chairman stated that any changes made to this document should be immediately incorporated into the document by the Secretariat, and he felt that the Strategy Working Group should take this into account, so that at the end of the meeting of the Conference of the Parties, the Standing Committee would have a complete and final version of the Strategy document.

24. The Representative of America and the Caribbean asked the Chairman to clarify: (i) why the United States was slow to ratify Conventions such as the present one; and (ii) the mention of migratory species and corridors in the document. The Chairman replied that, although he was not able to speak for the United States, he supposed that they had problems with Federal and State jurisdictions, and also had other priorities. Details such as corridors for migratory species could be added to the document, but there was a limitation on the amount of detail the document could include.

The Representative of Asia noted that certain United States agencies had shown a positive interest in supporting the Siberian crane initiative, so that perhaps the United States did not have a totally negative approach to the Convention.

(e) Triennial reports

25. The Chairman stated that these reports were dealt with by document UNEP/CMS/Conf.4.7 Annex.1 (Rev.1) and would be discussed under item 12 (a) of the main agenda. The Secretariat reported that less than 20 per cent of the Parties had sent these reports; since 1988, only 22 or 23 reports had been received. The Secretariat felt that its concern over this poor reporting record by Parties should be raised at the meeting of the Conference of the Parties.

4. Lunch invitation to the Standing Committee from the Executive Director of UNEP

26. The Chairman reported that Ms. Dowdeswell had invited the members of the Standing Committee to a lunch at Gigiri on Wednesday. He expressed his opinion that this would be a good opportunity for the members of the Committee to "market" the Convention and explain its achievements and hopes for the future, as well as its coordination with other conventions, and cooperation with UNEP to obtain the accession of new Parties.

5. Next meeting of the Standing Committee

27. The Chairman noted that, after the final plenary session of the meeting of the Conference of the Parties, the Standing Committee should meet to elect new officers. He stated that the United Kingdom and India had completed their term of membership and would not be members of the Committee after the meeting of the Parties. The Co-ordinator of the Secretariat expressed its thanks to the Chairman for the guidance and input he had provided during his term of office; his cooperation with the Secretariat could not have been better.

6. Closure of the Meeting

28. There being no other business, the Chairman thanked the participants and the Secretariat for their contributions and closed the meeting.



Annex

List of Participants

Chair:	United Kingdom (Europe)	Mr. Robert Hepworth Mr. Richard Hepburn
Vice-Chair:	Australia (Oceania)	Mr. Peter Bridgewater
Members:	Niger (Africa)	Mr. Francis Codjo Sessou
	India (Asia)	Mr. S.C. Dey
	Panama (America and the Carribbean)	Mr. Roberto Arango
	Germany (Depositary)	Mr. Gerhard Adams Mr. Rainer Muenzel Ms. Astrid Thyssen
Observers:	European Community	Mr. Claus Stuffman
Secretariat:	Co-ordinator	Mr. Arnulf Müller-Helmbrecht
	Programme Officer	Mr. Douglas Hykle

ANNEX V

REPORT OF THE FIFTH MEETING OF THE SCIENTIFIC COUNCIL

Nairobi, Kenya, 4-5 JUNE 1994

INTRODUCTION

1. The fifth meeting of the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held at the United Nations Office in Nairobi on 4 and 5 June 1994.

AGENDA ITEM 1: OPENING REMARKS BY THE CHAIRMAN  
AND THE SECRETARIAT

2. The Chairman of Scientific Council opened the meeting at 2.30 p.m. on Saturday, 4 June 1994. He welcomed the participants and expressed satisfaction with the excellent attendance.

3. The Co-ordinator of the Secretariat drew attention to changes in the membership of the Council since its fourth meeting, held in Bonn in May 1993. He welcomed the new members and conveyed the apologies of Councillors who had informed the Secretariat of their inability to be present.

AGENDA ITEM 2: ADOPTION OF THE AGENDA

4. After a number of administrative announcements, the Council adopted without amendment the provisional agenda for the meeting (UNEP/CMS/ScC.5.1), which is attached as annex 1 to the present report.

AGENDA ITEM 3: REPORTS ON INTERSESSIONAL ACTIVITIES

A. Chairman

5. At the first session of the meeting, the Chairman drew attention to his report prepared for the Fourth Meeting of the Conference of the Parties (UNEP/CMS/Conf.4.5.4), which highlighted the activities of the Scientific Council over the course of the triennium. He concluded his remarks by announcing that he would resign as Chairman at the end of the present term, since his professional commitments did not allow him to devote sufficient time to the Council's activities. An election to choose his successor would be held during the meeting. He informed the meeting that two Councillors - Dr. Pierre Devillers (Belgium) and Dr. Roberto Schlatter (the Conference-appointed Councillor from Chile) - had been nominated by their peers and had agreed to stand for election. Dr. Michael Ford (United Kingdom) had also been nominated, but had declined to stand.

6. The Secretariat, in consultation with the Chairman, had proposed that a post of Vice-Chair be created to assist the Chair with the coordination of the Council's activities. Ms. Karen Weaver (Australia) had indicated that, if the Council were to decide at this meeting to establish such a post, she would be prepared to accept nomination. The Chairman concluded the discussion by advising Councillors that additional nominations for the posts of Chair and Vice-Chair would be accepted during the meeting. Dr. Pfeffer expressed the view that, given the importance of West and Central Africa for many migratory species, consideration should be given to electing a Councillor from that region.



## B. Secretariat

7. Also at the first session, the Co-ordinator provided a brief introduction to the report of the Secretariat (UNEP/CMS/Conf.4.5.1), drawing attention to the new Parties to the Convention since the last meeting of the Council and to the work that had been undertaken to further the development of a number of CMS Agreements, notably the draft African-Eurasian Waterbird Agreement which would be the subject for further discussion at an intergovernmental meeting to be held from 12 to 14 June, also in Nairobi.

## C. Councillors

8. Councillors were then given the opportunity to add their own remarks. Mr. Dey emphasized the importance of involving the former Republics of the Soviet Union in the Convention, since many were important Range States for migratory species. He indicated that India and the former Soviet Union had concluded a bilateral agreement concerning migratory species and that, if that agreement were to apply also to the newly formed States, the question of possible linkages with CMS warranted examination. The Co-ordinator explained that the Strategy for the Future Development of the Convention (UNEP/CMS/Conf.4.11) included suggestions on enhancing the membership of CMS and that considerable efforts had already been made to encourage these particular countries to join the Convention.

### AGENDA ITEM 4: MATTERS TO BE DISCUSSED AT THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES

#### A. Proposals for amendment of Appendices I and II of the Convention

9. At the first session of the meeting, the Council began its consideration of the summary prepared by the Secretariat of the proposals before the Conference to include four additional species in Appendix I and another 92 species in Appendix II (UNEP/CMS/Conf.4.12). The Chairman proposed that the Council first review each of the Appendix I proposals in turn, with a view to formulating a recommendation as to whether or not, in the Council's view, the species concerned met the criteria for listing in Appendix I.

10. Dr. Ford drew the Council's attention to one of the columns in the summary, in which it appeared a determination had been made of the conservation status of each of the species (endangered or unfavourable) and, in the case of species proposed for listing in Appendix II, whether or not the species would benefit significantly from conservation measures applied within the framework of an international Agreement. Replying to Dr. Ford's request for an explanation as to the basis for this apparent determination, the Secretariat clarified that the column represented the criteria which, in its view, the species concerned should fulfil if the Council were to recommend its listing in Appendix I or II and, eventually, if its inclusion were to be agreed by the Conference of the Parties. Thus, the column in question did not, in fact, represent a determination of the conservation status of the species, rather it merely served to indicate the possible justification for listing a given species. Dr. Ford expressed satisfaction with that explanation and recommended that the clarification also be given to the Conference of the Parties at the time the proposals were to be introduced.

11. Dr. Pfeffer and Dr. Beudels, both members of a working group on Sahelo-Saharan mammals established at the fourth meeting of the Council, briefly introduced the first proposal under consideration: to list *Oryx dammah* in Appendix I. Dr. Ford questioned whether the species, which had been so drastically reduced in number, could still be considered "migratory" in the sense of the Convention and therefore to meet one of the



criteria for listing. Noting that, according to his information, the distribution of *Oryx dammah* appeared to be restricted to Chad - which was not a Party to the Convention - he pointed out that the strict obligations imposed by an Appendix I listing would not be binding. Furthermore, he noted that *Oryx dammah* had not benefited at all by its inclusion in Appendix II, since no steps had been taken to develop an Agreement for the species.

12. A number of Councillors provided information which indicated that the *Oryx dammah* does, in fact, occur outside of Chad, and that it does exhibit seasonal migrations. Dr. Bel Hadj Kacem reported that the species had been successfully reintroduced in Tunisia and emphasized the need for surveys to determine its presence elsewhere in the wild. Mr. Traore reported that since the early 1980s there had been no reliable indicators of the presence of the species in Mali. However, it was possible, indeed probable, that individuals were returning to Mali since insecurity in parts of the country had reduced poaching pressure. Dr. Beudels, referring to the findings of the working group, reported that the species was in fact migratory and that although the wild population was probably restricted to Niger and Chad, its potential range was much larger and would benefit from a network of protected areas. Dr. Pfeffer considered that the species warranted listing in Appendix I on account of its highly endangered status, irrespective of whether or not Chad was a Party to the Convention. Dr. Sylla supported this view, noting that the presence at this meeting of an observer from Chad could be interpreted as an expression of its interest and that the listing in Appendix I would help to create a greater awareness of the plight of this species. Dr. Ayeni considered that such a listing could help to mobilize the resources needed to reintroduce and protect the species. The observer from Chad stated that the procedures within her country for ratification of CMS had been started and that Chad would welcome any decisions arising from the meeting, indicating that her Government would have no objection to the listing of *Oryx dammah* in Appendix I.

13. The Chairman summarized the discussion by noting that the meeting had reached a consensus that *Oryx dammah* is highly endangered and migratory, thus qualifying the species for inclusion in Appendix I. The Council agreed that this recommendation should be forwarded to the Conference of the Parties.

14. The Conference-appointed expert on waterbirds, Dr. Moser, introduced the proposal (No. I/3) of the Government of Spain to include *Oxyura leucocephala* in Appendix I. He pointed out that the proposal had arisen from a workshop organized in 1993 to discuss the problem of hybridization of this species with *Oxyura jamaicensis*, an introduced species. Dr. Moser explained that *Oxyura leucocephala* and *Oxyura jamaicensis* were two distinct species which nonetheless could and did hybridize, and produce fertile offspring. He expressed the view that the Bonn Convention had a strong potential to coordinate activities in favour of *Oxyura leucocephala*, noting that an Action Plan had already been developed for the European portion of its distribution, and that another plan was being elaborated to cover the remainder of its range. Mr. Rao supported the inclusion of the species in Appendix I, noting that in addition to the problem of hybridization, it was also threatened by illegal hunting and habitat destruction. The Chairman recalled that the Scientific Council had endorsed the suggestion made at its fourth meeting, held in Bonn in May 1993, that such a proposal be submitted to the Conference of the Parties; he therefore concluded that the proposal had the support of the Council.

15. Dr. Bankovics (Hungary) introduced the Hungarian proposal (No. I/4) to add the Middle-European population of *Otis tarda* to Appendix I. The species had been listed in Appendix II in 1985, but no Agreement had yet been developed. The population concerned had continued to decline

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dramatically - as a result of habitat changes and agricultural land use - to the extent that the species had disappeared from most of the European breeding area. Of a total European population of 14,000, the Middle-European population was currently estimated at about 1,400 birds. Dr. Bankovics explained that individuals normally did not migrate from Hungary and other countries, except in severe winters. The species was, however, a regular migrant from Russia, where it encountered the greatest threat. Dr. Ford questioned whether the criteria for listing a species in Appendix II had been fulfilled, and expressed concern about the lack of specificity in the annotation attached to the proposal. He expressed concern that the listing of the species had been of no consequence, and suggested that Council urge Range States to conclude an Agreement. In summarizing the discussion, the Chairman noted that there were no objections in principle to recommending the listing of the population concerned in Appendix I, but he requested certain Councillors to devise an improved annotation in order to reflect better the Range States that would be covered by the listing.

16. Dr. Ford introduced the rationale behind the United Kingdom proposal (No.II/1) to include *Tadarida teniotis* in Appendix II. The species was the only one occurring in Europe not covered by the European Bats AGREEMENT, and its listing in Appendix II would facilitate its eventual inclusion. Dr. Ford pointed out that the proposal was not limited geographically to the range of the existing AGREEMENT since, in the United Kingdom's view, the species merited protection throughout its range. The Council decided to recommend that the species be listed in Appendix II accordingly.

17. Dr. Nowak and Dr. Moser introduced the proposals (Nos. II/14 to II/105) to list 92 waterbirds in Appendix II. The proposals had been prepared by the International Waterfowl and Wetlands Research Bureau and had been sponsored by the Government of Germany as a service to the Convention. All the species, subspecies and populations reflected in the proposals were intended to be covered by the proposed African-Eurasian Migratory Waterbird Agreement (AEWA). If the AEWA were to have the status of an Article IV (3) AGREEMENT, it would be necessary to add the 92 waterbirds to those already listed in Appendix II in order to arrive at the full complement of 212 waterbirds to which the Agreement was intended to apply. The omission of any of the taxa proposed for inclusion would alter the character of the AEWA to that of an Article IV (4) agreement.

18. The Co-ordinator referred to the basic criteria for listing species in Appendix II which, he pointed out, was reserved for species with an unfavourable conservation status or which would benefit significantly from international cooperation. It was pointed out that while some of the waterbirds in the proposal did not have an unfavourable conservation status, the draft Agreement embraced the so-called "precautionary principle", which took account of the potential for the conservation status of a given species to move from favourable to unfavourable in a relatively short time. He said that the exclusion from Appendix II of the 42 waterbirds with a favourable conservation status would preclude the possibility of management and control measures within the framework of CMS for abundant species, such as some of the cormorants that were the object of a draft recommendation proposed by Denmark. Furthermore, he said that a possible discrepancy might arise between the CMS Appendices and the species covered by AEWA should the negotiators of that draft Agreement decide that the Agreement should cover all of the species in question.

19. The Chairman invited Councillors to review the migratory status and the conservation status of the various taxa proposed for inclusion. Thereafter, consideration would be given to a proposal by Australia to amend the geographic coverage of one of the proposals. The Council would then take up a draft recommendation submitted by Denmark on the conservation and management of cormorants.

20. Although the Council reached a consensus that all of the taxa concerned were migratory within the meaning of the Convention, there was a



wide divergence of views concerning the merits of including all of the species, subspecies or populations in Appendix II. The following points were among those raised by individual Councillors during the course of the discussion. Some had reservations about certain annotations that had been made to narrow the coverage of the listings to particular populations. Dr. Ford pointed out that some of the taxa warranted inclusion for their entire range, not only for the area covered by the AEWA. He expressed concern that the proposals were being made to amend the Convention to suit an Agreement that had yet to be formally negotiated, let alone concluded. If all 92 proposals were accepted, only to have some of the 212 waterbirds excluded from the AEWA during subsequent negotiations, Appendix II would include inappropriate listings and would be out of step with the Agreement. Several Councillors indicated that the proposed inclusion of species known to be abundant - to the point of being considered pest species in need of culling - would make it difficult for the set of proposals to be accepted in its entirety. Some expressed concern about the precedent that might set for future listings and the implications it might have for the image of the Convention. Dr. Edelstam suggested that taxa to be covered by the Agreement be listed in a stepwise manner, beginning with those for which Action Plans had already been prepared (e.g., the Anatidae) and then proceeding to other groups.

21. As no consensus could be reached at the first session of the meeting on how to treat the 42 waterbirds listed as having a favourable conservation status, the Council agreed that a working group should be formed (consisting of Dr. Beudels, Dr. Edelstam, Dr. Moser, Dr. Nowak and Ms. Weaver, the Chairman and the Secretariat) to formulate a recommendation for the Council's consideration the following day.

22. At the second session of the meeting, held on 5 June 1994, the Chairman reported on the results of the ad hoc working group that had met the previous evening to review the proposals to list 92 species, subspecies or populations of waterbirds in Appendix II, and invited any comments. The working group recommended that the Scientific Council support the inclusion in Appendix II of 50 species identified as having an unfavourable conservation status, and that the remaining 42 species - considered to have a favourable conservation status but subject to sport or subsistence hunting or management action - be put forward for consideration by the next meeting of the Conference of the Parties. The working group considered that Parties should be invited to provide further information in relation to the remaining 42 species.

23. Mr. Dey noted the importance of ensuring that the species concerned were indeed migratory, and not merely oscillating across national borders; of determining ranges of population estimates; and examining commercial threats to species. Dr. Moser confirmed that at least the first two points had already been carefully reviewed, and that the 42 species recommended for consideration at the next meeting of the Conference of the Parties should be subject to regular monitoring in order to identify any potential threats.

24. Dr. Moser drew attention to one species, *Crex crex*, which had not been included in the original 92 proposals, as there was some question as to whether it is considered to be wetland-dependent. The species, which is a long-distant migrant, has been declining very rapidly throughout its range. Several Range States had suggested that it be proposed for listing in Appendix II with a view to including it in the African-Eurasian Waterbird Agreement. The question that needed to be addressed was whether or not the Conference of the Parties would be in a position to consider a proposal that had not been previously circulated in accordance with the provisions of the Convention.

25. The Co-ordinator clarified that, while the text of the Convention took precedence, rule 11 of the rules of procedure of the Conference of the Parties could be invoked by the presiding officer with the agreement of all of the Parties, to allow for the consideration of this proposal. Several Councillors considered that such special consideration was warranted on scientific grounds.



26. The Chairman summarized the discussion concerning *Crex crex* noting that the species was clearly migratory and had a very unfavourable conservation status, and that the Council supported its inclusion in Appendix II.

27. The Chairman then sought the Council's endorsement of the recommendation of the ad hoc working group concerning the treatment of the other 92 waterbird proposals. Dr. Ford reiterated his concern that certain annotations to the list of species should be deleted so as not to limit geographically the applicability of the listing in Appendix II. The Chairman expressed sympathy with the intervention that had been made, but concluded that, in view of the limited amount of time and information available, it would not be feasible to undertake the necessary review.

28. The Chairman then turned to a proposal by Australia to amend the geographic coverage of one of the species proposed by Germany. Australia proposed that the geographic coverage of *Sterna albifrons albifrons* and *S. a. guineae* should be expanded to incorporate populations of the subspecies *S. a. sinensis* which occurs in Australia and throughout the Asian-Australasian region.

29. Ms. Weaver recalled that the German proposal had been compiled in an effort to have all species subject to the proposed African-Eurasian Waterbird Agreement (AEWA) listed in Appendix II. However, no geographical limitation had been proposed for the subspecies of *S. albifrons* and therefore it would be appropriate to expand the proposal to include the third subspecies, *S. a. sinensis*. Dr. Ford suggested that the problem of whether or not to expand the proposal could be overcome simply by listing the whole species *S. albifrons* in Appendix II. The meeting agreed with that suggestion.

30. The Council then decided to recommend to the Conference of the Parties that:

(a) The 50 species, subspecies or populations of waterbirds identified as having an unfavourable conservation status (see annex 2 to the present report) be included in Appendix II;

(b) The remaining 42 species considered to have a favourable conservation status but to be subject to sport or subsistence hunting or management action (see annex 3 to the present report) be put forward for consideration by the fifth meeting of the Conference of the Parties; and

(c) All Parties should be invited to provide further information in relation to those 42 species.

#### B. Review reports on selected Appendix I species

31. At the second session of the meeting, on 5 June, the Secretariat reported that it had received review reports on *Chlamydotis undulata* from only a small number of Range States. It had not been possible for the Secretariat to pursue the activity further due to its limited resources, but it undertook to try to obtain additional reports after the meeting and to circulate them to the members of a working group that had been established at the fourth meeting of the Council to deal with this species. In response to a query from Dr. Rao as to the status of an Agreement on the Houbara bustard, the Secretariat reported that the latest information it had received from Saudi Arabia on the matter was contained in Conference document UNEP/CMS/Conf.4.8.

32. Dr. Nowak reported that a research and management project concerning *Numenius tenuirostris* had been conducted over the past three years, the results of which would be published by the end of 1994. Among other



things, new findings had been made on the migration route of the species in Ukraine, the Balkan States, and north Africa. A biotope protection project had been started in Greece and Italy. Illegal hunting still appeared to be an important factor in the reduction of the species in recent years. It was estimated that only 100-300 individuals still existed. The UNEP/CMS Secretariat had developed a Memorandum of Understanding for the protection of the species, a draft of which had been sent to national authorities of the 27 Range States. Six States (Algeria, Austria, Hungary, Italy, Tunisia and Ukraine) had responded positively. The intention was to request the Range States concerned to adopt the memorandum during the fourth meeting of the Conference of the Parties. On a separate matter, Dr. Nowak reported that no further information was available on *Dendroica kirtlandii*.

33. Dr. Edelstam reported that there had been some unexpected sightings recently of *Bos sauveli*, which was thought to survive in Cambodia in very small groups. He hoped that more information would be made available once an American specialist carrying out survey work in the region summarized his most recent findings. Dr. Pfeffer added that a French mission undertaken in Cambodia had not observed any kouprey in the course of aerial surveys, but that there were reports of up to 200 individuals still in existence.

34. Dr. Colin Limpus, a marine turtle expert from Australia, was then invited by the Chairman to summarize the information available on Indo-Pacific marine turtles.

35. Dr. Limpus informed the meeting that major changes in marine turtle research had taken place in the past five years. The development and application of genetic techniques for stock identification had allowed scientists to conclude that populations of turtle within a single species need to be treated, in management terms, as if they were separate species. Data obtained from long-term tagging studies showed that the life-history strategy of turtles includes delayed sexual maturity, with reproductive age not being reached until they were approximately 30-50 years of age. Both tagging and genetic studies had revealed that the migration of turtles occurred over vast distances and was greater than originally anticipated. Dr. Limpus indicated that there was even evidence of trans-Pacific migration of Loggerhead turtles (*Dermodochelys coriacea*).

36. Dr. Limpus noted that turtle was a staple source of food for most indigenous people throughout the Indo-Pacific region and often the only source of red meat available. Successful management of those species would require taking into consideration the various cultural values placed on turtles throughout the region. He emphasized that given the life-history strategy of those species, any harvest of adults must necessarily be small, and management must be approached from a sustainable utilization point of view.

37. Dr. Limpus reported that most marine turtle populations were in decline in the Indo-Pacific region. In some cases, the decline over the previous 50 years approached 50-90 per cent of the estimated population. He suggested that a major education campaign was needed to overcome a serious problem in the conservation and management of turtles - namely, the failure to communicate to local managers and users of the resource information on the decline in turtle numbers as well as conservation measures that could easily be put in place.

38. Having referred to the work of the South Pacific Regional Environment Programme (SPREP) which had developed and implemented a Regional Marine Turtle Conservation Programme for the South Pacific region, Dr. Limpus also indicated that several countries in the region had recently enacted legislation to protect turtles from trade. In December 1993, a meeting of the countries of the Association of South-East Asian Nations (ASEAN) had taken place in the Philippines with the primary objective of examining

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turtle conservation. Dr Limpus considered that there was a need to unify co-operative efforts throughout the range of the various species and that CMS could provide such an umbrella.

39. Mr. Dey noted the difficulty in identifying those indigenous people who were utilizing turtles and in allocating to them rights for collecting or harvesting. He also drew attention to the mandatory use of turtle-exclusion devices (TEDS) by vessels approaching known rookeries in India, but noted that enforcement of such regulations was difficult.

40. Dr. Limpus reported that there had been many attempts over a long period of time to successfully ranch turtles, but that no venture had yet been commercially viable because of the large costs involved in rearing turtles. An additional difficulty associated with turtle ranching was the current impossibility of distinguishing between ranched and wild caught turtles.

41. Mr. Bangoura (Guinea) informed the Council that Guinea had an abundance of marine turtles but suffered the same sorts of population declines that described by Dr. Limpus. Guinea had created a programme to raise public awareness and to protect eggs and hatchlings. With limited means available, it had not been able to prioritize conservation measures with respect to indigenous use. Dr. Limpus explained that in Australia such prioritization was very difficult to achieve mainly because it was not only Australia's indigenous people who were utilizing turtles breeding in Australia: up to 90 per cent of the turtles harvested in Papua New Guinea originated in Australia.

42. Dr. Limpus drew attention to the fact that the results of management decisions taken now would not be known for at least 30-50 years. He considered that the best solution to the problem of conserving marine turtles would be to seek collaborative, international management of that shared resource.

43. The Chairman summarized discussion by noting that the problems facing this group were indeed significant. Ms. Weaver confirmed that Australia would continue to work on the conservation of this taxon group and stated that marine turtles would remain as a priority species in the next triennium.

44. Sahelo-Saharan ungulates. The meeting considered document UNEP/CMS/ScC. 5/CRP.1, concerning a draft action plan for Saharo-Sahelian ungulates, together with review reports for several of these species (UNEP/CMS/ScC.5/CRP.2), which had been prepared by a working group established by the Council at its fourth meeting (see annexes 4 and 5). The Chairman concluded that there was general agreement among Scientific Councillors on these documents, and that minor revisions to take into account comments received could be made at a later date.

45. Dr. Beudels subsequently returned briefly to the draft Concerted Action Plan for Appendix I species under Resolution 3.2, paragraph 4, concerning the Saharo-Sahelian ungulates (UNEP/CMS/ScC.5/CRP.1) She sought clarification on the status of the document as there were some errors in the text which required correction. The Chairman concluded that a number of corrections were indeed necessary in the text of the document but that there was no objection by the meeting to its principal recommendations. Therefore, it was considered that the Action Plan should still be put before the Conference of the Parties as a recommendation from Scientific Council, and the drafters should undertake to make the necessary corrections.



C. Draft resolutions/recommendations on other matters

46. At the second session of the meeting, on 5 June, the observer from Denmark introduced a draft recommendation on the conservation and management of cormorants in the African-Eurasian region (UNEP/CMS/Rec.4.1). Commenting on the previous debate, he said that it was important, notwithstanding the recommendation which had been prepared, to include the Great cormorant (*Phalacrocorax carbo sinensis*) in Appendix II, as there was heavy pressure in Denmark to control and regulate that subspecies because of its rapid increase in numbers. He considered that an Appendix II listing would allow for the necessary international cooperation in that regard. A number of Councillors questioned why such cooperation could not still be continued in the absence of a formal listing of the subspecies in Appendix II. Dr. Ford drew attention to Article VII, paragraph 5 (e), of the Convention which allowed the Conference of the Parties to "make recommendations to the Parties for improving the conservation status of migratory species ...". He interpreted that provision as applying to migratory species in general, and not being restricted to those listed in the CMS Appendices. The Chairman concurred with the view that the recommendation on cormorants could be considered within the framework of CMS and, in the absence of any further comment, concluded that the Council agreed that the draft recommendation be forwarded unamended to the Conference of the Parties, with the endorsement of the Council.

47. The Council then turned its attention to a series of recommendations on conservation measures for various species or groups of species.

48. Research on small cetaceans. Dr. Perrin, the Conference-appointed expert on small cetaceans, introduced the draft recommendation, explaining that it was directed at addressing the extreme paucity of data on this group throughout the Southeast-Asia/Indo-Malay region. The Council endorsed the draft recommendation for forwarding to the Conference of the Parties after making one minor amendment to paragraph 2 in order to indicate the correct number of small cetacean species or populations currently listed in Appendix II (i.e., 27). The draft as endorsed by the Council is attached as annex 6 to the present report.

49. Conservation measures for Appendix I species. A draft working paper prepared by Mr. Dey was circulated for the Council's consideration. In it, he described a number of specific actions that Parties should be urged to take with respect to species listed in Appendix I. Dr. Ford drew the attention of the Council to the fact that some of the measures outlined in the paper were already contained within the text of the Convention and that others had been expanded upon in various resolutions adopted at meetings of the Conference of Parties. He indicated that while he agreed conceptually with the direction of Mr. Dey's working paper, more work would need to be done on the wording of the document.

50. The Chairman suggested that the redrafted version be combined with the recommendations made by the Scientific Council at its fourth meeting (see annex 7 of the report of that meeting). The Council agreed to accept the principles contained within the paper, noting that the text would need to be revised before it was considered by the Conference of the Parties as a draft resolution. The working paper as submitted by Mr. Dey and in the original language is attached to the present report as annex 7.

51. Institutional arrangements. The Council considered the paper on institutional arrangements (UNEP/CMS/Conf.4.14), which raised three issues of importance to the functioning of the Scientific Council: (i) the frequency of meetings of the Council; (ii) the possibility for Parties to appoint an alternate Scientific Councillor; and (iii) the establishment of a position of Vice-Chair.



52. The Council acknowledged that its fourth meeting (Bonn, May, 1993), which had been held between sessions of the Conference of the Parties, had been highly successful both with respect to the number of participants attending and in the renewed focus given to the programme of activities of the individual Councillors. The Council therefore supported the proposal that intersessional meetings of the Council should be held in order to enhance its effectiveness.

53. There followed a lengthy discussion on the appointment of alternate Scientific Councillors. Dr. Ayeni pointed out that there would need to be considerable liaison between the appointed Scientific Councillor and his or her alternate. This would be particularly important if, for example, the appointed Councillor were from a government body and the alternate were from an academic institution. Dr. Sylla suggested that such liaison would be an internal matter to be decided on by each Party if it chose to appoint an alternate Scientific Councillor. The Chairman concluded the discussion noting the support of the Council for the recommendations made in document UNEP/CMS/Conf.4.14.

54. Arrangements for the Scientific Council. The last issue to be agreed in principle was the establishment of a post of Vice-Chair. The Secretariat presented a number of arguments in favour of the creation of such a position, and several Councillors agreed on the importance of having a Vice-Chair to assist with the coordination of the Council's growing activities and to serve as an alternate as the need arose. A number of Councillors considered that additional resources needed to be made available for the Vice-Chair to carry out the necessary functions. The Secretariat pointed out that Conference Resolution 3.4 (Geneva, 1991), concerning funding arrangements for the Council, did provide for financial assistance for developing countries in relation to attendance at meetings, and that this would continue to apply in case a candidate from a developing country were to be elected. A number of Councillors, alluding to a comparable precedent that had been established in other organizations, expressed the view that if the Chair were to be a representative of a developed country, the post of Vice-Chair should be filled by a candidate from a developing country.

55. The Chairman noted the consensus that had been reached on the need for the creation of the post of Vice-Chair, and invited nominations for both the Chair and Vice-Chair. He suggested that the Secretariat be asked to prepare rules of procedure for the Scientific Council before the next meeting, which would address the other issues that had been raised during the course of the discussion. On behalf of a number of Councillors who had already held consultations on the post of Vice-Chair, Dr. Sylla nominated Dr. Ngog for the position, a nomination later confirmed in writing. In accepting the nomination, Dr. Ngog expressed his view that additional financial support would be necessary for the Vice-Chair to perform effectively.

56. The Chairman then invited comments on draft resolution 4.5 concerning arrangements for the Scientific Council. Dr. Ford suggested that the preamble could be shortened, and pointed out an apparent inconsistency in that the Scientific Council had not asked the Conference of Parties to take note of the creation of the position of Chair of the Council and yet was asking it to note the decision to create a position of Vice-Chair.

57. The Co-ordinator of the Secretariat explained that if any decision taken by the Scientific Council were to have potential financial implications for the Convention budget, provision for additional expenditures would have to be endorsed by the Conference of Parties. The appointment of a Vice-Chair could, in fact, result in the need for additional resources.



58. The Chairman also pointed out that Resolution 1.4 (Bonn, 1985) made it clear that the Scientific Council was to meet in conjunction with the Conference of Parties. The recommendation of the Scientific Council to meet at least once intersessionally would necessitate a reconsideration of Resolution 1.4, and would require the approval of the Conference of Parties.

59. There was lengthy discussion about the wording of the penultimate paragraph of the draft resolution concerning the appointment of alternate Scientific Councillors. Dr. Pfeffer sought clarification as to whether the intent of this paragraph was to appoint a permanent alternate or whether a different alternate could be provided for each meeting depending on the major topics of discussion. The Chairman reminded the meeting that the Scientific Council had agreed at its fourth meeting that the alternate Scientific Councillor should be a permanent appointee in order to ensure continuity in the coverage of the issues discussed at its meetings.

60. Mr. Rao suggested that the paragraph in question be altered so as to reflect the intent of the fourth meeting of the Scientific Council, viz that the alternate Scientific Councillor be a permanent appointment. After further discussion the meeting agreed on the following wording of the second last paragraph: "Invites the Parties to nominate a permanent alternate Scientific Councillor authorized to participate in meetings of the Scientific Council if the regular Scientific Councillor cannot attend."

61. The text of the draft resolution, as amended by the Council, is attached as annex 8 to the present report.

#### D. Reports by Parties

62. The Secretariat introduced item 4 (d) by pointing out that the current record of receipt of Party reports was disappointing, with only 12 out of 42 Parties having submitted a report prior to the meeting. Updating the information contained in document UNEP/CMS/Conf.4.7, Annex 1 (Rev.1), the Secretariat informed the meeting that more reports had been received from India, Israel, Norway, Sri Lanka, and Sweden. The Secretariat stressed that such a small number of reports made it difficult to make a meaningful analysis of the implementation of the Convention.

63. As document UNEP/CMS/Conf.4.7 was not yet available, the Secretariat drew attention to the assessment of the implementation of the Convention contained in Chapter 2 of the *Strategy for the Future Development of the Convention* (UNEP/CMS/Conf. 4.11). Table 6 of that document gave the conservation status of species listed in Appendix I, based on information received from Parties. Information was available for only a small number of species, such as cetaceans, marine turtles and the White-tailed eagle (*Haliaeetus albicilla*). Table 7 examined the direct actions taken by Parties for the benefit of Appendix I species. The analysis revealed the availability of a limited amount of information for the same taxonomic groups as well as for *Monachus monachus*. Table 8 listed the activities to conserve migratory species some of which were not necessarily listed in Appendix II. The Secretariat noted that the amount of information available from Parties in this regard was encouraging. Also very impressive was the information provided in Party reports on surveys, research and monitoring activities undertaken with respect to migratory species.

64. Dr. Schlatter observed that of the reports submitted for the fourth meeting of the Conference of Parties, none was from a developing country. He included his own country in this observation. Dr. Schlatter questioned whether this meant that developing countries had not been successful in the implementation of the Convention and suggested that the Secretariat play a more active role in urging all Parties to implement the Convention. Mr. Dey remarked that absence of a report did not necessarily mean that the Convention had not been implemented in a particular country. The observer



from Tunisia considered that a reminder from the Secretariat to all Parties would help to increase the number of Party reports lodged. The Secretariat pointed out that two reminders had been sent in the course of preparations for the fourth meeting of the Conference of Parties.

65. The Secretariat reminded the Council that a format for the submission of country reports had been adopted on a trial basis by the third meeting of the Conference of the Parties and suggested that the Conference consider whether or not this format was adequate or required some revision. It was explained that Party reports should be channelled through the CMS Focal Point of each Party, thereby giving them official status. The Chairman stated that the various comments made on the subject would be incorporated into the report of the meeting.

66. The Chairman asked for the Council's views as to the areas of expertise which Council would need to have in order to deal with its programme in the forthcoming triennium. It was agreed that the Council would continue to require expert advice in the following fields: migratory waterbirds, small cetaceans, neo-tropical fauna, and Sahelo-Saharan mammals. Each of the Councillors appointed by the Conference of the Parties (i.e. Dr Moser, Dr Perrin, Dr. Schlatter, and Dr. Pfeffer) indicated their willingness to continue to serve on the Council, if so requested.

67. The Council further agreed that expertise was needed in the area of marine turtle conservation, and there was a unanimous support for recommending to the Conference of the Parties that Dr. Colin Limpus (Australia) be nominated to fill that role.

AGENDA ITEM 5: MATTERS ARISING FROM THE FOURTH MEETING  
OF THE SCIENTIFIC COUNCIL

A. Report on artificial barriers to migration

68. The Chairman drew attention to document UNEP/CMS/ScC.5.3, entitled "The significance of artificial barriers to migration across international borders". He suggested that, in view of the number of items still to be discussed, comments on the paper be directed to him in writing.

B. Progress made by working groups/Councillors on other matters

69. Albatrosses. Ms. Weaver provided an overview of the progress made on conservation measures for the albatross. She reported that while Australia had intended to propose the listing in either Appendix I or II of all species of albatross, there had not been adequate consultation both with other Range States and within Australia for that to be possible at the fourth meeting of the Conference. She pointed out that the necessary background documentation had nonetheless been prepared for the proposal and had been sent to Scientific Councillors for their information. In addition, Ms. Weaver referred to a forthcoming international conference on the conservation of albatross to be held in Tasmania, Australia, in August 1995. The CMS working group on albatross hoped to take advantage of this meeting to hold discussions on progress towards an Agreement on the conservation of this taxon.

70. Dr. Vaz-Ferreira provided details of research conducted in Uruguay which showed that it was possible significantly to reduce albatross mortality associated with long-line tuna fishing by using such methods as setting the long-lines at night, using weighted hooks to allow the bait to sink more quickly out of reach of the birds, and casting the discarded bait away from the side of the boat on which the lines were hauled in. In Uruguay, observers had been placed on vessels conducting long-line tuna



fishing. Mortality was reduced from approximately 150 albatross per day to between 1 and 10 albatross per day by instituting and enforcing the above measures.

71. The Chairman concluded that work on albatross was progressing well and that the working group should aim to have the text of an Agreement as well as the proposals to list the species ready for the fifth meeting of the Conference of Parties.

72. Dr. Schlatter summarized the activities undertaken on *Chloephaga rubidiceps* (Ruddy-headed goose), noting that the work on that endangered species was encouraging.

73. Small cetaceans. A background paper (UNEP/CMS/ScC.5.4) on "Small marine cetaceans of the Southeast Asia/Indo-Malay region". had been prepared by Dr. Perrin, the Conference-appointed expert on small cetaceans. Dr. Perrin spoke on the paper, informing the Council that it was clear from the limited amount of information available that there were many problems facing small cetaceans in the region. The Chairman appointed a small working group to examine more closely the regional actions recommended by Dr. Perrin in his background paper. Members of the working group are Australia and the United Kingdom, and a request will be made to include representation from the Philippines and Portugal.

74. IUCN Categories of threat. At its fourth meeting, the Scientific Council had discussed whether it was appropriate for CMS to continue be linked through Conference Resolution 2.2 (Geneva, 1988) to a definition of "endangered" for those species listed in Appendix I, developed by the World Conservation Union (IUCN). Subsequently, Dr. Ford prepared a paper (UNEP/CMS/ScC.5.5) outlining options for the Scientific Council to consider with a view to providing guidelines to the Conference of Parties on the application of the term.

75. Dr. Ayeni noted that the categories of threat used by IUCN were also used by other conventions related to environmental or species conservation and management. He noted that an anomalous situation could arise whereby a species might be listed as endangered by one convention but not by another. Mr. Dey pointed out that the IUCN Categories of Threat were actually being prepared under a consultancy contract with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

76. Dr. Ngog suggested that, as with other conventions such as CITES, there would be a need for CMS to quantify the extent to which a species is endangered and that advantage should be taken of the opportunity presented by research currently underway to quantify the Categories of Threat. Mr. Rao considered that it would be premature to act on any of the active options suggested in Dr. Ford's paper until IUCN had finally decided on its own definitions. Ms. Weaver supported these statements, noting that the CMS strategy paper (UNEP/CMS/Conf.4.11.) indicated that CMS would need to liaise more actively with other conventions of a similar nature and that the existence of a different definition of the term endangered could be detrimental to collaborative initiatives. Dr. Ford pointed out, however, that there was a possibility of IUCN reaching a decision on definitions of its Categories of Threat before the Scientific Council had had a chance to meet to discuss them. Therefore, CMS would be linked to a definition without the benefit of advice from its Scientific Council.

77. In summarizing the discussion, the Chairman suggested that there was no need to take further action until the IUCN Categories of Threat had been determined and that discussion on this matter should continue at a future meeting of the Scientific Council.



AGENDA ITEM 6: MATTERS CONCERNING DRAFT AGREEMENTS  
CURRENTLY UNDER DEVELOPMENT

A. African-Eurasian Migratory Waterbird Agreement (AEWA)

78. The Co-ordinator of the Secretariat provided a historical perspective to the development of the AEWA, noting that the Secretariat had made a considerable input to the development of the Agreement. He drew attention to the first informal intergovernmental meeting to discuss the Agreement, which was scheduled to take place immediately following the fourth meeting of the Conference of Parties. He hoped that a revision of the draft Agreement could be produced and circulated by the end of 1994 and that a formal negotiating meeting of the Range States concerned could take place in the second or third quarter of 1995. The Chairman congratulated all concerned with the progress on the development on what would be the most ambitious Agreement under CMS.

B. Asian-Pacific Migratory Waterbird Agreement

79. The representative of the Secretariat summarized the status of this Agreement and referred the Council to document UNEP/CMS/Conf.4.8 for the historical development of the Agreement. The Secretariat had not undertaken further work on the Agreement over the past year due to insufficient resources and other priorities. There was a need to revise the draft Agreement in order to harmonize it with the AEWA before arranging further discussions among the Range States concerned.

C. Mediterranean/Black Sea Small Cetaceans Agreement (ASCOMABS)

80. The representative of the Secretariat informed the Scientific Council of the progress that had been made on the Mediterranean/Black Sea Small Cetaceans Agreement (ASCOMABS), which had been discussed informally in a meeting of several of the Range States in October 1992. Work on revising the text had been delayed to other commitments; however, there might be another opportunity for Range States to discuss a new draft later in 1994.

D. Slender-billed curlew memorandum of understanding

81. Dr. Nowak introduced the draft memorandum of understanding which had been circulated in its original language for incorporation into the report of the meeting (see annex 9 thereto).

82. According to the latest scientific reports, only 100-300 individuals are still in existence. The breeding, wintering and migrating range of this species covers 27 States in south-west Asia, southern Europe and northern Africa. The Secretariat emphasized that in order to make the most concerted efforts possible to protect this species from extinction, it would be necessary to coordinate efforts internationally. The Secretariat had prepared an Action Plan for all of the 27 Range States and had integrated this plan in the Memorandum of Understanding to be submitted to the relevant national authorities for signature.

83. The Scientific Council urged all Range States to accept the Memorandum of Understanding and to carry-out all necessary steps to save the species from extinction.

E. Siberian crane memorandum of understanding

84. The representative of the Secretariat introduced item 4 (e) by summarizing the perilous status of the western and central Asian populations Siberian crane. The situation had become even more critical in 1994 in view of the fact that none of the birds of the central population was observed in their traditional wintering ground in India.



85. A draft memorandum of understanding on conservation measures to be taken by the Range States concerned was developed at the fourth meeting of the Council. Further discussion and revision of the document had taken place at the meeting of the Conference of Parties to the Ramsar Convention (Kushiro, June 1993). The Memorandum of Understanding had been signed at the Kushiro meeting by two Range States, Pakistan and the Russian Federation, of which Pakistan is also a Party to the CMS. The Government of the Islamic Republic of Iran had subsequently signed the Agreement in November 1993. The Government of India was still considering the implications of the revisions to the document incorporated during the Kushiro discussions and had not yet signed. Mr. Dey indicated that it was likely that the Indian Government would be in a position to sign the Memorandum of Understanding in August 1994, subject to a some reservations.

86. Under the terms of the Memorandum of Understanding, the Russian Federation was to develop a comprehensive conservation plan by July 1994. The immediate priority for further work was to have the plan developed in detail and implemented after consultation among the Range States concerned. Mr. Dey reported that the experiment for re-introduction of the Siberian crane in India had been undertaken since 1992, in collaboration with the International Crane Foundation (USA), Russian Federation, and the Japan Wild Bird Society. In 1993, two captive-bred birds had been introduced in India which failed to mix with visiting wild Siberian cranes that came for wintering in India. In 1994, four Siberian crane chicks, two from USA and two from Russia were brought and released in the wild, along with two other birds brought last year. But, as no wild Siberian crane visited India in 1994, the experiment could not show results. Two birds brought in 1993 were allowed to remain in the wild and were living happily. Four other birds brought in 1994 had been removed to a zoo for their safety. The experiment would be repeated in 1995, and those four hand-reared Siberian crane chicks would also be released in the wild to mix with the wild species if they were to come, otherwise those may form a resident population.

87. The representative of the Secretariat pointed out that the CMS Standing Committee had supported the idea of holding a meeting of Range States in India in early 1994, however this was not possible. He sought clarification from Mr. Dey regarding the possibility of India offering to host such a meeting, possibly in January 1995 to coincide with the arrival of the cranes on their annual migration. Mr. Dey reported that his Government would consider hosting such a meeting at that time.

AGENDA ITEM 7: PREPARATIONS FOR THE SYMPOSIUM ON ANIMAL  
MIGRATION, INCLUDING EXHIBITION (6 JUNE 1994)

88. Under item 7, a revised timetable for the Symposium on Animal Migration was distributed, indicating a new commencement time of 9.15 a.m. on Monday, 6 June 1994.

AGENDA ITEM 8: ELECTION OF CHAIR AND VICE-CHAIR

89. At the second session of the meeting, on 5 June 1994, the Chairman reminded Councillors of the election scheduled to take place before the close of the meeting. He also informed the Council that Dr. Schlatter had withdrawn his candidacy for the post of Chair.

90. During the afternoon session on 5 June 1994, elections were held for the positions of Chair and Vice-Chair of the Scientific Council. Dr. Devillers was elected, unopposed, to the position of Chair. A ballot was taken between the two nominees for the position of Vice-Chair, Dr. Ngog Nje (Cameroon) and Ms. Weaver (Australia); and Dr. Ngog was elected to the post.



AGENDA ITEM 9: DATE AND VENUE OF THE SIXTH MEETING  
OF THE SCIENTIFIC COUNCIL

91. The Chairman indicated that the Scientific Council would be advised of the date and venue of the next meeting after deliberations between the new Chair, Vice-Chair and the Secretariat.

AGENDA ITEM 10: OTHER BUSINESS

92. There was no other business.

CLOSE OF THE MEETING

93. At the end of the first session, on 5 June, the Co-ordinator warmly thanked the outgoing Chairman, Prof. Wim Wolff, for his work towards the Scientific Council's activities during the triennium and expressed regret that Prof. Wolff's professional commitments had compelled him to step down from his position. Prof. Wolff expressed his pleasure at having had the opportunity to work with the Council over the past three years, and indicated that he would continue to serve as the representative of the Netherlands.

94. After the usual courtesies, the Chairman thanked the Councillors and the Secretariat for their input and closed the fifth meeting of the Scientific Council.

Annex 1

AGENDA FOR THE FIFTH MEETING OF THE CMS SCIENTIFIC COUNCIL

4-5 June 1994, Nairobi, Kenya

1. Opening remarks by the Chairman and the Secretariat.
2. Adoption of the agenda.
3. Reports on intersessional activities:
  - (a) Chairman;
  - (b) Secretariat;
  - (c) Councillors.
4. Matters to be discussed at the fourth meeting of the Conference of the Parties:
  - (a) Proposals for amendments to Appendix I and II to the Convention
    - (i) Discussion and evaluation of proposals;
    - (ii) Conclusions and recommendations for the Conference of the Parties;
  - (b) Review reports on selected Appendix 1 species (*Addax nasomaculatus*, *Gazella dorcas*, *Gazella leptoceros*, *Chlanydotis undulata*, *Numenius tenuirostris*, *Dendroica Kirtlandii*, *Bos sauveli*, and Indo-Pacific populations of marine turtles);
  - (c) Draft resolutions/recommendations on other matters;
  - (d) Reports by Parties;
  - (e) Conference appointees of the Scientific Council.
5. Matters arising from the fourth meeting of the Scientific Council:
  - (a) Report on artificial barriers to migration;
  - (b) Progress made by working groups/Councillors on other matters (background papers on selected taxa, assessments of migratory status/threats).
6. Matters concerning Agreements currently under development or already concluded:
  - (a) African-Eurasian Migratory Waterbird Agreement (AEWA);
  - (b) Asia-Pacific Migratory Waterbird Agreement (APWA);
  - (c) Mediterranean/Black Sea Small Cetaceans Agreement (ASCOMABS);
  - (d) Slender-billed curlew Memorandum of Understanding (SBC-MoU);
  - (e) Siberian crane Memorandum of Understanding (SC-MoU).
7. Preparations for the Symposium on Animal Migration, including exhibition (6 June 1994).
8. Election of Chair and Vice-Chair.
9. Date and venue of the sixth meeting of the Scientific Council
10. Other business



Annex 2

50 SPECIES CONSIDERED TO HAVE AN UNFAVOURABLE CONSERVATION STATUS

Scientific Name  
Order/Family, Species or spp.

AVES

GAVIIFORMES

*Gavia stellata*  
*Gavia arctica*, ssp. *arctica* and *suschkini*  
*Gavia immer immer*  
*Gavia adamsii*

PODICIPEDIFORMES

Podicipedidae  
*Podiceps grisegena grisegena*  
*Podiceps auritus*

PELECANIFORMES

Phalacrocoracidae  
*Phalacrocorax nigrogularis*  
*Phalacrocorax pygmaeus*  
Pelecanidae  
*Pelecanus onocrotalus*

CICONIIFORMES

Ardeidae  
*Botaurus stellaris stellaris*  
*Ixobrychus minutus minutus*  
*Ixobrychus sturmii*  
*Ardeola rufiventris*  
*Ardeola idae*  
*Egretta vinaceigula*  
*Casmerodius albus albus*  
*Ardea purpurea purpurea*  
Ciconiidae  
*Mycteria ibis*  
*Ciconia episcopus microscelis*  
Threskiornithidae  
*Geronticus eremita*  
*Threskiornis aethiopicus aethiopicus*  
*Platalea alba*

GRUIFORMES

Rallidae  
*Porzana porzana*  
*Porzana parva parva*  
*Porzana pusilla intermedia*  
*Fulica atra atra*  
*Aenigmatolimnas marginalis*  
*Sarothrura boehmi*

CHARADRIIFORMES

Dromadidae  
*Dromas ardeola*  
Laridae  
*Larus hemprichii*  
*Larus leucophthalmus*  
*Larus ichthyæetus*  
*Larus melanocephalus*  
*Larus genei*  
*Larus audouinii*

*Larus armenicus*  
*Sterna nilotica nilotica*  
*Sterna caspia*  
*Sterna maxima albidorsalis*  
*Sterna bergii*  
*Sterna bengalensis*  
*Sterna sandvicensis sandvicensis*  
*Sterna hirundo hirundo*  
*Sterna paradisaea*  
*Sterna albifrons, ssp. albifrons and guineae*  
*Sterna saundersi*  
*Sterna balaenarum*  
*Sterna repressa*  
*Chlidonias niger niger*  
*Chlidonias leucopterus*



Annex 3

42 SPECIES CONSIDERED TO HAVE A FAVOURABLE CONSERVATION STATUS BUT TO BE  
SUBJECT TO SPORT OR SUBSISTANCE HUNTING OR MANAGEMENT

AVES

PODICIPEDIFORMES

Podicipedidae  
*Tachybaptus ruficollis ruficollis*  
*Podiceps cristatus cristatus*  
*Podiceps nigricollis nigricollis*  
*Phalacrocorax carbo*

PELECANIFORMES

Pelecanidae  
*Pelecanus rufescens*

CICONIIFORMES

Ardeidae  
*Nycticorax nycticorax nycticorax*  
*Ardeola ralloides*  
*Bubulcus ibis ibis*  
*Egretta garzetta garzetta*  
*Ardea cinerea cinerea*  
*Ardea melanocephala*  
*Mesophoyx intermedia brachyrhyncha*  
Ciconiidae  
*Anastomus lamelligerus lamelligerus*  
*Ciconia abdimii*  
*Leptoptilos crumeniferus*

GRUIFORMES

Rallidae  
*Rallus aquaticus, spp. aquaticus and korejewi*  
*Rallus caerulescens*  
*Amaurornis flavirostra*  
*Gallinula chloropus chloropus*  
*Gallinula angulata*  
*Porphyrio alleni*  
*Fulica cristata*  
*Crecopsis egregia*

CHARADRIIFORMES

Haematopodidae  
*Haematopus ostralegus, spp. ostralegus and longipes*  
Burhinidae  
*Burhinus senegalensis*  
Glareolidae  
*Pluvianus aegyptius aegyptius*  
*Glareola nuchalis*  
*Glareola ocularis*  
*Glareola cinerea cinerea*  
Laridae  
*Larus minutus*  
*Larus ridibundus*  
*Larus cirrocephalus poiocephalus*  
*Larus canus, spp. canus and heinei*  
*Larus fuscus, spp. fuscus and graellsii*  
*Larus argentatus, spp. argentatus and argenteus*

*Larus cachinnans*, spp. *michahellis*, *cachinnans*, *omissus*, *heuglini*,  
and *taimyrensis*  
*Larus glaucoides*  
*Larus hyperboreus hyperboreus*  
*Larus marinus*  
*Xema sabini*  
*Chlidonias hybridus*, spp. *hybridus* and *sclateri*  
Rynchopidae  
*Rynchops flavirostris*



Annex 4

DRAFT CONCERTED ACTION PLAN FOR APPENDIX I SPECIES  
UNDER RESOLUTION 3.2, PARAGRAPH 4

Saharo-Sahelian ungulates

—

Concerns six species, of which five,

*Oryx dammah,*  
*Addax nasomaculatus,*  
*Gazella leptoceros,*  
*Gazella cuvieri,*

are gravely threatened,  
and one,

*Gazella dorcas,*

is in severe decline,

characteristic of the region of the Palaearctic zone with the worst  
record of higher vertebrate (large mammals and birds) diversity loss  
in historical time.

## 1. Legislative measures

Revise hunting legislation of all Range States so as to ensure a complete ban on hunting for the five most threatened species, establish rigorous regulation of open seasons for *Gazella dorcas* in areas where the populations can sustain harvesting, and suppress any exceptions in favour of any form of hunting from vehicles. Concerted action can concentrate on arranging technical assistance and cooperation in the preparation of drafts of revised legislation.

## 2. Awareness campaigns

To be undertaken both in the Range States and in countries that provide cooperants or visitors. They should address:

- the local populations, to increase consciousness and appreciation of heritage;
- the tour operators to limit irresponsible hunting, killing or harassment;
- the cooperants via the diplomatic services they report to and the companies that employ them, to curb poaching and other disturbances in which connection they are possibly the group presenting the greatest threat.

Concerted action is possible, in particular in bringing assistance to on-the-spot campaigns and particularly, in locating and informing corporations that are in a position to exert the most effective pressure on their employees to bring an end to abuses.

## 3. Protected areas

Support and consolidate the National Park systems within the range states (in particular Niger, Chad, Mali, Mauritania, Morocco, Tunisia, Algeria).

Identify the zones most appropriate to the construction of a coherent network of protected areas covering both the residual and former ranges, including:

- renewed surveys to provide precise and complete knowledge of residual presence;
- identification of favourable zones in former regions of presence to prepare reintroduction;
- complementary information on precise ecological needs including amplitude of movement, when this gathering is still possible.

Establish a network, including feasibility study, analysis of constraints, concrete programme of administrative measures, management plan.

First emphasis could be on the northern Saharan and sub-Saharan areas, where a restoration effort is urgent and feasible.

## 4. Population reinforcement and reintroduction

It is clear, in view of the current status of Saharan and Saharo-Sahelian ungulates, that actions of this type will be needed for at least the five most threatened species. Within-range efforts, at



least at the last pre-introduction stages, must be given absolute preference. In this respect, the Tunisian programmes appear particularly attractive; similar projects could be initiated, in collaboration with Tunisia, in areas with similar conditions, in particular in Morocco, Egypt and Libyan Arab Jamahiriya. Possibilities for projects also appear to exist in Chad and could be the basis for a southern chain of efforts.

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Draft prepared by

Roseline C. Beudels, Councillor for Belgium  
Martine Bigan, Councillor for France  
Pierre Devillers, Councillor for the European Union  
Pierre Pfeffer, Councillor appointed by the Conference

Annex 5

(Available only in French)

RAPPORT SUR LA SITUATION D'UNE ESPECE  
=====

1. *Taxonomie*

1.1. Taxonomie spécifique : *Addax nasomaculatus* (Blainville, 1816)

1.2. Nom commun : FR: Addax  
                  ANG: Addax

2. *Données biologiques*

2.1. Répartition:

Autrefois à travers tout le Sahara, du Sénégal et du Rio del Oro à l'ouest, au Soudan et à l'Egypte à l'est. Actuellement seules de petites populations subsistent dans le Djouf, entre la Mauritanie et le Mali, et dans le désert du Ténéré, au Niger, et son prolongement au Tchad jusqu'à la frontière du Soudan.

2.2. Habitat:

Spécialiste des régions désertiques sablonneuses.

2.3. Estimation et évolution des populations:

Les populations ont connu un déclin spectaculaire suite à la militarisation du désert. Disparu de la plus grande partie de son aire de répartition. L'Addax est aujourd'hui une espèce gravement menacée: l'estimation de population la plus récente, au début des années 1990, est de moins de 1000 individus pour l'ensemble de l'aire de distribution, dont 200 pour le Ténéré.

2.4. Caractéristiques migratoires:

Importants déplacements saisonniers de plusieurs centaines de kilomètres d'amplitude (300 - 500 km selon les années), orientés vers le nord en saison des pluies, vers le sud (en Sahel) en saison sèche.



3. *Etat de conservation, par partie*

Algérie: probablement éteint  
Tunisie: en voie de réintroduction  
Egypte: probablement éteint  
Tchad: en danger ou au bord de l'extinction  
Niger: en danger  
Mauritanie: au bord de l'extinction  
Mali: au bord de l'extinction  
Soudan: probablement éteint

4. *Menaces effectives et éventuelles*

4.1. Détérioration et régression des habitats :

Sécheresses catastrophiques des années 1969-1970 et des années 1980, qui ont accentué la pression de chasse.

4.2. Exploitation directe:

Autrefois (jusqu'aux années 60), par la chasse au filet; actuellement encore chasse à courre à l'aide de chiens, de chevaux et de dromadaires; chasse à l'aide d'armes à feu au départ de véhicules tous terrains.

5. *Dispositions réglementaires*

5.1. Internationales:

Convention de Bonn, Annexe I, Résolution 3.2, para. 4.  
Convention de Washington (CITES): Annexe I

5.2. Nationales:

Espèce totalement protégée en Algérie, Tunisie, Mali, partiellement au Soudan, protégée pour une période renouvelable au Niger.

6. *Mesures de conservation, par Partie*

6.1. Interdiction du prélèvement:

Niger: protégée pour une période renouvelable  
Mali: protégée

6.2. Conservation de l'habitat:

Niger: l'espèce est présente dans le Réserve nationale intégrale de l'Aïr-Ténéré, et la population est estimée à 30-50 individus (Bousquet, 1992).

Tchad: l'espèce serait encore présente dans la réserve du Ouadi Rimé- Ouadi Achim, mais le statut de l'espèce y est incertain depuis plus de quinze ans; aucun animal n'a été observé lors de prospections aériennes récentes ( Pfeffer, FAO, 1991, 1992).

Tunisie: Le parc de Sidi Toui en cours d'aménagement est notamment destiné à la réintroduction de l'espèce.

6.3. Atténuation des obstacles aux migrateurs:  
sans objet.

6.4. Réglementation concernant d'autres facteurs préjudiciables:  
insuffisante

6.5. Autres mesures:

Tunisie: Programme de réintroduction avec reproduction et multiplication dans l'aire naturelle à Sidi Toui.

## 7. Activités de recherche

7.1. Pouvoir publics :

Tunisie: études liées au programme de réintroduction.

7.2. O.N.G. :

## 8. Besoins et mesures recommandés

8.1. Protection totale de l'espèce sur toute son aire de distribution.

Révision des réglementations de chasse.

8.2. Mesures de conservation:

Mise en place d'un réseau de zones protégées sur l'ensemble de l'aire de distribution restante et potentielle.

Assistance à la création d'une ou de plusieurs zones protégées transfrontalières aux confins sahariens du Mali, de la Mauritanie et de l'Algérie.

Assistance au programme Tunisien de réintroduction.

8.3. Localisation et suivi des populations résiduelles, et précision de leurs exigences spatiales et écologiques.

8.4. Autres mesures: multiplication de centres d'élevage en semi-captivité dans les pays de l'aire de répartition (sur le modèle du programme Tunisien); renforcements de populations et réintroductions dans l'aire potentielle.



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RAPPORT SUR LA SITUATION D'UNE ESPECE  
=====

1. Taxonomie

1.1. Taxonomie spécifique : *Oryx dammah* (Cretzschmar, 1826)

1.2. Nom commun : FR: Oryx algazelle (ou algazel)  
ANG: Scimitar-horned oryx, Scimitar oryx

2. Données biologiques

2.1. Répartition:

L'aire de répartition comprenait autrefois l'ensemble des régions semi-désertiques au nord et au sud du Sahara. L'Oryx algazelle était présent au Maroc jusqu'au versant sud de l'Atlas, en Algérie, en Tunisie, en Lybie et en Egypte, dans l'ouest du Soudan, au Tchad, au Niger, au Mali et en Mauritanie.

2.2. Habitat:

L'Oryx algazelle est lié aux zones subdésertiques. Il y fréquente les formations graminéennes et buissonnantes, les boisements clairs d'acacias; il pénètre aussi, peut-être de plus en plus, dans les zones désertiques, notamment à la faveur de pâturages temporaires.

2.3. Estimation et évolution des populations:

Exterminée dans la plus grande partie de son aire de répartition, l'espèce fut restreinte, dès les années 1970, à la bande sahélienne au sud du Sahara et au nord du 15° parallèle, entre la Mauritanie et le Soudan. Depuis le milieu des années 1980, l'Oryx algazelle ne semble plus subsister que sur une bande allant du sud-est de l'Aïr (Niger) jusqu'à l'Ennedi (Tchad). Cependant, des prospections aériennes effectuées en 1991 et 1992 n'ont donné aucun résultat (Pfeffer, FAO, 1991, 1992). Les effectifs seraient de moins de 30 individus pour la Réserve de l'Aïr-Ténééré.

2.4. Caractéristiques migratoires:

Vivant normalement en petits troupeaux de 10 à 20 têtes, ces antilopes se rassemblaient périodiquement en hardes et entreprenaient des migrations saisonnières de plusieurs centaines de kilomètres d'amplitude, orientées sensiblement du sud-ouest au nord-est à partir de juin (début des pluies) et en sens inverse à partir d'octobre (saison sèche). Actuellement, pour survivre, l'Oryx algazelle est devenu de plus en plus nomade, et effectue la plupart de ses déplacements de nuit.



3. *Etat de conservation, par partie*

Niger: en danger, au bord de l'extinction.

Tchad: en danger, au bord de l'extinction.

Mauritanie, Mali, Soudan: récemment éteint.

Tunisie: en cours de réintroduction.

Maroc, Algérie, Egypte: éteint depuis les années 1930.

4. *Menaces effectives et éventuelles*

4.1. Dégradation et régression des habitats :

sécheresses catastrophiques des années 1960-1970 et des années 1980.

dégradation des gagnages par le surpâturage et l'abattage des ligneux.

4.2. Exploitation directe:

Autrefois chasse à cheval et à la lance, actuellement chasse à l'aide d'armes à feu et de véhicules tous terrains.

4.3. Autres menaces:

Extension des cheptels ovins et caprins, multiplication des puits, et envahissement des habitats disponibles. .

5. *Dispositions réglementaires*

5.1. Internationales:

Convention de Bonn: Annexe I, résolution 3.2, para. 4.  
Convention de Washington (CITES): Annexe I

5.2. Nationales:

Protégé totalement au Niger, en Mauritanie, au Mali, en Algérie, en Tunisie, partiellement au Soudan.

6. *Mesures de conservation, par Partie*

6.1. Interdiction du prélèvement:

Niger : protégé

6.2. Conservation de l'habitat:

Niger: l'espèce est encore présente dans la Réserve nationale intégrale de l'Aïr-Ténéré, bien que représentée par des effectifs très restreints (moins de 30 individus).

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Tchad: l'espèce serait encore présente dans la Réserve de Ouadi Rimé-Ouadi Achim. Cette zone était encore très riche en oryx dans les années 1970, mais aucun animal ne fut observé lors des prospections aériennes de 1991 et 1992.

Tunisie: restauration de l'habitat potentiel dans le cadre de l'extension du Parc National de Bou Hedma.

6.3. Atténuation des obstacles aux migrateurs: sans objet.

6.4. Réglementation concernant d'autres facteurs préjudiciables:  
insuffisante

6.5. Autres mesures:

Tunisie: Programme de réintroduction jusqu'à présent couronné de succès dans le Parc de Bou Hedma, situé dans la zone historique de présence.

Hors aire de distribution: Elevages en semi-captivité notamment aux Etats-Unis et en Israël.

#### 7. Activités de recherche

7.1. Pouvoir publics :

Tunisie: suivi de la réintroduction à Bou Hedma.

7.2. O.N.G. :

#### 8. Besoins et mesures recommandés

8.1. Protection totale de l'espèce

Révision des réglementations de chasse

8.2. Mesures de conservation:

mise en place d'un réseau de zones protégées sur l'ensemble de l'aire de répartition restante et potentielle.

8.3. Localisation et suivi des populations résiduelles, et précision de leurs exigences écologiques.

8.4. Renforcement de populations et réintroduction dans l'aire potentielle.

Assistance au programme tunisien de réintroduction.

9.

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RAPPORT SUR LA SITUATION D'UNE ESPECE  
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1. Taxonomie

1.1. Taxonomie spécifique : *Gazella dama* (Pallas, 1766)

1.2. Nom commun : FR: Gazelle dama, Biche-Robert, Mohrr  
ANG: Addra gazelle

2. Données biologiques

2.1. Répartition:

Autrefois l'ensemble des zones désertiques et subdésertiques du Sahara méridional et occidental, atteignant au nord le Maroc et le sud de l'Algérie. Eteinte ou proche de l'extinction au Maroc, en Mauritanie, au Mali et au Soudan. La zone de distribution principale semble être actuellement centrée sur l'Air, le sud des ergs du Ténéré et de Bilma, le nord-est du lac Tchad dans le Kaneau, le Djourab et l'Ennedi (Niger et Tchad).

2.2. Habitat:

Formations buissonnantes du Sahel; steppes sahéliennes semi-désertiques; bois clairs d'acacias aussi ergs et massifs rocheux.

2.3. Estimation et évolution des populations:

Les populations ont connu un déclin catastrophique s'accompagnant d'extinction de populations locales, y compris probablement de sous-espèces nommées (*Gazella dama mohrr*, *Gazella dama lazanoi*). L'estimation de population la plus récente, relative aux années 1980 - 1990, est de moins de 1.500 individus pour l'ensemble de l'aire de distribution, dont 400 au Niger. Les indications fragmentaires dont on dispose pour la décade actuelle suggèrent des chiffres encore plus faibles.

2.4. Caractéristiques migratoires:

Des déplacements de moyenne amplitude sont entrepris en fonction de la disponibilité des gagnages. Des populations peuvent être fixées, au moins temporairement, dans des zones particulièrement favorables.

3. Etat de conservation, par partie

Niger : en danger  
Tchad : en danger  
Mali : en danger ou éteinte  
Sénégal : probablement éteinte  
Maroc : au bord de l'extinction.



4. Menaces effectives et éventuelles

4.1. Dégradation et régression des habitats :

dégradation des gagnages par le surpâturage et l'abattage des ligneux.

sécheresses catastrophiques des années 1960 - 1970 et des années 1980.

4.2. Exploitation directe:

Chasse et braconnage semi-industriels, à courre avec chevaux et dromadaires, à l'aide de lévriers, chasse aux pièges, poursuite à l'aide de véhicules tous terrains, armes à feu.

4.3. Autres menaces:

Extension rapide des cheptels ovins et caprins et envahissement des habitats disponibles.

5. Dispositions réglementaires

5.1. Internationales:

Convention de Bonn: Annexe I, résolution 3.2, para. 4.  
Convention de Washington (CITES): Annexe I

5.2. Nationales:

Complètement protégée au Mali, au Sénégal, au Maroc, ainsi qu'en Algérie, Tunisie et partiellement au Soudan; complètement protégée pour une période renouvelable au Niger.

6. Mesures de conservation, par partie

6.1. Interdiction du prélèvement:

Niger: protégée pour une période renouvelable  
Mali: protégée  
Sénégal: protégée  
Maroc: protégée

6.2. Conservation de l'habitat:

Niger : l'espèce est présente dans une zone protégée, la réserve nationale intégrale de l'Air-Ténéré, dans laquelle la mise en oeuvre de mesures de conservation se heurtent toutefois à des problèmes pratiques énormes.

Tchad : l'espèce est présente dans une zone protégée, la réserve du Ouadi-Rimé-Ouadi-Achim; cette réserve est cependant fortement envahie par les troupeaux domestiques depuis le début de la guerre civile (1978).

6.3. Atténuation des obstacles aux migrants: sans objet.

6.4. Réglementation concernant d'autres facteurs préjudiciables:

insuffisante

6.5. Autres mesures:

Elevages en semi-captivité, notamment en Tunisie.

7. Activités de recherche

7.1. Pouvoir publics :

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7.2. O.N.G. :

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8. Besoins et mesures recommandés

8.1. Protection totale de l'espèce

Révision des réglementations de chasse

8.2. Mise en place d'un réseau de zones protégées sur l'ensemble de l'aire de distribution restante et potentielle.

8.3. Localisation et suivi des populations résiduelles: précision de leurs exigences écologiques.

8.4. Renforcement de populations

Réintroduction dans l'aire potentielle

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10. Références

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RAPPORT SUR LA SITUATION D'UNE ESPECE  
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1. *Taxonomie*

- 1.1. Taxonomie spécifique : *Gazella leptoceros* (Cuvier, 1842)  
1.2. Nom commun : FR: Gazelle leptocère, Rhim  
                  ANG: Loder's gazelle, Slender-horned gazelle, Sand gazelle, Rhim

2. *Données biologiques*

2.1. Répartition:

Centre et est de l'Algérie, sud de la Tunisie, Lybie (Tripolitaine et est de la Cyrénaïque), nord-ouest du Soudan, et nord-ouest de l'Egypte. Elle fait de très rares apparitions dans le nord du Tchad et le nord-est du Niger.

2.2. Habitat:

Zones désertiques, où elle semble limitée aux ergs.

2.3. Estimation et évolution des populations:

La Gazelle leptocère doit être considérée comme partiellement exterminée: elle a été totalement éliminée dans la plus grande partie de son aire de distribution et, là où elle existe encore, elle est devenue très rare. Les principales populations survivantes se trouvent dans le sud de la Tunisie et dans le centre et l'est de l'Algérie, au sud de l'Atlas Saharien.

2.4. Caractéristiques migratoires:

Espèce très nomade, en raison de la quête permanente de nouveaux gagnages. Déplacements saisonniers assez importants, provoqués par la recherche de pâturages disséminés dans les massifs montagneux.

3. *Etat de conservation, par Partie*

Algérie: en danger

Tunisie: en danger

Egypte: en danger, au bord de l'extinction.

Tchad : en danger

Niger: en danger

Soudan: en danger, au bord de l'extinction.

4. *Menaces effectives et éventuelles*

4.1. Dégradation et régression des habitats :

sécheresses des années 1960- 1970 et des année 1980.

4.2. Exploitation directe:

Par la chasse traditionnelle à l'aide de lévriers, à la lance, aux pièges et surtout, depuis les années 50, destruction à l'aide d'armes à feu et de véhicules tous terrains.

4.3. Autres menaces:

5. Dispositions réglementaires

5.1. Internationales:

Convention de Bonn: Annexe I, résolution 3.2, para. 4.  
Convention de Washington (CITES): Annexe III (Tunisie).

5.2. Nationales:

Totalement protégée en Algérie, Tunisie, Egypte

6. Mesures de conservation, par Partie

6.1. Interdiction du prélèvement:

Algérie:	protégée
Tunisie:	protégée
Egypte:	protégée

6.2. Conservation de l'habitat:

Tunisie: Projet de création d'un parc national au sud du Chott El Jerid, zone protégée dont l'objectif principal serait la protection de la Gazelle leptocère (sud de Douz, dans le secteur Es Sabria-Jbil) (fide Dragesco-Joffé).

6.3. Atténuation des obstacles aux migrants: sans objet.

6.4. Réglementation concernant d'autres facteurs préjudiciables:

non évaluée

6.5. Autres mesures:

Des animaux captifs ou semi-captifs qui pourraient permettre des tentatives de réintroduction existent en Egypte et en Israël.

7. Activités de recherche

7.1. Pouvoir publics :

7.2. O.N.G. :

8. Besoins et mesures recommandées

8.1. Protection totale de l'espèce dans tous les pays de l'aire de répartition.

Révision des réglementations de chasse.



8.2. Mesures de conservation:

Mise en place d'un réseau de zones protégées sur l'ensemble de l'aire de distribution restante et potentielle. Localisation et suivi des populations résiduelles, précision de leurs exigences écologiques. Assistance au programme tunisien de conservation de l'espèce.

8.4. Autres mesures: Réintroduction et renforcement de populations, passant par la création de centres d'élevage en semi-captivité dans les pays mêmes de l'aire de répartition.

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RAPPORT SUR LA SITUATION D'UNE ESPECE  
=====

1. Taxonomie

1.1. Taxonomie spécifique : *Gazella cuvieri*

1.2. Nom commun : FR: Gazelle de Cuvier  
ANG: Edmi gazelle

2. Données biologiques

2.1. Répartition:

Les régions montagneuses du Maroc, de l'Algérie et de la Tunisie

2.2. Habitat:

Forêts claires de *Pinus halepensis*; fourrés de *Quercus ilex*; matorral à *Juniperus phoenicea*; steppes à *Stipa tenacissima*.

2.3. Estimation et évolution des populations

Toutes les populations sont en diminution. Les estimations les plus récentes donnent 250 - 500 individus pour l'Algérie (Kowalski et Rzebik-Kowalska, 1982) et environ 200 individus pour la Tunisie (Bousquet, 1991). Les effectifs Marocains sont faibles.

2.4. Caractéristiques migratoires:

Déplacements régionaux, incluant des déplacements transfrontaliers.

3. Etat de conservation, par Partie

Maroc : en danger

Algérie : en danger

Tunisie : reste en danger du fait de la faiblesse des effectifs malgré une amélioration récente.

4. Menaces effectives et éventuelles

4.1. Déforestation, coupes de bois  
Surpâturage

4.2. Braconnage, par pièges et armes à feu

4.3. Autres menaces: non

5. Dispositions réglementaires

5.1. Internationales:

Convention de Bonn: Annexe I, résolution 3.2, para. 4.  
Convention de Washington (CITES): Annexe III (Tunisie).

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5.2. Nationales:

Complètement protégée en Algérie et en Tunisie; prélèvement des gazelles régulé au Maroc

6. Mesures de conservation, par Partie

6.1. Interdiction du prélèvement:

Algérie: protégé  
Tunisie: protégé  
Maroc : protégé

6.2. Conservation de l'habitat:

Tunisie : l'espèce est présente dans le Parc National du Djebel-Chambi, dont la réglementation est très stricte et la protection effective, et qui apparaît comme le principal refuge de l'espèce (Bousquet, 1991). L'espèce y est en augmentation.

Algérie : l'espèce est présente en petit nombre dans le Parc National de Belezma.

Maroc : l'espèce est présente en petit nombre dans la région du Parc National du Haut-Atlas oriental.

6.3. Atténuation des obstacles aux migrateurs: sans objet.

6.4. Réglementation concernant d'autres facteurs préjudiciables:  
non évaluée

6.5. Autres mesures:

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7. Activités de recherche

7.1. Pouvoir publics:

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7.2. O.N.G.

—

8. Besoins et mesures recommandés

8.1. Protection totale de l'espèce  
Révision des réglementations de chasse

8.2. Mise en place d'un réseau de zones protégées sur l'ensemble de l'aire de distribution restante et potentielle.

8.3. Précision des exigences écologiques.

9.

10. Références

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RAPPORT SUR LA SITUATION D'UNE ESPECE

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1. *Taxonomie*

1.1. Taxonomie spécifique : *Gazella dorcas* (Linnaeus, 1758).

1.2. Nom commun : FR: Gazelle dorcas, Dorcade  
ANG: Dorcas gazelle

2. *Données biologiques*

2.1. Répartition:

Au 19e siècle, la Gazelle dorcas était largement répandue dans tout le Nord de l'Afrique, depuis l'Atlantique jusqu'à la mer Rouge, et au-delà, jusqu'à la péninsule Arabe, la Syrie et l'Iraq.

2.2. Habitat:

Régions désertiques, ergs, hamadas pierreuses; régions subdésertiques, steppes sahéliennes.

2.3. Estimation et évolution des populations:

Autrefois très commune dans toute son aire de répartition, l'espèce a été totalement détruite dans la plupart des régions et très réduite en effectifs dans celles où elle s'est maintenue.

2.4. Caractéristiques migratoires:

Des déplacements saisonniers très réduits et se limitant à des changements de pâturage, parfois transfrontaliers mais dans la même région géographique (par exemple à l'intérieur du Massif du Termit, au Niger, ou de l'Ennedi, au Tchad).

3. *Etat de conservation, par Partie*

Niger: non menacée

Tchad: non menacée

Mali: non menacée

Maroc: très réduite

Algérie: très réduite

Tunisie: très réduite

Egypte: au bord de l'extinction

4. *Menaces effectives et éventuelles*

4.1. Dégradation et régression des habitats :

sécheresses catastrophiques des années 1960-1970 et des années 1980.

dégradation des gagnages par le surpâturage et l'abattage des ligneux.

4.2. Exploitation directe:

Chasse à courre à l'aide de lévriers, à la lance, aux pièges, et surtout, destruction par les armes à feu et les véhicules tous-terrains.

4.3. Autres menaces:

5. Dispositions réglementaires

5.1. Internationales:

Convention de Bonn: Annexe I, Résolution 3.2, para.4.  
Convention de Washington (CITES): Annexe III (Tunisie).

5.2. Nationales:

Complètement protégée en Algérie, Tunisie, Egypte, Burkina Faso, Mali, Ethiopie, Nigéria, Somalie, partiellement au Soudan et au Maroc.

6. Mesures de conservation, par Partie

6.1. Interdiction du prélèvement:

Mali: protégée  
Algérie: protégée  
Tunisie: protégée, prises exceptionnelles autorisées sous licence.  
Egypte: protégée  
Maroc: prise régulée

6.2. Conservation de l'habitat:

Niger : l'espèce est présente dans la réserve nationale de l'Air-Ténéré, où elle est bien représentée. Une petite population se trouve également dans la Réserve de faune de Gadabedji.  
Tchad : l'espèce est présente dans la réserve du Ouadi Rimé-Ouadi-Achim.  
Mauritanie: l'espèce est encore présente dans le Parc National du Banc d'Arguin, mais elle y est pratiquement éteinte (moins de 10 individus).  
Maroc: l'espèce est présente dans au moins deux zones protégées.  
Mali: l'espèce est présente en petits nombres dans les Réserves de Ansongo-Menaka et Elephant Reserve.  
Algérie: l'espèce est présente dans le Parc National du Tassili-N'Ajjer et aussi dans le Parc National du Hoggar.

/...



Israël: dans le Negev, en accroissement depuis les années 60 (effectifs passés de 200 à plus de 1.000 selon East, 1963).

6.3. Atténuation des obstacles aux migrateurs: sans objet.

6.4. Réglementation concernant d'autres facteurs préjudiciables:  
non évaluée

6.5. Autres mesures:

Elevages en semi-captivité, notamment aux Etats-Unis, en Espagne et en Israël.

#### 7. Activités de recherche

7.1. Pouvoir publics :

7.2. O.N.G. :

#### 8. Besoins et mesures recommandés

8.1. Législatives: protection partielle de l'espèce dans tous les pays de l'aire de répartition, avec établissement de saisons de chasse.

8.2. Mesures de conservation:

Réseau de zones protégées

8.3. Recherches et surveillance: prospections et inventaires complémentaires dans la zone sud-saharienne et dans la partie asiatique de l'aire de répartition.

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Annex 6

RESEARCH ON MIGRATION IN SMALL CETACEANS

Draft recommendation prepared by the Scientific Council

*The Conference of the Parties to the Convention of Migratory Species of Wild Animals,*

*Noting, as resolved by the Conference of the Parties at its Third Meeting (Res. 3.3, 1991), that the Bonn Convention and certain existing and contemplated regional international Agreements under its auspices now include small cetaceans,*

*Recalling that 27 species of small cetaceans are included in Appendix II of the Convention, and*

*Recognizing that the migratory behaviour of most small cetaceans in most regions is scientifically very poorly known, making the nature and scope of international conservation problems difficult to determine, and making regional and international co-operation difficult to achieve,*

*Recommends that:*

- (a) the Parties to the Bonn Convention carry out scientific studies to investigate and describe the migrations of small cetaceans in their waters, giving priority to species and populations of threatened or uncertain status;
- (b) those Parties having the technical expertise and resources necessary for such studies advise and assist other Parties and other Range States (through appropriate mechanisms such as memoranda of understanding) to plan and carry out needed studies for including, for example, sighting surveys conducted over seasons and years, tagging, use of natural marks, conventional radio-tracking or satellite-based radio-tracking and genetic studies of stock identity; and
- (c) the Parties concerned report to the next meeting of the Conference of the Parties on measures taken in response to this recommendation.



Annex 7

CONSERVATION MEASURES FOR APPENDIX I SPECIES OF CMS

Working paper submitted by  
Mr. S.C. Dey, Scientific Councillor for India

1. All Range countries should immediately develop a data base for the listed species and evolve proper monitoring and evaluation measures for the status of the species.
2. The major threat to the decline of the species should be identified and a national action plan developed to improve the conservation status.
3. The Range States should earmark adequate funding for the conservation of the species and prepare projects for drawing financial assistance from International Aid Agencies.
4. There should be constant dialogue and exchange of information between the Range States, wintering area countries and countries falling in the migration route or staging areas to evolve a comprehensive regional action plan for the listed species.
5. MOU's or suitable agreements may be developed bilaterally or multilaterally within the auspices of the Bonn Convention or even outside it if non-Parties of the Convention are involved.
6. All Range States must develop proper legislation to ensure complete protection of the species including its habitat and erect a suitable mechanism for the implementation of such legal provision.

Annex 8

ARRANGEMENTS FOR THE SCIENTIFIC COUNCIL

Draft resolution

*The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals,*

*Taking into consideration that Article VIII, paragraph 2, of the Convention invites any Party to appoint a qualified expert as a member of the Scientific Council;*

*Recognizing that Scientific Councillors, for whatever reason, may not be able to attend meetings of the Council and that such absences may reduce the scientific capacity of the Council to carry out its assigned tasks;*

*Recalling that Resolution 1.4, paragraph 5 (b) requires that the Scientific Council should normally meet only in connection with the meetings of the Conference of the Parties;*

*Recognizing that the growing global coverage of the Convention and the increasing tasks of the Council necessitate more frequent meetings;*

*Determines that, additionally to the provisions of Resolution 1.4, the Scientific Council should meet at least once intersessionally;*

*Invites the Parties to nominate a permanent alternative Scientific Councillor authorized to participate in meetings of the Scientific Council if the regular Scientific Councillor cannot attend.*

*Takes note of the fifth meeting of the Scientific Council to create a post of Vice-Chair to assist the Chair in its duties.*



Annex 9

Draft

MEMORANDUM OF UNDERSTANDING CONCERNING CONSERVATION MEASURES FOR THE  
SLENDER-BILLED CURLEW, *Numenius tenuirostris*

between

The Committee of Environmental Preservation and Protection, Ministry of Health and Environment of the Republic of Albania (Albania)

The Ministry of Hydraulics and Forests of the People's Democratic Republic of Algeria (Algeria)

The Federal Ministry of Environment, Youth and Families of the Republic of Austria (Austria)

The Ministry of Environment of the Republic of Bulgaria (Bulgaria)

The Ministry for the Protection of the Environment of the Republic of Croatia (Croatia)

The Ministry of Agriculture and Natural Resources of the Republic of Cyprus (Cyprus)

The Department of Zoos and the Egyptian Wildlife Service, Ministry of Agriculture of the Arab Republic of Egypt (EGYPT)

The Commission of the EUROPEAN ECONOMIC COMMUNITIES

The Ministry of Environment, Physical Planning and Public Works of the Hellenic Republic (Greece)

The Ministry of Environment and Regional Policy of the Republic of Hungary (HUNGARY)

The Department of the Environment, Public and International Affairs of Islamic Republic of Iran (Iran)

The Environment Protection and Improvement Council of the Republic of Iraq (Iraq)

The Ministry of Environment of the Italian Republic (ITALY)

The Ministry of Ecology and Biological Resources of the Republic of Kazakhstan (Kazakhstan)

The Ministry of Environment of the Republic of Malta (Malta)

Department of Water and Forests of the Kingdom of Morocco (MOROCCO)

The Ministry of Regional Municipalities' Affairs and Environment of the Sultanate of Oman (Oman)

The Ministry of Water, Forests and Environmental Protection of Romania

The Ministry of Environment Protection and Natural Resources of the Russian Federation

/...

The Ministry of Agriculture, Fisheries and Nutrition of the Kingdom of Spain (SPAIN)

The Ministry of Environment and Regional Development of the Republic of Tunisia (TUNISIA)

The Ministry of Environment of the Republic of Turkey (Turkey)

The Ministry of Nature Resources Management and Nature Conservation of Turkmenistan

The State Committee for Nature Conservation of the Republic of Uzbekistan (Uzbekistan)

The Ministry of Environment Protection of Ukraine

The Environment Protection Council/Committee of Republic of Yemen (Yemen)

The Ministry of Environment Protection of the Federal Republic of Yugoslavia (Yugoslavia)

*Note: Countries that are capitalized are Parties to the Convention on the Conservation of Migratory Species of Wild Animals.*

The undersigned, acting on behalf of the respective authorities named above,

Aware that the whole population of the Slender-billed curlew (*Numenius tenuirostris*) has been reduced to the brink of extinction;

Recognizing that the population of this bird species is still inhabiting a small breeding area and, on its way to the wintering areas, is migrating on a ramified route crossing the territories of numerous Range States;

Concerned that the hunting or taking of this bird species and loss of its habitats, especially wetlands on its migratory routes and in its wintering areas, are thought to contribute to the continuing decline in the numbers of the Slender-billed curlew;

In view of the insufficient knowledge about this bird species which urgently needs to be increased;

Conscious that immediate action must be taken to prevent the ongoing threat of extinction;

Acknowledging shared responsibility as to the protection of biodiversity of the palearctic avifauna;

Following Resolution No. 7 of the XX World Conference of the International Council for Bird Preservation in Hamilton, New Zealand (November 1990), and the Declaration of the Slender-billed curlew Workshop in Arosio, Italy (March 1992);

Appealing to all Range States of the Species that not yet have done so to join or, where appropriate, to confirm and to implement the Bonn Convention, the Ramsar Convention and any regional Conventions and agreements which have, *inter alia*, the object to conserve the Slender-billed curlew,

AGREE to work closely together to improve the conservation status of the Slender-billed curlew throughout its breeding, migrating and wintering range.

/...



To that end they shall, in a spirit of mutual understanding and co-operation,

1. Provide strict protection for the Slender-billed curlew and identify and conserve the wetlands and other habitats essential for its survival, in accordance with Article III, paragraphs 4 and 5 of the Bonn Convention as well as with Appendix I;
2. Implement in their respective countries the provisions of the Action Plan annexed to this Memorandum as a basis for the conservation of the whole population of the species. Implementation of the Memorandum, including the Action Plan, shall be assessed by correspondence or personal contacts with the Secretariat and the Scientific Council of the Bonn Convention;
3. Facilitate the expeditious exchange of scientific, technical and legal information needed to co-ordinate conservation measures and co-operate with recognized scientists of international organizations and other Range States in order to facilitate their work conducted in relation to the Action Plan;
4. Designate a competent authority or an authorized scientist to serve as a contact person for the other Parties and communicate without delay the name of this person to the Secretariat of the Bonn Convention;
5. Provide to the Secretariat of the Bonn Convention, at least annually after the signing of this Memorandum of Understanding, a report on its implementation. The Secretariat shall transmit to each of the Range States all of the reports received, together with an overview report which it shall compile on the basis of information at its disposal;
6. Develop, within one year after the date of entry into force of this Memorandum of Understanding, a longer-term Conservation or Action Plan for possible inclusion in the African-Eurasian Waterbird Agreement being developed under the auspices of the Bonn Convention. It shall include, *inter alia*:
  - a. actions to find the breeding places in the marshes of the taiga or forest steppes of southwestern Siberia;
  - b. provisions for the better identification of migratory routes and resting habitats, especially key sites on the migratory routes and in the wintering areas;
  - c. appropriate legal regulations to protect the birds from any kind of disturbance or killing through hunting or other activities;
  - d. actions to protect all identified breeding areas as well as key migration and wintering sites;
  - e. proposals for the precision and effective improvement of those protection measures and research activities suggested in the subsequent Action Plan;

Apart from financing, on a national basis, the different measures taken by the individual Parties, efforts should also be made to gain financial support for key points of the Action Plan from other sources.

After entry into force of the African-Eurasian Waterbird Agreement, which is currently under development, all those functions listed in this Memorandum concerning the co-ordination, the receipt and further distribution of reports as well as the development of further actions may be transferred to the secretariat of the Agreement.

The text of this Memorandum of Understanding will also be forwarded to the responsible authorities of countries which possibly share the annual life cycle of the Slender-billed curlew (up until now it has been impossible to

prove a consistent occurrence of the species); in case of new scientific evidence, these countries are also invited to join the Memorandum: Armenia, Azerbaijan, France, Georgia, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, the former Yugoslav Republic of Macedonia, the Republic of Moldova, Saudi Arabia, Slovenia, Syria and the United Arab Emirates.

Basic principles

1. This Memorandum of Understanding shall be considered to be an Agreement under Article IV, paragraph 4, of the Bonn Convention. It shall take effect immediately after the Range States have signed it and shall remain in effect for an initial period of three years from that date. It shall remain open for signature indefinitely and shall take effect for all other signatory States on the first day of the first month following the date on which they sign. The Memorandum of Understanding shall be renewed automatically every three years subject to the right of any Party to terminate its participation by providing a one year's written notice to each of the other Parties.
2. The Memorandum of Understanding, including the Action Plan, may be amended by a consensus of the majority of the signatory States. However, any amendment of the Action Plan for any Range State requires the consent of the responsible Minister of the country concerned.
3. The working language for all matters related to this Memorandum of Understanding shall be English.

On behalf of the respective authorities named above:

Representative of Albania: \_\_\_\_\_

Representative of Algeria: \_\_\_\_\_

Representative of Austria: \_\_\_\_\_

Representative of Bulgaria: \_\_\_\_\_

Representative of Croatia: \_\_\_\_\_

Representative of Cyprus: \_\_\_\_\_

Representative of EGYPT: \_\_\_\_\_

Representative of the Commission of the  
EUROPEAN ECONOMIC COMMUNITIES: \_\_\_\_\_

Representative of FRANCE: \_\_\_\_\_

Representative of Greece: \_\_\_\_\_

Representative of HUNGARY: \_\_\_\_\_

Representative of Iran: \_\_\_\_\_

Representative of Iraq: \_\_\_\_\_

Representative of ITALY: \_\_\_\_\_

Representative of Kazakhstan: \_\_\_\_\_

Representative of Malta: \_\_\_\_\_

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Representative of MOROCCO: \_\_\_\_\_  
Representative of Oman: \_\_\_\_\_  
Representative of Romania: \_\_\_\_\_  
Representative of the Russian Federation: \_\_\_\_\_  
Representative of SPAIN: \_\_\_\_\_  
Representative of TUNISIA: \_\_\_\_\_  
Representative of Turkey: \_\_\_\_\_  
Representative of Turkmenistan: \_\_\_\_\_  
Representative of Uzbekistan: \_\_\_\_\_  
Representative of Ukraine: \_\_\_\_\_  
Representative of Yemen: \_\_\_\_\_  
Representative of Yugoslavia: \_\_\_\_\_

Signatures of representatives of the co-operating organizations  
named in the Action Plan

UNEP/CMS (Bonn Convention) Secretariat: \_\_\_\_\_

Done at ..... on  
..... 1994.

ACTION PLAN FOR THE CONSERVATION OF THE SLENDER-BILLED CURLEW *Numenius tenuirostris* (December 1993)

The following actions shall be carried out by all of the Range States:

1. Enact, where it does not already exist, or improve respectively, legislation to protect the Slender-billed curlew and the wetlands that are critical to its survival and take such measures as may be necessary to enforce such legislation. The most urgent measure would be to completely ban the shooting, other taking and any kind of disturbance of this species.
2. Impose a ban on the hunting of any similar-looking wader species, especially belonging to the genera *Numenius* and *Limosa*, in some countries also *Limnodromus*. Punish offences with severe penalties.
3. Initiate educational programmes for hunters in order to enable them to distinguish between different species of waders, and illustrate the importance of protecting the Slender-billed curlew species which is threatened with extinction.
4. Close key sites which are regularly frequented by the Slender-billed curlew (wintering sites, resting sites on its migratory route or breeding areas) to hunters during the appropriate phenological period. Establish adequate regulations for tourists and other visitors.
5. Intensify research on the Slender-billed curlew, especially where there is a lack of data concerning its breeding sites, migratory routes or wintering sites; it is most important to gain more detailed knowledge about the causes for the decrease of the population.

*Subject to availability of resources, the following actions shall be carried out by the individual Range States and organizations listed below subject to any amendments made at the time of signature of the Memorandum of Understanding, which shall be communicated to all of the Range States by the Secretariat of the Bonn Convention:*

Albania

1. Develop and implement new nature protection legislation that meets the requirements of the Bern Convention.
2. Develop and implement new hunting controls which, *inter alia*, contain the following elements:
  - a. ecologically justified closed-hunting seasons, if necessary bag limits for waterbirds;
  - b. ban on hunting birds with the use of nets;
  - c. identification and establishment of non-hunting zones in wetlands where there is a high concentration of migratory waders;
  - d. control of waterbird hunting by foreign hunters, and imposition of rigorous penalties in case of offences;
  - e. obligatory examinations for local hunters before they are granted a hunting licence which shall require, *inter alia*, detailed knowledge concerning the differentiation of waterbird species.
3. Conserve the remaining significant wetlands in the plains of the country.



4. Carry out ornithological investigations in order to identify the sites where the Slender-billed curlew tends to rest.

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Signature

#### Algeria

1. Ban the hunting of migratory birds with the use of nets and establish measures to implement the ban (e.g., monitoring, penalties).
2. Develop a network of protected wetlands in northern Algeria, *inter alia*, Chotts Constantinois, with a view to ensuring that key sites for waterbirds will not be damaged.
3. Carry out ornithological surveys of the waterbirds wintering in the wetlands of northeast Algeria where it is presumed that there are important resting and wintering sites of the Slender-billed curlew.

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Signature

#### Austria

1. Extend the existing network of protected wetlands.
2. Carry out ornithological surveys with a view to ascertaining whether the Slender-billed curlew migrates regularly through Austria.

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Signature

#### Bosnia and Herzegovina

It is not possible to develop an Action Plan before the situation in the country has normalized.

#### Bulgaria

1. Extend the existing network of protected wetlands, especially in the coastal areas on the Black Sea (Lake Atanasovo), along the Danube River and in the plains.
2. Limit hunting practices with respect to waterbirds, if necessary through the introduction of legal restrictions, in particular by banning hunting in wetlands where a high concentration of migratory waders has been detected; severely restrict activities of foreign hunters.
3. Provide more detailed surveys with regard to the migration of waders with a view to identifying the resting sites of the Slender-billed curlew along the coasts of the Black Sea as well as of the migratory routes it takes when crossing the country.

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Signature

Croatia

1. Emphasize, when setting up a new framework of nature protection legislation, the conservation of wetlands, including identification and establishment of protected areas; give special attention to the wetlands of Donji-Miholjac as well as the fishponds of Jelas Polje where the Slender-billed curlew has been recorded.
2. Provide for an effective protection of endangered species, *inter alia*, of migratory species, including the Slender-billed curlew and look-alike wader species, when introducing new legal regulations for species conservation.
3. Rigorously control the activities of foreign hunters.
4. Monitor migratory waterbirds in order to identify other important resting sites where the Slender-billed curlew stops on its migratory route.

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Signature

Cyprus

1. Protect the Slender-billed curlew and look-alike wader species.
2. Protect wetlands that show a high concentration of migratory waterbirds.
3. Instruct hunters about the specific features of the species and the extent to which the Slender-billed curlew is actually endangered and monitor whether the existing ban on hunting is being implemented.
4. Rigorously control the activities of foreign hunters.

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Signature

Egypt

1. Ban the hunting of migratory birds with the use of nets and take accompanying measures to facilitate the application of the existing ban on hunting protected bird species, including the Slender-billed curlew; rigorously control the activities of foreign hunters.
2. Protect areas where the Slender-billed curlew has been recorded and develop a network of protected wetlands, especially along the Nile river.
3. Carry out ornithological surveys of migratory waterbirds that rest in the Nile Delta and along the coast of the Red Sea in order to identify the most important resting and wintering sites.

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Signature

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European Community

1. Extend the network of protected wetlands in the southern member states of the EC and improve their management potential by
  - (a) identifying and establishing further Special Protection Areas under Directive 79/409; where necessary, introduce total bans on hunting within and around those areas;
  - (b) providing for sufficient wardens in wetlands where the Slender-billed curlew rests;
  - (c) promoting information centres in selected sites.
2. Amend Appendix II/2 of the EC directive on bird protection by eliminating the genera *Numenius* and *Limosa* in the column for Italy.
3. Ensure that the use of the EC Development Fund concerning farming and other commercial activities does not adversely affect those wetlands that are important to *Numenius tenuirostris*.
4. Continue the projects initiated by the Commission in favour of *Numenius tenuirostris*. Use the data gathered in the course of those projects to evaluate the network of Special Protection Areas. Promote the monitoring of the species in southern EC member states.

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Signature

Greece (cf. also EC)

1. Extend the network of protected wetlands, and if necessary, impose and endorse bans on hunting.
2. Give full confirmation of the site boundaries and improve the quality of protection of the following Ramsar sites: Evros delta, Porto Lagos and the Axios delta. Such sites should be controlled by full time wardens, especially in non-hunting zones, and consideration should be given to transforming them into national parks.
3. Monitor migratory waterbirds, with emphasis on Lake Tigaki and Kos Island, with a view to identifying further resting sites and migratory routes of the Slender-billed curlew.
4. Establish an information centre in the Ramsar site of the Evros delta.

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Signature

Hungary

1. Ensure that the current standard of protection is maintained in those areas that are acknowledged to be key sites of the Slender-billed curlew (Hortobágy, Kardoskut) and extend the network of protected wetlands (cf. item 2).
2. Monitor the hunting situation with regard to large waders.

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3. Monitor waterbirds, especially in those locations where fish ponds are situated, with a view to identifying further important resting sites.

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Signature

Iraq

Carry out studies to examine potential resting and wintering sites of the Slender-billed curlew, especially the marshes of Mesopotamia, in order to identify and establish protected areas; institute adequate protection regulations and hunting restrictions.

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Signature

Iran

Carry out studies to examine potential resting and wintering sites of the Slender-billed curlew (*inter alia*, Caspian coast, Persian Gulf) in order to identify and establish protected areas; institute adequate protection regulations.

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Signature

Italy (cf. also EC)

1. Impose stronger controls on hunting activities, with a view to impeding illegal shooting of protected species. Protect big waders, especially as far as all species of *Numenius* and *Limosa* are concerned.
2. Identify and establish further protected areas for migratory waterbirds and if necessary impose bans on hunting.
3. Transform the Viareggio wetlands into a Ramsar site.
4. Continue to monitor the Slender-billed curlew in order to identify further key sites of these birds (i.a. Ravenna coast, Circeo National Park, Po Delta, Orbetello lagoon, Padule Diaccia Botroma).

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Signature

Kazakhstan

1. Enforce adequate protection regulations and hunting bans and provide guidelines for hunters (*inter alia*, promotion of the *Red Data Book of Endangered Species*).
2. Identify, on the basis of Slender-billed curlew records, and establish a network of protected wetlands (i.e. Lake Kushuryn, Lake Tengis and the flood plain of Nura, parts of the Turgaj Valley), and gradually extend this network on the basis of new available data of the species (cf. 1 and 3).

/...



3. Establish a system of protected areas of international importance.
4. Carry out ornithological surveys in the east of the country area around Semipalatinsk, especially Ust-Kamenogorsk, in order to determine whether these are also breeding sites.

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Signature

Malta

1. Protect the Slender-billed curlew and look-alike wader species.
2. Protect wetlands that show a high concentration of migratory waterbirds.
3. Inform hunters about the specific features of the species and the extent to which the Slender-billed curlew is actually endangered and monitor whether the ban on hunting is being fulfilled.
4. Rigorously control the activities of foreign hunters.

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Signature

Morocco

1. Protect both *Limosa* species and fully enforce the protection of *Numenius* species.
2. Maintain and strengthen the level of protection afforded to the Merja Zerga Ramsar site which has been a wintering site for the Slender-billed curlew in recent years, ban hunting in Merja Mellah and increase anti-poaching patrols. If necessary, hire wardens to protect the Slender-billed curlew to ensure it is not disturbed by bird-watchers.
3. Increase monitoring of wintering waterbirds in the coastal areas of the country with a view to identifying further wintering sites of Slender-billed curlew and putting these under protection.
4. Examine agricultural practices in areas surrounding the Slender-billed curlew's wintering sites in order to establish whether practices such as grazing levels and application of pesticides have any kind of negative influence on the populations. Rigorously control the activities of foreign hunters.

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Signature

Oman

Carry out studies in potential resting and wintering sites of the Slender-billed curlew in order to identify and establish protected areas; institute adequate protection regulations and hunting restrictions.

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Signature

Romania

1. Protect all waders that could easily be confused with the Slender-billed curlew.
2. Expand protection of the ecological character of the Danubian delta (and if necessary, establish a national park) where only sustainable use is allowed, impose severe restrictions on hunting.
3. Rigorously control the activities of hunters, including foreign hunter-tourists.
4. Identify and establish a network of protected wetlands of international importance, especially along the Danube and the Black Sea coastal areas.

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Signature

Russian Federation

1. Strictly control hunting restrictions, especially of big waders, and promote the *Red Data Book of Endangered Species*.
2. Rigorously control the activities of foreign hunters.
3. Carry out surveys and intensive research in order to find the breeding sites of the Slender-billed curlew in south-western Siberia with a view to placing these under protection and
  - a. investigate the breeding biology of this bird species,
  - b. clarify the factors which are responsible for the decline of the breeding population and
  - c. enforce the necessary protection of breeding habitat.
4. Survey the species with a view to identifying the most important resting sites on the migratory routes and establish relevant protected areas (partly with a Ramsar status).

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Signature

Spain (cf. also EC)

1. Reinforce controls on hunting activities with a view to impeding illegal shooting of protected species, especially all waders in southern Spain.
2. Widely conserve the ecological structures of the wetlands in Coto Douana and establish protected areas in wetlands that waterbirds frequently visit during their migration and for wintering which may be potential resting sites of the Slender-billed curlew.
3. Increase monitoring of migratory waterbirds in southern Spain with a view to establishing further protected sites where the Slender-billed curlew passes on its migratory route.

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Signature

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Tunisia

1. Regulate more stringently the hunting of waterbirds; rigorously control the activities of foreign hunters.
2. Extend the network of protected wetlands (*inter alia* as Ramsar sites).
3. Carry out an ecological study of the Kairouan wetlands with a view to elaborating conservation proposals.
4. Increase monitoring of wintering waterbirds in coastal regions and in wetlands in the eastern parts of the country with a view to identifying further important key sites of the Slender-billed curlew.
5. Identify anthropogenic factors which may influence the decline of waders wintering in Tunisia.

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Signature

Turkey

1. Regulate and endorse more stringently the hunting of waterbirds; rigorously control the activities of foreign hunters.
2. Establish a system of protected wetlands of international importance.
3. Monitor waterbirds that migrate and winter along the coasts and in the wetlands of central Turkey with a view to establishing protected areas in the most important resting sites of the Slender-billed curlew.

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Signature

Turkmenistan

1. Regulate more stringently the hunting of waterbirds; rigorously control the activities of foreign hunters.
2. Establish a system of protected wetlands of international importance.
3. Carry out ornithological monitoring in potential resting sites of the Slender-billed curlew on the Caspian coast, especially the bay of Kara-Bogaz-Gol, with a view to identifying and establishing protected areas.

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Signature

Uzbekistan

Carry out studies to examine potential resting and wintering sites of the Slender-billed curlew in order to identify and establish protected areas; institute adequate protection regulations and hunting restrictions.

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Signature

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Ukraine

1. Regulate more stringently the hunting of waterbirds; rigorously control the activities of foreign hunters; impose a ban on hunting in protected wetlands.
2. Promote the *Red Data Book of Endangered Species*.
3. Continue to monitor migratory waterbirds with a view to establishing protected areas in the most important resting sites of the Slender-billed curlew (Limans of the Azov Sea, Sivash Bay, Black Sea coastal areas, Danube Delta) and protect big waders that could easily be confused with the Slender-billed curlew.
4. Investigate those anthropogenic factors which might have an effect on the decline of migratory populations of the Slender-billed curlew, such as hunting or harassment, grazing, use of pesticides, human settlement in coastal areas.
5. Expand the network of protected wetlands, especially in the south of the country.

\_\_\_\_\_  
Signature

Yemen

Carry out studies to examine potential resting and wintering sites of the Slender-billed curlew in order to identify and establish protected areas; establish adequate protection regulations and hunting restrictions.

\_\_\_\_\_  
Signature

Yugoslavia

1. Exercise stronger control over hunting activities, especially those of foreign hunters, with a view to impeding illegal shooting of protected waterbird species.
2. Extend the network and improve the conservation status of protected wetlands, especially in Voivodina.

\_\_\_\_\_  
Signature

UNEP/CMS Secretariat (Bonn Convention)

1. Make representations to the Range States concerned by the present Memorandum of Understanding with a view to obtaining the signatures and cooperation of those Range States which have not signed.
2. Facilitate the exchange of information among all of the Range States concerned.

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3. Facilitate the future development of the Agreement on the Conservation of Migratory Waterbirds of the African-Eurasian Region which shall provide for the inclusion of conservation measures for the Slender-billed curlew.
4. Encourage NGOs in their actions in favour of the Slender-billed curlew, in particular:

(a) BirdLife International

in its continual updating of the Slender-billed curlew data base,  
and

(b) CIC and FACE

in their efforts to educate hunters about threatened migratory species of waterbirds, including the present status and threats to the Slender-billed curlew, and to support protection measures and surveys for the Slender-billed curlew.

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Signature

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Annex 10

LIST OF PARTICIPANTS AT THE FIFTH MEETING OF THE SCIENTIFIC COUNCIL  
Nairobi, Kenya, 4-5 June 1994

SCIENTIFIC COUNCILLORS

ARGENTINA

Mr. Pablo Canevari  
Humedales para las Américas  
Monroe 2142  
1428 Buenos Aires

tel: (+54 1) 781 6115  
fax: (+54 1) 781 6115  
e-mail: canevari@wamani.org.ar

AUSTRALIA

Ms. Karen Weaver  
Coordinator, Migratory Species Programme  
Australian Nature Conservation Agency  
G.P.O. Box 636  
Canberra ACT 2601

tel: (+61 6) 2500 352  
fax: (+61 6) 2500 314  
tlx: aa 62971  
e-mail: kweaver@anca.crin.gov.au

BELGIUM

Dr. Roseline C. Jamar de Bolsée-Beudels  
Institut Royal des Sciences Naturelles  
29, rue Vautier  
B-1040 Bruxelles 4

tel: (+32 2) 627 4354  
fax: (+32 2) 649 4825

CAMEROON

Dr. Jean Ngog Nje  
Directeur  
Ecole de faune de Garoua  
B.P. 271  
Garoua

tel: (+237) 27 11 25 / 27 31 35  
fax: (+237) 27 12 32 / 27 31 35 / 27 30 35

CZECH REPUBLIC

Mr. Jirí Floušek  
Krkonoše National Park Administration  
Vrchlabí - zámek  
543 11 Vrchlabí

tel: (+42 438) 21011  
fax: (+42 438) 23095

DENMARK

Dr. Sten Asbirk \*  
Ministry of Environment  
The National Forest and Nature Agency  
Haraldsgade 53  
DK-2100 Copenhagen 0

tel: (+45) 39 47 28 05  
fax: (+45) 39 27 98 99

EGYPT

Dr. Mohamed Habashy Aly  
Undersecretary of State for Zoos  
and Egyptian Wildlife Service  
Giza Zoological Garden  
Giza

tel: (+20 2) 72 62 33 / 72 63 14  
fax: (+20 2) 72 76 12  
tlx: 20040 giza un

GERMANY

Dr. Eugeniusz Nowak  
Bundesamt für Naturschutz  
Mallwitzstr 1-3  
D-53177 Bonn

tel: (+49 228) 9543 417 / 501  
fax: (+49 228) 9543 500  
tlx: 885 556 bfn d

\* Observer in place of regular Councillor



**GHANA**

Mr. B. Y. Ofori-Frimpong \*  
Department of Game and Wildlife  
P.O. Box M 239  
Accra

tel: (+233 21) 664 654

fax: (+233 21) 666 476

**GUINEA**

Mr. Abdel Kader Bangoura  
Ministère des Ressources Naturelles,  
des Egeries et de l'Environnement  
Direction Nationale de l'Environnement  
Division Protection de la Nature  
et de se Ressources  
B.P. 4665 (P)  
Boulevard des P.T.T.  
Conakry

tel: (+224) 44 38 68 / 44 37 42 / 44 24 40

fax: (+224) 44 24 85 (UNDP)

tlx: 22 315 peccel ge / 22 350 mine geo ge

**HUNGARY**

Dr. Attila Bankovics  
Hungarian Natural History Museum  
Baross u. 13  
H-1088 Budapest

tel: (+36 1) 113 0035

fax: (+36 1) 113 8820

**INDIA**

Mr. Subhash Chandra Dey  
Addl. Inspector General of Forests  
Ministry of Environment and Forests  
Paryavaran Vaban, CGO Complex, Rm. 126  
Lodi Road  
New Delhi 110003

tel: (+91 11) 436 2785

fax: (+91 11) 436 0678

tlx: w-66185 doc in

**ISRAEL**

Dr. Eliezer Frankenberg  
Director, Science and Management Division  
Nature Reserves Authority  
78 Yirmeyahu St.  
Jerusalem 94467

tel: (+972 2) 38 74 71 / 38 85 06

fax: (+972 2) 38 34 05

**MALI**

Mr. Namory Traoré  
Direction nationale des eaux et forêts  
B.P. 275  
Bamako

tel: (+223) 22 59 73

fax: (+223) 22 41 99

tlx: 2615 mj

**MOROCCO**

Mr. Abdellah El Mastour  
Ministère de l'Agriculture et de la  
Mise en valeur Agricole  
Direction de Eaux et Forêts et de la  
Conservation des Sols  
Rabat, Chellah

tel: (+212 7) 76 26 94 / 76 25 65

fax: (+212 7) 76 44 46

tlx: 81 696

**NETHERLANDS**

Prof. Dr. Wim J. Wolff  
DLO Institute for Forestry and Nature Research  
P.O. Box 23  
NL-6700 AA Wageningen

tel: (+31 3434) 5 52 50 / 51

fax: (+31 3434) 5 52 88

**NIGERIA**

Dr. J.S.O. Ayeni  
National Institute for Freshwater  
Fisheries Research  
P.M.B. 6006  
New Bussa, Niger State

tel: (+234 31) 670 444  
fax: (+234 9) 523 3373 / 2556

**NORWAY**

Ms. Gunn M. Paulsen  
Senior Executive Officer  
Directorate for Nature Management  
Tungasletta 2  
N-7005 Trondheim

tel: (+47 73) 58 05 00  
fax: (+47 73) 91 54 33

**PAKISTAN**

Mr. Abdul Latif Rao  
IUCN - The World Conservation Union  
Pakistan Office  
22 Bazar Road, G-6/4  
Islamabad

tel: (+92 51) 21 32 74 / 21 68 74  
fax: (+92 51) 21 69 09

**PANAMA**

Dr. Armando R. Martínez Valdés  
Presidente  
Fundación Interoceánica Tropical  
Apartado Postal 1353  
Balboa, Ancón  
Panamá

tel: (+507) 64 4475 / 4466 / 23 2271  
fax: (+507) 64 8370 / 4133

**SENEGAL**

Dr. Seydina Issa Sylla  
Directeur  
Direction des parcs nationaux  
B.P. 5135  
Dakar-Fann

tel: (+221) 24 42 21  
fax: (+221) 39 92 46

**SOUTH AFRICA**

Dr. Michael Cohen  
Cape Nature Conservation (Eastern Cape)  
Private Bag X1126  
Port Elizabeth 6000

tel: (+27 41) 390 2179  
fax: (+27 41) 33 74 68

**SWEDEN**

Dr. Carl Edelstam  
Swedish Museum of Natural History  
P.O. Box 50007  
S-10405 Stockholm

tel: (+46 8) 660 5600  
fax: (+46 8) 666 4212

**TUNISIA**

Mr. Slaheddine Bel Hadj Kacem  
Ministère de l'Agriculture  
Direction Générale des Forêts  
30 Rue Alain Savary  
Tunis

tel: (+216 1) 282 681  
fax: (+216 1) 287 487

**UNITED KINGDOM**

Dr. Michael J. Ford  
Joint Nature Conservation Committee  
Monkstone House  
City Road  
Peterborough PE1 1JY

tel: (+44 733) 86 68 17 / 6 26 26  
fax: (+44 733) 55 59 48 / 89 39 71

**URUGUAY**

Prof. Lic. Raúl Vaz-Ferreira  
Universidad del Uruguay  
Facultad de Ciencias  
Departamento de Zoología Vertebrados  
Calle Tristán Narvaja No. 1674  
11200 Montevideo

tel: (+598 2) 79 58 03 (res)  
(+598 2) 41 90 87 / 88 (office)  
fax: (+598 2) 48 73 88 / 40 99 73



CONFERENCE-APPOINTED  
SCIENTIFIC COUNCILLORS

Dr. Michael Edward Moser  
International Waterfowl and Wetlands  
Research Bureau (IWRB)  
Slimbridge, Gloucester GL2 7BX  
UNITED KINGDOM

tel: (+44 453) 890 624 / 634  
fax: (+44 453) 890 697

Dr. William F. Perrin  
National Marine Fisheries Service  
Southwest Fisheries Science Center  
8604 La Jolla Shores Drive  
P.O. Box 271  
La Jolla, CA 92038  
UNITED STATES

tel: (+619) 546 7096  
fax: (+619) 546 7003

Dr. Pierre Pfeffer  
CNRS Muséum de Paris  
55, rue du Buffon  
F-75005 Paris  
FRANCE

tel: (+33 1) 40 79 30 69  
fax: (+33 1) 40 79 30 63

Dr. Roberto P. Schlatter Vollmann  
Instituto de Zoología  
Universidad Austral de Chile  
Casilla Postal 567  
Valdivia  
CHILE

tel: (+56 63) 21 39 11 / 22 14 08 / 21 50 26  
fax: (+56 63) 21 29 53

OTHER OBSERVERS

Mr. Charles Perera Attanayake  
Deputy Director  
Department of Wildlife Conservation  
82 Rajamalwatte Road  
Battaramulla  
SRI LANKA

tel: (+94 1) 8670 85 / 84  
fax: (+94 1) 8670 88

Ms. Saglar Djerang  
Direction des parcs nationaux et réserves de faune  
Ministère de l'agriculture et de l'environnement  
B.P. 905  
N'Djamena  
CHAD

tel: (+235) 51 23 05  
fax: (+235) 51 22 61

Dr. Jan Kučera  
Ministry of Environment  
Nature Protection Department  
Vrbovická 65  
100 10 Praha 10  
CZECH REPUBLIC

tel: (+42 2) 6712 1111 / 6731 1529  
fax: (+42 2) 6731 0308 / 6731 0873

Dr. Colin Limpus  
c/o Australian Nature Conservation Agency  
G.P.O. Box 636  
Canberra ACT 2601  
AUSTRALIA

ANNEX VI

LIST OF DOCUMENTS BEFORE THE FOURTH MEETING OF THE  
CONFERENCE OF THE PARTIES

UNEP/CMS/Conf.4.1 (Rev.1)	Provisional Agenda
UNEP/CMS/Conf.4.2 (Annex 1, Rev.2)	List of Documents
UNEP/CMS/Conf.4.3 (Rev.1)	Provisional Timetable
UNEP/CMS/Conf.4.4 (Rev.1)	Provisional Rules of Procedure
UNEP/CMS/Conf.4.5.1	Report of the Secretariat
UNEP/CMS/Conf.4.5.2	Report of the Depositary
UNEP/CMS/Conf.4.5.3	Report of the Standing Committee
UNEP/CMS/Conf.4.5.4	Report of the Scientific Council
UNEP/CMS/Conf.4.7 (and Corr.1)	Overview of Party Reports
UNEP/CMS/Conf.4.8	Review of Article IV Agreements Concluded or under Development
UNEP/CMS/Conf.4.9	Guidelines on the Harmonization of Future Agreements
UNEP/CMS/Conf.4.11	Strategy for the Future Development of the Convention
UNEP/CMS/Conf.4.12	Proposals for Amendments to Appendices I and II of the Convention
UNEP/CMS/Conf.4.13	Financial Support for the Convention (and Add.1)
UNEP/CMS/Conf.4.14	Institutional Arrangements
UNEP/CMS/Conf.4.15	Date, Venue and Funding of the Next Meeting of the Conference of the Parties
<u>Information papers</u>	
UNEP/CMS/Inf.4.1	List of CMS Parties as at 1 May 1994
UNEP/CMS/Inf.4.2	List of Range States of Migratory Species included in the CMS Appendices
UNEP/CMS/Inf.4.3 (Rev.1)	List of National Focal Points for CMS
UNEP/CMS/Inf.4.4 (Rev.1)	List of CMS Scientific Councillors
UNEP/CMS/Inf.4.5 (and Corr.1)	Report of the Fifth Meeting of the Scientific Council (Nairobi, June 1994)
UNEP/CMS/Inf.4.6 (Rev.1)	Summary Report of the Eleventh Meeting of the Standing Committee (Nairobi, June 1994)
UNEP/CMS/Inf.4.7	Text of the Convention
UNEP/CMS/Inf.4.8	Appendices I and II of the Convention
UNEP/CMS/Inf.4.9	CMS Agreement Summary Sheets

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In addition, the texts of various draft resolutions and recommendations were circulated for discussion and eventual adoption (see annexes I and II of these proceedings).

Reports on implementation of the Convention received from the following Parties (21 in all) also were circulated: Australia, Belgium, Benin, Burkina Faso, Denmark, European Community, France, Germany, Guinea, India, Israel, Netherlands, Niger, Norway, Pakistan, Saudi Arabia, South Africa, Sri Lanka, Sweden, United Kingdom and Uruguay. All of these Party reports (plus that of Luxembourg, which was received after the conference) are contained in the addendum to the present proceedings.

Further communications (i.e., reports and/or opening statements) from the following Party and non-Party States, and non-governmental organizations were circulated during the conference: Belârus, Georgia, Myanmar, Pakistan, Slovakia, Switzerland, Togo, United Kingdom, Birdlife International, and Fédération des Associations des Chasseurs de la C.E.E. (FACE) / Conseil International de la Chasse (CIC). These national reports and opening statements are also reproduced in the addendum to the present proceedings.

ANNEX VII

FOURTH MEETING OF THE CONFERENCE OF THE PARTIES  
NAIROBI, KENYA, 7-11 JUNE 1994

LIST OF PARTICIPANTS

PARTIES

Argentina

Lic. Pablo Canevari, *Head of delegation*  
Humedales Para Las Américas  
Monroe 2142  
1428 Capital Federal Buenos Aires

tel: (+54 1) 781 6115  
fax: (+54 1) 781 6115  
e-mail: canevari@wamani.org.ar

Australia

Dr. Peter Bridgewater, *Head of delegation*  
Chief Executive Officer  
Australian Nature Conservation Agency  
G.P.O. Box 636  
Canberra ACT 2601

tel: (+61 6) 2500 222  
fax: (+61 6) 2500 228  
tlx: aa 62971  
e-mail: pbridgew@anca.cri.gov.au

Ms. Karen Weaver, *Alternate*  
Coordinator, Migratory Species Program  
Australian Nature Conservation Agency  
G.P.O. Box 636  
Canberra ACT 2601

tel: (+61 6) 2500 352  
fax: (+61 6) 2500 314  
tlx: aa 62971  
e-mail: kweaver@anca.criin.gov.au

Mr. Dennis R. Mutton, *Adviser*  
Chief Executive Officer  
Department of Environment  
and Natural Resources  
G.P.O. Box 1047  
144 King William Street  
Adelaide SA 5001

tel: (+61 8) 2264 026  
fax: (+61 8) 2264 321

Belgium

Mr. Jean Renault, *Head of delegation*  
Ministère de l'agriculture  
Administration de la recherche agronomique  
21, avenue du Boulevard, 7è étage  
B-1210 Bruxelles

tel: (+32 2) 211 7323  
fax: (+32 2) 211 7216  
tlx: 22033 agrila

Dr. Roscline C. Jamar de Bolsée-Beudels, *Adviser*  
Institut Royal des Sciences Naturelles  
29, rue Vautier  
B-1040 Bruxelles 4

tel: (+32 2) 627 4354  
fax: (+32 2) 649 4825

Ms. Brigitte Vandenaeweelle, *Observer*  
Ambassade de Belgique  
Nairobi  
KENYA

Benin

Mr. Aristide F. Adjademe, *Head of delegation*  
Directeur-Adjoint  
Direction des Forêts et des Ressources Naturelles  
B.P. 393  
Cotonou

tel: (+229) 33 06 62  
fax: (+229) 33 21 92 / 33 04 21

Burkina Faso

Mr. Lamine Sebogo, *Head of delegation*  
Ministère de l'environnement et du tourisme  
B.P. 7044  
Ouagadougou 03

tel: (+226) 33 24 77  
fax: (+226) 30 67 67



Cameroon

Dr. Jean Ngog Nje, *Head of delegation*  
Directeur  
Ecole de faune de Garoua  
B.P. 271  
Garoua

tel: (+237) 27 11 25 / 27 31 35  
fax: (+237) 27 12 32 / 27 31 35 / 27 30 35

Chile

Mr. Gonzalo González RIVERA, *Head of delegation*  
Jefe de la Sección Fauna de la  
Corporación Nacional Forestal (CONAF)  
Av. Bulnes 259  
07604 Santiago

tel: (+56 2) 696 6677  
fax: (+56 2) 671 5881

Mr. Frank Sinclair, *Alternate*  
Embajada de Chile  
Nairobi  
KENYA

tel: (+254 2) 33 13 20  
fax: (+254 2) 21 56 48

Dr. Roberto P. Schlatter-Vollmann, *Adviser*  
Instituto de Zoología  
Universidad Austral de Chile  
Casilla 567  
Valdivia

tel: (+56 63) 21 50 26 / 21 39 11 / 22 14 08  
fax: (+56 63) 21 29 53

Czech Republic

Dr. Jan Kučera, *Head of delegation*  
Ministry of the Environment  
Nature Protection Department  
Vršovická 65  
100 10 Praha 10

tel: (+42 2) 6712 1111 / 6731 1529  
fax: (+42 2) 6731 0308 / 6731 0873

Mr. Jirí Floušek, *Alternate*  
Krkonoše National Park Administration  
Vrchlabí - zámek  
543 11 Vrchlabí

tel: (+42 438) 21011  
fax: (+42 438) 23095

Denmark

Mr. Soren Eis, *Head of delegation*  
Ministry of Environment  
The National Forest and Nature Agency  
Haraldsgade 53  
DK-2100 Copenhagen 0

tel: (+45) 39 47 23 03  
fax: (+45) 39 27 98 99

Dr. Sten Asbirk, *Alternate*  
Ministry of Environment  
The National Forest and Nature Agency  
Haraldsgade 53  
DK-2100 Copenhagen 0

tel: (+45) 39 47 28 05  
fax: (+45) 39 27 98 99

Egypt

Dr. Esam Ahmed Elbadry, *Head of delegation*  
Egyptian Environment Affairs Agency  
Department of Protectorate Projects  
23-A Ismail Mohamed Str.  
Zamalek  
Cairo

tel: (+20 2) 340 6777 / 5963  
fax: (+20 2) 340 5962

European Community

Mr. Claus Stoffmann, *Head of delegation*  
Commission of the European Communities  
DG XI B2  
200, Rue de la Loi  
B-1049 Brussels

tel: (+32 2) 296 9506  
fax: (+32 2) 296 9556  
tlx: 21877 comeu b

Mr. Richard Geiser, *Alternate*  
Commission of the European Communities  
DG XI  
200, Rue de la Loi  
B-1049 Brussels

tel: (+32 2) 296 8732  
fax: (+32 2) 296 9556  
tlx: 21877 comeu b

## Finland

Mr. Esko Jaakkola, *Head of delegation*  
Ministry of Environment  
P.O. Box 399  
SF-00121 Helsinki

tel: (+358 0) 160 5962  
fax: (+358 0) 160 5540

Mr. Jukka B. Bisi, *Alternate*  
Ministry of Agriculture and Forestry  
P.O. Box 232  
Liisankatu 8  
SF-00171 Helsinki

tel: (+358 0) 90 16 01  
fax: (+358 0) 160 4285

## France

Ms. Martine Bigan, *Head of delegation*  
Ministère de l'environnement  
20, avenue de Ségur  
F-75302 Paris 07 SP

tel: (+33 1) 42 19 2021 / 1870 / 1971  
fax: (+33 1) 42 19 19 77

## Germany

Mr. Gerhard Adams, *Head of delegation*  
Ministry of Environment  
Referat N I 3  
Kennedyallee 5  
D-53175 Bonn

tel: (+49 228) 305 2631  
fax: (+49 228) 305 2694 / 2695

Dr. Eugeniusz Nowak, *Alternate*  
Bundesamt für Naturschutz  
Mallwitzstrasse 1-3  
D-53177 Bonn

tel: (+49 228) 9543 417 / 501  
fax: (+49 228) 9543 500

Ms. Astrid Thyssen, *Adviser*  
Ministry of Environment  
Referat N I 3  
Kennedyallee 5  
D-53175 Bonn

tel: (+49 228) 305 2634  
fax: (+49 228) 305 2694 / 2695

## Germany

Ms. Roya Azadi, *interpreter*  
Ministry of Environment  
Referat Z I 2 (Sprachendienst)  
Petersbergweg 63  
D-53227 Bonn

tel: (+49 228) 305 2275  
fax: (+49 228) 305 2693

Mr. Armin Kern, *interpreter*  
Ministry of Environment  
Referat Z I 2 (Sprachendienst)  
Petersbergweg 63  
D-53227 Bonn

tel: (+49 228) 305 2274  
fax: (+49 228) 305 2693

Mr. Eckhard Radermacher, *Observer*  
Embassy of Germany  
Droysenstr. 10 a  
D-10629 Berlin

tel: (+49 30) 323 5519

## Ghana

Mr. Nicholas Kwaku Ankudey, *Head of delegation*  
Deputy Chief Game and Wildlife Officer  
Department of Game and Wildlife  
P.O. Box M 239  
Accra

tel: (+233 21) 664 654 / 666 476  
fax: (+233 21) 666 476

## Guinea

Mr. Abdel Kader Bangoura, *Head of delegation*  
Ministère des Ressources Naturelles,  
des Energies et de l'Environnement  
Direction Nationale de l'Environnement  
Division Protection de la Nature  
et de ses Ressources  
B.P. 4665 (P)  
Conakry

tel: (+224) 44 37 42 / 44 38 68 / 44 24 40  
fax: (+224) 44 24 85 (s/c pnud)  
tlx: 22 315 peccel ge / 22 350 mine geo ge



Hungary

Mr. Csaba Füleky, *Head of delegation*  
Ministry of Environment  
National Authority for Nature Conservation  
Költö u. 21  
H-1121 Budapest XII

tel: (+36 1) 156 2133 / 175 6458  
fax: (+36 1) 175 7457 / 175 6458

Dr. Sándor Csányi, *Adviser*  
Research Scientist, Head of Station  
University of Agricultural Sciences  
Educational and Research Institute  
for Game Biology  
Páter Károly utca. 1  
H-2103 Gödöllő

Dr. Gyula Fábián, *Adviser*  
Ministry of Agriculture  
Department of Agro-Environmental Management  
and Plant Protection

India

Mr. Subhash Chandra Dey, *Head of delegation*  
Addl. Inspector General of Forests  
Ministry of Environment and Forests  
Paryavaran Vahan, CGO Complex, Rm. 126  
Lodi Road  
New Delhi 110003

tel: (+91 11) 436 2785  
fax: (+91 11) 436 0678  
tlx: w-66185 doe in

Israel

Dr. Eliezer Frankenberg, *Head of delegation*  
Director  
Science and Management Division  
Nature Reserves Authority  
78 Yirmeyahu St.  
Jerusalem 94467

tel: (+972 2) 38 74 71 / 38 85 06  
fax: (+972 2) 38 34 05

Luxembourg

*Represented by:*

Mr. Jean Renault, *Head of delegation*  
Ministère de l'agriculture  
Administration de la recherche agronomique  
21, avenue du Boulevard, 7<sup>e</sup> étage  
B-1210 Bruxelles

tel: (+32 2) 211 7323  
fax: (+32 2) 211 7216  
tlx: 22033 agrila

Mali

Mr. Namory Traoré, *Head of delegation*  
Direction nationale des eaux et forêts  
B.P. 275  
Bamako

tel: (+223) 22 59 73  
fax: (+223) 22 41 99  
tlx: 2615 mj

Morocco

Mr. Abdellah El Mastour, *Head of delegation*  
Ministère de l'Agriculture et de la  
Mise en valeur Agricole  
Direction de Eaux et Forêts et de la  
Conservation des Sols  
Rabat, Chellah

tel: (+212 7) 76 26 94 / 76 25 65  
fax: (+212 7) 76 44 46  
tlx: 81 696

Netherlands

Dr. Gerard C. Boere, *Head of delegation*  
Senior Officer International Affairs  
Ministry of Agriculture  
Nature Management and Fisheries  
P.O. Box 20401  
NL-2500 EK The Hague

tel: (+31 70) 379 3591 / 3007  
fax: (+31 70) 379 3751

Drs. Jan-Willem Smeep, *Alternate*  
Ministry of Agriculture  
Division of Flora and Fauna  
Spaargarenstr. 4P  
NL-2341 JX Oegstgeest

tel: (+31 70) 379 3255  
fax: (+31 70) 347 8228

Netherlands

Mr. Timo S. Koster, *Adviser*  
Permanent Representative to UNEP  
Royal Netherlands Embassy  
P.O. Box 41537  
Nairobi  
KENYA

tel: (+254 2) 227 111

Prof. Dr. Wim J. Wolff, *Adviser*  
DLO Institute for Forestry and Nature Research  
P.O. Box 23  
NL-6700 AA Wageningen

tel: (+31 3434) 5 52 50 / 51  
fax: (+31 3434) 5 52 88

Niger

Mr. François Codjo Sessou, *Head of delegation*  
Division Faune - Pêche et Pisciculture (DFPP)  
B.P. 721, Niamey

tel: (+227) 73 33 29  
fax: (+227) 73 27 84

Nigeria

Mr. Shitwua Apeakighir Manu, *Head of delegation*  
The Presidency  
Federal Environmental Protection Agency  
P.M.B. 0176  
Garki-Abuja

tel: (+234 9) 523 4237  
fax: (+234 9) 523 3373

Norway

Mr. Olaf Nord-Varhaug, *Head of delegation*  
Directorate for Nature Management  
Tungasletta 2  
N-7005 Trondheim

tel: (+47 73) 58 05 00  
fax: (+47 73) 91 54 33

Ms. Gunn M. Paulsen, *Alternate*  
Senior Executive Officer  
Directorate for Nature Management  
Tungasletta 2  
N-7005 Trondheim

tel: (+47 73) 58 05 00  
fax: (+47 73) 91 54 33

Pakistan

Mr. Abceed Ullah Jan, *Head of delegation*  
Inspector General Forests  
Ministry of Food, Agriculture & Livestock  
Block "B" Psk.  
Secretariat Room No. 322  
Islamabad

tel: (+92 51) 825 289 (w) 413 578 (res)  
fax: (+92 51) 221 246 (isd)  
tlx: 5844 minfa pk

Panama

Mr. Roberto Arango, *Head of delegation*  
Instituto Nacional de Recursos  
Naturales Renovables (INRENARE)  
Apartado 2016  
Paraíso, Ancón  
Panamá 5

tel: (+501) 32 43 52  
fax: (+501) 32 40 87

Dr. Armando R. Martínez Valdes, *Alternate*  
Presidente  
Fundación Interoceánica Tropical  
Apartado Postal 1353  
Balboa, Ancón

tel: (+507) 64 1909 / 1936  
fax: (+507) 64 1864

Philippines

Ms. Marlynn M. Mendoza, *Head of delegation*  
Protected Areas and Wildlife Bureau  
Quezon Avenue  
Quezon City 1101

tel: (+632) 924 6031 to 35  
fax: (+632) 924 0109

Saudi Arabia

Mr. Hany M. A. Tatwany, *Head of delegation*  
National Commission for Wildlife  
Conservation and Development (NCWCD)  
P.O. Box 61681  
Riyadh 11575

tel: (+966 1) 441 8700  
fax: (+966 1) 441 0797  
tlx: 405930 snwcd sj



Saudi Arabia

Dr. Hassan M. Fclemban, *Alternate*  
National Commission for Wildlife  
Conservation and Development (NCWCD)  
P.O. Box 9028  
Faculty of Science  
Jeddah 21413

tel: (+966 2) 640 1703  
fax: (+966 2) 640 1703  
tlx: 601141 kauni sj

Mr. Muhammad Zuhair Hassanain, *Adviser*  
National Commission for Wildlife  
Conservation and Development (NCWCD)  
P.O. Box 61681  
Riyadh 11575

tel: (+966 1) 441 8700  
fax: (+966 1) 441 0797

Senegal

Dr. Scydina Issa Sylla, *Head of delegation*  
Directeur  
Direction des parcs nationaux  
B.P. 5135  
Dakar-Fann

tel: (+221) 24 42 21  
fax: (+221) 32 92 46

South Africa

Dr. Pieter Botha, *Head of delegation*  
Deputy Director: Species Conservation  
Department of Environment Affairs  
Pretorius Street 315  
Private Bax X447  
Pretoria 0001

tel: (+27 12) 310 3575  
fax: (+27 12) 322 6287

Mr. Johann Lombard, *Alternate*  
Director General  
Department of Environment Affairs  
Pretoriusstraat 315  
Privaatsaak X447  
Pretoria 0001

tel: (+2712) 310 3578  
fax: (+2712) 322 2682

South Africa

Dr. Michael Cohen, *Adviser*  
Cape Nature Conservation (Eastern Cape)  
Private Bag X1126  
Port Elizabeth 6000

tel: (+27 41) 390 2179  
fax: (+27 41) 33 74 68

Dr. Rod M. Randall, *Adviser*  
National Parks Board  
Southern Parks  
P.O. Box 176  
Sedgefield 6573

tel: (+27 4455) 31302 / 31366  
fax: (+27 4455) 32331

Prof. Les Underhill, *Adviser*  
University of Capetown  
Department of Statistical Sciences  
Rondebosch 7700

tel: (+27 21) 650 3227  
fax: (+27 12) 650 3918

Mr. C. D. Coleman, *Observer*  
South African High Commission  
P.O. Box 42441  
Nairobi  
KENYA

tel: (+254 2) 215 616/7/8  
fax: (+254 2) 223 687

Sri Lanka

Mr. Charles Perera Attanayake, *Head of delegation*  
Deputy Director  
Department of Wildlife Conservation  
82 Rajamalwatte Road  
Battaramulla

tel: (+94 1) 8670 85 / 84  
fax: (+94 1) 8670 88

Sweden

Mr. Svante Lundquist, *Head of delegation*  
Ministry of Environment and Natural Resources  
S-103 33 Stockholm

tel: (+46 8) 763 2064 / 763 1000  
fax: (+46 8) 21 91 70

Sweden

Mr. Anders Björvall, *Alternate*  
Swedish Environmental Protection Agency  
S-171 85 Solna

tel: (+46 8) 799 1366  
fax: (+46 8) 799 1402

Tunisia

Mr. Abdelhamid Karcem, *Head of delegation*  
Direction Generale des Forêts  
30, Alain Savary  
1002 Tunis

tel: (+216 1) 282 681  
fax: (+216 1) 287 487

United Kingdom

Mr. Robert Hepworth, *Head of delegation*  
Head of Global Wildlife Division  
Department of the Environment  
Tollgate House, Room 813-A  
Houlton Street  
Bristol BS2 9DJ

tel: (+44 272) 878 277  
fax: (+44 272) 878 688 / 317  
tlx: 449321 tolgt g

Dr. Michael J. Ford, *Alternate*  
Joint Nature Conservation Committee  
Monkstone House  
City Road  
Peterborough PE1 1JY

tel: (+44 733) 86 68 17 / 6 26 26  
fax: (+44 733) 55 59 48 / 89 39 71

Mr. Robin John Groombridge, *Alternate*  
Department of the Environment  
European Wildlife Division  
Tollgate House, Room 904  
Houlton Street  
Bristol BS2 9DJ

tel: (+44 272) 878 296  
fax: (+44 272) 878 182

Mr. Richard Hepburn, *Alternate*  
Department of the Environment  
Tollgate House, Room 902  
Bristol BS2 9DJ

tel: (+44 272) 878 292  
fax: (+44 272) 878 317

Mr. Mark R. Norton, *Alternate*  
Environment, Science & Energy Department  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH

tel: (+44 71) 210 0436  
fax: (+44 71) 210 0447

Mr. Gerry McCrudden, *Adviser*  
British High Commission  
P.O. Box 30465  
Nairobi, KENYA

Dr. Michael E. Moser, *Adviser*  
International Waterfowl and Wetlands  
Research Bureau (IWRB)  
Slimbridge, Gloucester GL2 7BX  
UNITED KINGDOM

tel: (+44 453) 890 624 / 634  
fax: (+44 453) 890 697

Sir K. Prendergast, *Adviser*  
British High Commission  
P.O. Box 30465  
Nairobi, KENYA

tel: (+254 2) 33 59 44

Ms. Jane Kabaki, *Observer*  
British High Commission  
P.O. Box 30465  
Nairobi, KENYA

tel: (+254 2) 33 59 44  
fax: (+254 2) 33 31 96

Uruguay

Dr. Jorge L. Cravino Castro, *Head of delegation*  
Director de la División Fauna  
Ministerio de Ganadería, Agricultura y Pesca  
Cerrito 318  
11000 Montevideo

tel: (+598 2) 95 84 34 / 95 67 41  
fax: (+598 2) 95 64 56



OBSERVERS / NON-PARTY STATES

Armenia

Prof. Eduard Yavrouyan \*  
Yerevan University  
Mraviana 1  
Yerevan 375049

tel: (+7 8852) 55 67 78 / 63 31 88  
fax: (+7 8852) 15 14 52 / 15 10 69

Austria

Dr. Heimo Metz  
Burgenländisches Landesmuseum  
Museumgasse 1-5  
A-7000 Eisenstadt

tel: (+43 2682) 626 52  
fax: (+43 2682) 636 753 000

Barbados

Ms. Vernese Inniss  
Ministry of Environment, Housing and Lands  
Frank Walcott Building, 4th Floor  
Collymore Rock  
St. Michael

tel: (+1 809) 431 7682  
fax: (+1 809) 437 8859

Belarus

Mr. Youri Vyazovich  
Institute of Zoology Academy of Sciences  
State Committee of Ecology  
Skorina Str. 27  
220072 Minsk

tel: (+7 0172) 39 51 92 / 63 70 64  
fax: (+7 0172) 20 55 83

Central African Republic

Mr. Nicaise Ngoupande \*  
Directeur de la Faune  
Ministère des Eaux Forêts et de l'Environnement  
B.P. 830  
Bangui

fax: (+236) 61 66 20 / 61 01 63 / 61 10 85

Chad

Ms. Saglar Djerang  
Direction des parcs nationaux et réserves de faune  
Ministère de l'Agriculture et de l'environnement  
B.P. 905, N'Djamena

tel: (+235) 51 23 05  
fax: (+235) 51 22 61

China

Mr. Meng Sha  
Chief of Wildlife Conservation Division  
Ministry of Forestry  
Hepingli  
100714 Beijing

tel: (+86 1) 427 1643  
fax: (+86 1) 421 4180 / 421 9149

Côte d'Ivoire

Mr. N'Cho N'Guessan \*  
Ministère de l'Environnement et du Tourisme  
B.P. V 184  
Abidjan

tel: (+225) 22 66 35  
fax: (+225) 22 93 22

Dominican Republic

Ms. Cecilia Hernández  
Subdirectora de Vida Silvestre  
Secretaría de Estado de Agricultura  
Subsecretaría de Estado de Recursos Naturales  
Departamento de Vida Silvestre  
Centro de los Héroes  
Santo Domingo

tel: (+1 809) 533 0049  
fax: (+1 809) 533 0049  
(+1 809) 533 5397 (Dept. of Exterior)

Estonia

Mr. Tiit Randla \*  
Ministry of Environment  
24 Toompuietee  
EE-0100 Tallinn

tel: (+372 2) 45 05 24  
fax: (+372 2) 45 33 10

Georgia

Mr. Grigori Abramia  
Head of International Affairs Department  
Ministry of Environment  
68a Kostava Str  
380015 Tbilisi

tel: (+7 8832) 23 06 64 / 36 15 89 / 98 81 89  
fax: (+7 8832) 98 34 25  
tlx: 212380 iremi

Guinea-Bissau

Mr. Guilherme Da Costa \*  
Ministère du Développement Rural  
et de l'Agriculture (MDRA)  
Ancien Camp Militaire Sta. Luzia  
B.P. 71

tel: (+245) 22 17 80 / 21 43 65 (res)  
fax: (+245) 20 11 68 (IUCN) / 22 10 19 (FAO)

Kenya

Mr. Tom Kabii  
Kenya Wildlife Service  
P.O. Box 40241  
Nairobi

tel: (+254 2) 501 081/2  
fax: (+254 2) 505 866

Dr. Nathan Gichuki  
National Museums of Kenya  
P.O. Box 40658  
Nairobi

tel: (+254 2) 74 21 62 x 243  
fax: (+254 2) 74 14 24  
tlx: 22892

Ms. Cecilia M. Gichuki  
National Museums of Kenya  
P.O. Box 40658  
Nairobi

tel: (+254 2) 74 21 62-4 / 74 21 32-4  
fax: (+254 2) 74 14 24  
tlx: 22892

Lebanon

Mr. Assad A. Serhal \*  
Society for Protection of Nature in Lebanon (SPNL)  
P.O. Box 11-5665  
Beirut

tel: (+961 1) 342 701 / 343 740 / 344 814  
fax: (+961 1) 603 208  
tlx: 21709 le sari

Lithuania

Mr. Eugenijus Drobelis  
Environmental Protection Department  
Juozapaviciaus 9  
2600 Vilnius

tel: (+370 2) 352 808  
fax: (+370 2) 358 020

Malawi

Mr. John Nthapangwa B. Mphande \*  
Department of National Parks and Wildlife  
Box 30131  
Lilongwe 3

tel: (+265) 723 566 / 723 676  
fax: (+265) 723 089

Mozambique

Mr. Bartolomeu Soto \*  
D.N.F.F.B. - Wildlife Department  
C.P. 1406  
Maputo

tel: (+258 1) 46 00 36  
fax: (+258 1) 46 00 60

Myanmar

Mr. Thein Lwin  
National Project Director  
National Parks and Protected Areas  
Management Project, Forest Department  
West Gyogon  
Insein, Yangon

fax: (+95 1) 64457 / 92739 (UNDP)  
tlx: (+95 1) 64336



Papua New Guinea

Mr. Samuel Antiko  
Department of Environment and Conservation  
P.O. Box 6601  
Boroko

tel: (+675) 25 48 82  
fax: (+675) 25 91 92

Peru

Ms. Irma Iruída Briccño Sánchez  
Instituto Nacional de Recursos Naturales  
Calle Diecisiete N° 355  
Urb. El Palomar  
San Isidro  
Lima

tel: (+51 14) 410 425  
fax: (+51 14) 414 606

Poland

Mr. Zygmunt Krzeminski \*  
Ministry of Environmental Protection,  
Natural Resources and Forestry  
Wawelska 52/54  
PL-00 922 Warszawa

tel: (+48 22) 256 204  
fax: (+48 22) 254 705

Republic of Moldova

Mr. Ion Bejenaru \*  
Department of Environmental Protection  
73, bd Stefan cel Mare  
Chisinau 277001

tel: (+373 2) 22 33 36  
fax: (+373 2) 23 38 06

Russian Federation

Prof. Vladimir E. Flint \*  
Ministry of Ecology  
Lomonosovski Prospect 14-492  
117296 Moscow

tel: (+7 095) 938 0656

Slovakia

Mr. Jaroslav Švec \*  
Ministry of Environment  
Department of Nature and Landscape Protection  
Hlboká 2  
812 35 Bratislava

tel: (+427) 492 002-9 / 492 451-9  
fax: (+427) 311 368

Slovenia

Mr. Robert Boljesic \*  
Institute for Conservation of  
Natural and Cultural Heritage  
Plecnikov trg. 2  
P.O. Box 176  
61000 Ljubljana

tel: (+386 61) 213 012 / 213 083 / 1261 321  
fax: (+386 61) 213 120

Switzerland

Mr. Raymond Pierre Lebeau  
Office fédéral de l'environnement, des  
forêts et du paysage (OFEP)  
Division principale Protection de la  
nature et du paysage  
Hallwylstrasse 4  
CH-3003 Berne

tel: (+41 31) 322 8064 / 322 9389  
fax: (+41 31) 322 9981

The former Yugoslav Republic of Macedonia

Prof. Branko Micevski \*  
Bird Study and Protection Society of Macedonia  
Zoological Department, Faculty of Science  
Skopje 91000

tel: (+389 91) 161 798 / 261 330  
fax: (+389 91) 228 141

Togo

Mr. Abdou Kérim Moumouni  
Directeur des Parcs Nationaux,  
des Réserves de Faune et de Chasse  
B.P. 355  
Lomé

tel: (+228) 21 40 29  
fax: (+228) 21 40 29

Turkey

Dr. Feriha Gürkan \*  
Authority for the Protection of Special Areas  
Koza Sok No. 32, G.O.P.  
06700 Ankara

tel: (+90 312) 438 1496  
fax: (+90 312) 440 8553

Uganda

Mr. Moses J. Okun  
Ministry of Tourism & Wildlife  
Game Department  
P.O. Box 4  
Entebbe

tel: (+256 42) 20073 / 20597 (res)

Ukraine

Mr. Vassili Pridatko  
Ministry for Environmental Protection  
Monitoring Department  
5 Khreshatik Str.  
252001 Kiev

tel: (+7 044) 222 6389  
fax: (+7 044) 229 8050

United Republic of Tanzania

Mr. Emanuel L. M. Severre \*  
Ministry of Tourism, Natural Resources  
and Environment  
Department of Wildlife  
P.O. Box 1994  
Dar es Salaam

tel: (+255 51) 23230 / 21241 x 132  
fax: (+255 51) 23230  
tx: 41725 nareto tz

Zambia

Mr. Lubinda Aongola \*  
Planning Officer  
Ministry of Environment and Natural Resources  
P.O. Box 34011  
Lusaka

tel: (+260 1) 25 27 11 / 25 30 40 6  
fax: (+260 1) 25 29 52 / 22 31 23

Zimbabwe

Mr. Joseph Chizororo \*  
Department of Natural Resources  
P.O. Box C4 385, Causeway  
Harare

tel: (+263 4) 70 56 71  
fax: (+263 4) 79 31 23

---

\* Part-time



UNITED NATIONS

United Nations Environment Programme

Ms. Mona Björklund  
Senior Programme Officer  
Wildlife and Protected Areas Unit,  
Environmental Management  
P.O. Box 30552  
Nairobi, KENYA

tel: (+254 2) 623240

Mr. Pekka Jussela  
Fund Programme Management Branch  
P.O. Box 30552  
Nairobi, KENYA

tel: (+254 2) 623 631/2  
fax: (+254 2) 227 057

Convention on International Trade in  
Endangered Species Wild Fauna and Flora

Mr. Jaques S. Berney  
CITES Secretariat  
Case postale 456  
15, Chemin des Anémones  
CH-1219 Châtelaine (GE)  
SWITZERLAND

tel: (+41 22) 979 9139  
fax: (+41 22) 797 3417

Convention on the Conservation of  
Migratory Species of Wild Animals (CMS)

Mr. Arnulf Müller-Helmbrecht  
Co-ordinator  
UNEP/CMS Secretariat  
Mallwitzstrasse 1-3  
D-53177 Bonn  
GERMANY

tel: (+254 2) 9543 501  
fax: (+254 2) 9543 500

Mr. Douglas Hykle  
Programme Officer  
UNEP/CMS Secretariat  
Mallwitzstrasse 1-3  
D-53177 Bonn  
GERMANY

tel: (+254 2) 9543 501  
fax: (+254 2) 9543 500

INTERGOVERNMENTAL ORGANIZATIONS

Convention on Wetlands of International  
Importance Especially as Waterfowl Habitat  
(Ramsar, 1971)

Mr. Anderson Koyo  
Ramsar Convention Bureau  
Rue Mauverney 28  
CH-1196 Gland  
SWITZERLAND

tel: (+41 22) 999 0170  
fax: (+41 22) 999 0169  
tlx: 41 96 24

NON-GOVERNMENTAL ORGANIZATIONS

African Centre for Technology Studies (ACTS)

Dr. Albert Mwangi  
African Centre for Technology Studies (ACTS)  
P.O. Box 45917  
Nairobi  
KENYA

tel: (+254 2) 56 51 73

BirdLife International

Mr. John O'Sullivan  
BirdLife International  
c/o RSPB  
The Lodge  
Sandy, Bedfordshire SG19 2DL  
UNITED KINGDOM

tel: (+44 767) 680 551  
fax: (+44 767) 692 365  
tlx: 82469 rspb

Mr. David E. Pritchard  
BirdLife International  
c/o RSPB  
The Lodge  
Sandy, Bedfordshire SG19 2DL  
UNITED KINGDOM

tel: (+44 767) 680 551  
fax: (+44 767) 692 365  
tlx: 82469 rspb

**East African Wildlife Society**

Mr. John K. Keter  
East African Wildlife Society  
P.O. Box 20110  
Nairobi  
KENYA

tel: (+254 2) 74 81 70/1/2/3

Mr. Mwamba Shete  
East African Wildlife Society  
P.O. Box 20110  
Nairobi  
KENYA

tel: (+254 2) 74 81 70/1/2/3  
fax: (+254 2) 74 68 68

**ECO²TERRA**

Prof. Julian Bauer  
Postfach 100  
D-34314 Espenau 2  
GERMANY

tel: (+49 5673) 4003  
fax: (+49 5673) 4002  
tlx: 965574 natur d  
e-mail:wildnet@oln.zer

Ms. Gladys Jepkosgei Boss  
P.O. Box 30105  
Nairobi  
KENYA

tel: (+254 2) 562 513  
fax: (+254 2) 562 513  
e-mail:wildnet

**Fédération des Associations de  
Chasseurs de l'Union Européenne (F.A.C.E.)**

Dr. Yves Lecoq  
Secrétaire Général  
Fédération des Associations de  
Chasseurs de l'Union Européenne (F.A.C.E.)  
Rue F. Pelletier 82  
B-1040 Brussels  
BELGIUM

tel: (+32 2) 732 6900  
fax: (+32 2) 732 7072

**IUCN - The World Conservation Union**

Prof. Steven Njuguna  
Coordinator, Biodiversity Conservation Programme  
Eastern African Regional Technical Office  
IUCN - The World Conservation Union  
P.O. Box 68200  
Nairobi, KENYA

tel: (+254 2) 50 26 50  
fax: (+254 2) 60 80 26  
tlx: 25190 iucn eq

Mr. Paul Goriup  
Nature Conservation Bureau Ltd.  
36 Kingfisher Court, Hambridge Road  
Newbury Berkshire RG14 5SJ  
UNITED KINGDOM

tel: (+44 635) 55 03 80  
fax: (+44 635) 55 02 30

**International Council for Hunting  
and Game Conservation (CIC)**

Dr. Herby Kalchreuter  
CIC - Migratory Bird Commission  
c/o European Wildlife Research Institute (EWI)  
D-79848 Bonndorf-Glashütte  
GERMANY

tel: (+49 7653) 1891  
fax: (+49 7653) 9269

**OSIENALA**

Mr. Omondi Joab Otieno  
OSIENALA  
P.O. Box 4580  
Kisumu, KENYA

tel: (+254 35) 42366

**CONFERENCE-APPOINTED SCIENTIFIC  
COUNCILLOR**

Dr. William F. Perrin  
National Marine Fisheries Service, NOAA  
Southwest Fisheries Center  
8604 La Jolla Shores Drive  
La Jolla, CA 92038  
UNITED STATES

tel: (+1 619) 546 7096  
fax: (+1 619) 546 7003



