



# Convention on the Conservation of Migratory Species of Wild Animals

Distr.  
GENERAL

UNEP/CMS/Conf. 5.9  
24 March 1997

ORIGINAL: ENGLISH

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

## REVIEW OF ARTICLE IV AGREEMENTS CONCLUDED OR UNDER DEVELOPMENT Prepared by the Secretariat

### Introduction

1. Article VII, paragraph 5(b), of the Convention requires the Conference of the Parties to review at each of its meetings progress made towards the conservation of migratory species, especially those listed in Appendix I and II. In accordance with Article IX, paragraph 4(h), of the Convention and Resolution 3.5 (Geneva, September 1991), the Secretariat submits herewith a report summarizing measures carried out under Article IV of the Convention to develop and conclude Agreements<sup>1</sup>.

2. Since the last meeting of the Conference of the Parties, significant progress has been made both in the implementation of existing Agreements and in the negotiation and development of others. Representatives of each of the secretariats of those Agreements who are attending the meeting of the Conference of the Parties (the ASCOBANS Secretariat, the EUROBATS Secretariat and the AEWA Interim Secretariat) will present an oral report to the Conference. More detailed examinations of the following Agreements are attached to this report as Annexes 1-4:

- The Agreement on the Conservation of Seals in the Wadden Sea;
- The Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS);
- The Agreement on the Conservation of Bats in Europe (Eurobats); and
- The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA).

3. The assistance of some Parties has enabled much progress to be made in the development and conclusion of certain Agreements, while the elaboration of a number of others has been hindered by a lack of resources in the Secretariat. The Secretariat reminds the Conference of the Parties that Article IV, paragraphs 3 and 4, of the Convention encourages Party Range States to conclude Agreements for the conservation and management of migratory species. This includes an expectation that CMS member States take the lead in the development of such Agreements, and/or that developed countries facilitate

---

<sup>1</sup> In this report, the term "AGREEMENT" is used in the sense of Article IV(3) of the Convention, and "agreement" is used in the sense of Article IV(4). The neutral term "Agreement" is used whenever it is unnecessary or inappropriate to distinguish between the two types, as in the case of Agreements under development (which, depending on their content, could be concluded as Article IV(3) AGREEMENTs or Article IV(4) agreements).

initiatives of developing countries in this regard (see also Resolution 4.4, Action Point 14 (Nairobi, 1994).

## **I. Agreements in force**

### *A. Agreement on the Conservation of Seals in the Wadden Sea*

4. Denmark, Germany and the Netherlands concluded an agreement on the conservation of Wadden Sea seals (*Phoca vitulina*) in October 1990, which entered into force a year later. Although technically it did not meet the criteria for an Article IV(4) agreement as regards complete coverage of the species range (Resolution 2.6), the Conference of the Parties subsequently acknowledged, in Resolution 3.5, that there may be instances when Article IV(4) agreements need not cover the whole range of a migratory species or be open to accession by all Range States.

5. This agreement provides for the development of a conservation and management plan, co-ordination of research and monitoring, prohibition of taking (with few exceptions), habitat protection, reduction of pollution and public awareness initiatives. The conservation and management plan outlines in simple terms the specific efforts that are needed to implement various aspects of the agreement, indicates what is presently being done, and outlines specific prescriptions to be undertaken by the Parties.

6. The agreement was concluded in response to a dramatic decline in the Wadden Sea seal population, as a consequence of the sudden death of thousands of individuals in 1988. So far, the agreement has shown encouraging results. Co-ordination and cooperation between the Range States has intensified considerably through the implementation mechanisms of the agreement. According to the Wadden Sea Secretariat, whose report is attached at Annex 1, the seal population has since recovered and has re-established itself at a stable level.

### *B. Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas*

7. This agreement, prepared by the CMS Secretariat originally in 1986-87 with expert advice from various sources, including members of a Scientific Council working group, was finally concluded as an Article IV(4) agreement in September 1991. The agreement opened for signature in March 1992 and it entered into force on 29 March 1994. Belgium, Denmark, Germany, the Netherlands, Poland, Sweden and the United Kingdom are Parties to the agreement. The United Kingdom presently hosts the agreement secretariat, which became operational on a provisional basis in June 1992, and was formally established at the first session of the Meeting of Parties in September 1994.

8. The agreement has already stimulated a joint research programme to assess the population and distribution of small cetaceans in the North Sea and western Baltic Sea, as well as research, monitoring and awareness programmes in individual Range States. The Government of Sweden hosted the first session of the Meeting of the Parties in Stockholm in September 1994. The Government of Germany has offered to host the second session of the Meeting of the Parties in Bonn in November 1997. Annex 2 contains a more detailed report on the agreement prepared by the secretariat.

### *C. Agreement on the Conservation of Bats in Europe*

9. This AGREEMENT was concluded in September 1991 in association with the 3<sup>rd</sup> meeting of the Conference of the Parties to CMS. It opened for signature in December 1991, and entered into force on 16 January 1994. To date, thirteen Range States – Czech Republic, Denmark, France, Germany, Hungary, Ireland, Luxembourg, Netherlands, Norway, Poland, Portugal, Sweden and the United Kingdom – are Parties to the AGREEMENT. Belgium has also signed, but their formal ratification is still pending.

10. The United Kingdom established an interim secretariat in February 1992 to help promote the AGREEMENT, and the secretariat remained active there until the end of 1995. Following the first session of the Meeting of the Parties in July 1995, hosted by the United Kingdom, the Parties accepted an offer from the Government of Germany to establish a permanent secretariat in co-location with the

UNEP/CMS Secretariat in Bonn.

11. The second session of the Meeting of Parties is provisionally scheduled to take place in Bonn in October 1998. Further details about the AGREEMENT are given in the report of the secretariat, attached as Annex 3.

*D. African-Eurasian Migratory Waterbird Agreement (AEWA)*

12. This AGREEMENT, the largest of its kind developed so far under CMS, was concluded on 16 June 1995, when representatives of over 66 countries met in The Hague, Netherlands. The AEWA covers 172 species of birds ecologically dependent on wetlands for at least part of their annual cycle, including many species of pelicans, storks, flamingoes, ducks and geese. The AGREEMENT concerns 117 countries (plus the European Union) from Europe, parts of Asia and North America, the Middle East and Africa. In fact, the geographic area covered by the AEWA stretches from the northern reaches of Canada and the Russian Federation to the southernmost tip of Africa.

13. The AGREEMENT provides for co-ordinated and concerted actions to be taken by the Range States throughout the migration systems of the waterbirds to which it applies. Parties to the AGREEMENT are called upon to engage in a wide range of conservation actions which are described in a comprehensive Action Plan. This detailed plan – the product of extensive negotiations and discussions among governments, as well as interested conservation and user groups – addresses such key issues as: species and habitat conservation, management of human activities, research and monitoring, education and information, and implementation.

14. A number of important tasks were assigned to the first session of the Meeting of the Parties to the AGREEMENT. This is likely to be held during the course of 1999 (i.e. a year after the AGREEMENT is expected to enter into force), and possibly in conjunction with the sixth meeting of the Conference of the Parties to CMS. The tasks include the establishment of a Technical Committee and the creation of a permanent AGREEMENT secretariat.

15. The Government of the Netherlands is providing an interim secretariat for three years, and the permanent secretariat functions will subsequently be assumed by the Secretariat of the parent Convention. The Depositary, the Ministry of Foreign Affairs of The Netherlands, opened the AGREEMENT for signature on 15 August 1996 after having provided the AGREEMENT text in its four official languages (Arabic, English, French, and Russian). The AGREEMENT will enter into force after it has been ratified by fourteen Range States or regional economic integration organizations (seven from Africa and seven from the rest of the AGREEMENT area).

16. Various projects are already envisaged under this AGREEMENT, among them: promotion of biodiversity conservation in wetlands, rehabilitation of former brown-coal pits in Germany, monitoring of bird migration in the Middle East, and habitat conservation in African countries. Various species conservation plans have also been prepared. Most of them will serve as models to facilitate implementation of the AGREEMENT after its entry in force.

17. Further details about the AEWA are included in the report prepared by the Interim Secretariat, and attached as Annex 4.

*E. Agreement on the Conservation of Small Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS)*

18. An important breakthrough for the conservation of cetaceans of the Mediterranean and Black Seas was achieved in Monaco from 19-24 November 1996 with the conclusion of an agreement aimed at reducing threats to cetaceans in these waters. Among other things, the agreement will require signatories to protect dolphins, porpoises and other whales, and to establish a network of protected areas important for their feeding, breeding and calving. Representatives of over 20 Mediterranean and Black Sea countries, together with observers from numerous intergovernmental and non governmental organizations participated in the signatory meeting.

19. The agreement is the first of its kind to bind the countries of the two subregions to work together on a problem of common concern. It calls on its members to implement a comprehensive conservation plan and to enforce legislation to prevent the deliberate taking of cetaceans in fisheries by vessels under their flag or within their jurisdiction, and to minimize incidental catches. Governments also undertake to assess and manage human-cetacean interactions; to carry out research and monitoring; to develop information, training and public education programmes; and to put in place emergency response measures.

20. Eleven governments signed the Agreement in the closing session of the meeting. The accord is expected to enter into force in 1997, once it has been through parliamentary reviews in the countries concerned. Significantly, it is also open to membership of non-coastal States (“third countries”) whose vessels are engaged in activities which may affect cetaceans.

21. The Government of the Principality of Monaco is acting as Depository for the agreement, the official text of which will soon be made available in the Arabic, English, French, Russian and Spanish languages.

#### *F. Memorandum of Understanding concerning Conservation Measures for the Siberian Crane*

22. This instrument aims at ensuring the survival of the West and Central Asian populations of the Siberian crane, which are on the brink of extinction. Taking effect on 1 July 1993, it was the first memorandum of understanding to be considered an agreement under Article IV(4) of the Convention

23. There are now seven signatory countries, including five that are not yet Parties to the parent Convention: India, Islamic Republic of Iran, Kazakstan, Pakistan, Russian Federation, Turkmenistan and Uzbekistan; the International Crane Foundation, the Wild Bird Society of Japan and the UNEP/CMS Secretariat are formally involved as co-operating organizations. Further efforts are being made to encourage the other remaining Range States (Afghanistan and Azerbaijan) to join.

24. The MoU provides for actions to be taken collectively by all of the Range States, as well as specific measures to be implemented in each country. In May 1995 the Secretariat organized, in conjunction with the All-Russian Research Institute of Nature Conservation and the International Crane Foundation, a meeting in Moscow of Siberian crane experts and representatives from eight of the nine Range States concerned. The meeting was an important step in international efforts to safeguard and rebuild the endangered populations.

25. The beginning of 1996 brought with it some excellent news. Nine Siberian cranes were located on their traditional wintering grounds at Fereidoonkenar in the Islamic Republic of Iran. In January of that year, the Secretariat facilitated a joint mission of Russian, Finnish and Iranian experts – part of a co-ordinated effort to obtain critical information on the cranes’ hitherto unknown migration routes. The experts succeeded, for the first time, in attaching a satellite transmitter to one of the wild birds at Fereidoonkanar, and in releasing two birds which had been raised in captivity in the United States by the International Crane Foundation. Data retrieved on the migration route taken by the wild bird is of enormous interest and benefit to conservation efforts.

26. February 1996 brought more good news from India: four Siberian cranes from the dwindling central population arrived at Keoladeo National Park, where they had not been seen for the last two winters. Among them was a young bird which had been banded by Russian scientists in Siberia the previous summer – concrete evidence of the crane’s 5,500 km southward migration. In late 1996, the cranes returned to Iran and India, raising hopes that the concerted efforts that have been mounted will eventually succeed in rebuilding the remaining flocks.

27. The Secretariat organized a second meeting of Range States in Bharatpur, India, in November 1996. Unfortunately, its preoccupation with other activities has so far prevented it from circulating the revised Memorandum of Understanding, which includes a much more comprehensive conservation plan for each of the Range States and participating organizations. This task will be given a high priority for completion. The meeting also recommended that the Secretariat approach the Chinese authorities about

the possible involvement of that country, which is important for the eastern population of Siberian cranes. A CMS-sponsored educational video on the Siberian crane – in English and Russian – is nearing completion, thanks to the efforts of the International Crane Foundation.

### *G. Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew*

28. This MoU aims to safeguard the Slender-billed curlew, estimated to have declined in number to 200-300 individuals (1994 estimate). It has fifteen Range State members (Albania, Bulgaria, Croatia, Cyprus, Egypt, Georgia, Hungary, Islamic Republic of Iran, Kazakhstan, Morocco, Oman, Romania, Spain, Ukraine and Uzbekistan) as well as BirdLife International, the International Council of Hunting and Game Conservation (C.I.C.) and the UNEP/CMS Secretariat.

29. The CMS Secretariat is trying to encourage the initiation of support projects for this species in several of the Range States, and is maintaining close contact with various organizations, scientific institutions and national authorities that are already involved in such action, including BirdLife International (Cambridge, UK), the Royal Belgian Institute for Natural History (Brussels), the International Council for Game and Wildlife Conservation (C.I.C.) and Euronatur (Radolfzell, Germany). BirdLife International has recently produced a first draft of a comprehensive longer-term Action Plan for the species, which is called for under the terms of the MoU. Concrete activities have already been undertaken or are currently under way in Albania, Bulgaria, Greece, Italy, Morocco, Russian Federation and Ukraine. CIC is expected to carry out a multinational campaign aimed at raising awareness among hunters. In addition, the Secretariat is seeking financial assistance from external sources with a view to helping to put immediate measures into effect along the birds' migration routes in central Asia and at its wintering ground.

30. Early in 1996, the Secretariat produced and distributed a status report on this endangered species. Within the framework of the MoU and the Action Plan, the Secretariat is planning to hold, in autumn 1997, a symposium of country representatives and experts. Its aim is to facilitate the coordination of monitoring efforts and to intensify ongoing protection measures.

31. Under its "Life Programme", the European Union is financing a protection and monitoring project in southern Europe, with a particular emphasis on Greece. Considerable efforts have been undertaken to discover the breeding area of the Slender-billed curlew. In 1996, the Russian Conservation Union sent an expedition to the steppe area of southwest Siberia; a second expedition was organized in the moor region of the taiga. Although the breeding areas still have not been found, a large number of individuals were reportedly sighted in Iran in the Persian Gulf wintering area of the species.

## **II. Agreements under development**

### *A. Houbara bustard (Chlamydotis undulata)*

32. An Agreement on the houbara bustard has been in the making for several years, and more recently the Secretariat has become increasingly involved in this work. Following recommendations by the Scientific Council (Bonn, May 1993) and the CMS COP at its fourth meeting (Nairobi, June 1994), and the Houbara Bustard Working Group of the IUCN Species Survival Commission (Muscat, January 1996), the Kingdom of Saudi Arabia has taken the lead in the development and negotiation of an Agreement among the Range States. In late September 1996, the Government of Saudi Arabia distributed its proposal for an Agreement to the Governments of those countries which by then had been identified as Range States to the migratory populations of the species.

33. The responsible authority for wildlife conservation of Saudi Arabia, assisted by the UNEP/CMS Secretariat and international legal experts will, by summer 1997, revise the Agreement proposal. The Houbara Bustard Working Group of the IUCN Species Survival Commission is called upon to develop a comprehensive Action Plan. Both documents will be submitted to the Range States and thereafter discussed in a meeting. In the meantime, the members of the Working Group are requested to contribute to the elaboration of an Action Plan which will be annexed to the Agreement proposal.

*B. Great bustard (Otis tarda)*

34. Based on recommendations of the CMS Scientific Council and the fourth meeting of the Conference of the Parties, a Hungarian expert has drafted a Memorandum of Understanding aimed at conserving the middle-European population of this species. This draft, which has recently been received in the Secretariat, will soon be submitted for discussion to the authorities of the Range States and the relevant international governmental and non-governmental organizations.

*C. Draft Asia-Pacific Migratory Waterbird Agreement (APWA)*

35. As a member of the "Migratory Waterbird Conservation Committee", the CMS Secretariat is collaborating with Wetlands International Asia-Pacific in the development and implementation of an "Asia-Pacific Migratory Waterbird Conservation Strategy: 1996-2000". This strategy, part of the so-called Brisbane Initiative" provides for the development of species action plans for shorebirds, anatidae and cranes, and the creation of complementary site networks for these groups. Over the longer term, as CMS membership in the Asia-Oceania region increases, the Strategy could form the basis for a more formal multilateral agreement, along the lines of the AEWAs. The Secretariat will also participate actively in the development of a similar initiative covering the Central Asian flyway, where there are already a number of interested CMS Parties.

### **III. Other potential Agreements**

36. Albatrosses face high mortality in their oceanic foraging zones, mostly due to human-related factors. The main cause of death is long-line fishing: birds try to feed on the bait, become hooked and drown. Twelve species of albatross have been proposed for listing in Appendix II which, if accepted by the Conference of the Parties, would be a stimulus for the development of an Agreement for the conservation of these species.

37. The representative of Saudi Arabia reported to the 15th meeting of the Standing Committee in January 1997 that steps were being taken to initiate an Agreement on ungulates in the Arabian peninsula, which would involve all the countries neighbouring Saudi Arabia. Once the proposal had been adopted internally, the interest of other Range States would be solicited.

38. Among the other groups of species identified by the Scientific Council as potentially warranting consideration for the development of Agreements and not mentioned above are, in no particular order: sirenians; South American pinnipeds (seals), Phoenicopteridae (flamingoes), Lepidoptera (butterflies), Charadriiformes; migratory birds, other than waterbirds (e.g., raptors, passerines); bats outside of Europe (e.g., Africa, Asia, South America), and small cetaceans outside of European waters.

## **Implementation of the Agreement on the Conservation of Seals in the Wadden Sea**

Progress report prepared by the Common Wadden Sea Secretariat

1. The Wadden Sea Seal Agreement between Denmark, Germany and The Netherlands, which was the first regional agreement under the Bonn Convention, has now been in force for 5 years. The agreement was concluded with the aim to cooperate in achieving and maintaining a favourable conservation status for seals, which was a particular critical issue in the beginning of the 90s, since the population was reduced with about 60% in 1988 as a result of the seal epidemic.
2. Since 1988, the population has recovered significantly. According to coordinated aerial surveys in 1996, the population is now at a level of about 10,000 which corresponds with the previously expected number for the year of the outbreak of the seal disease. Furthermore, the average reproduction rate has increased considerably and the first-year mortality has decreased significantly in comparison to the situation before 1988.
3. The Seal Agreement has played an essential role in turning the tide but whilst the present population can hence be regarded as viable in terms of numbers, however, the environmental conditions are still not satisfactory. The levels of organochlorines are still comparatively high and the juvenile survival is still lower than in comparable populations, probably partly due to disturbance.
4. The “Conservation and Management Plan for the Wadden Sea Population” is the key instrument, as stipulated in the Seal Agreement, to achieve and maintain the objective of the Agreement. In 1996, a revised Plan was enacted by the contracting parties for the period 1996-2000. It entails the actions which will be undertaken in that period. The Management Plan 1996-2000 takes account of the results of scientific research in the past period and translates political decisions and targets into management as decided at the 7th Trilateral Governmental Conference in 1994. The relevant decisions are attached (in English only).
5. The present plan continues the management measures which were set out in the first plan for 1991-95, but the amended plan encompasses also some new elements. Firstly the geographical scope of the agreement has been extended to encompass the adjacent off-shore area within the 3-nautical mile zone to correspond with the Trilateral Wadden Sea Cooperation Area as established at the Ministerial Conference in 1994. Scientific research has provided evidence that the adjacent North Sea is also of importance in the life-cycle of seals.
6. Taking of seals from the Wadden Sea is prohibited. In the current Seal Management Plan, the exemptions for taking have been specified. Exemptions can only be carried out by authorized persons and concern only such animals that have a chance to survive. Seals may only be released into the wild if certain criteria have been fulfilled, e.g. seals that have not been treated with specific groups of medicine and not been kept in centres where species alien to the Wadden Sea are held.
7. Growing populations may increase conflicts with other interest groups, e.g. fishery. It may also challenge the current protection scheme of reserves because increasing numbers may demand the establishment of additional reserves. The Seal Management Plan 1996-2000 is an essential instrument in anticipating such developments by seeking the balance between conservation and management and uses of the area, and thus contributing to achieving the objective of a viable stock and a natural reproduction capacity of seals.

### **RELEVANT DECISIONS OF THE 7TH TRILATERAL GOVERNMENTAL CONFERENCE, 1994**

(available in English only)

## I. CONSERVATION OF SEALS AND SMALL CETACEANS

56. To acknowledge that Art. VI of the Agreement on the Conservation of Seals in the Wadden Sea prohibits taking of seals and entails strict provisions on exemptions for taking.
57. To reaffirm, as stated in the "Conservation and Management Plan for the Wadden Sea Seal Population 1991-95", that the rehabilitation and release of seals is not necessary from the biological and wildlife management point of view .
58. To note the "Statement on Seal Rehabilitation and Release, based on scientific experience and knowledge" as elaborated by seal experts as a basis for the elaboration of guidelines for rehabilitation and release of seals. The experts concluded that the rehabilitation and release of seals should not be undertaken because it is not necessary for the population and because of the risks involved in terms of introduction of pathogens, anti-selection/reduced fitness and resistance, and mixing of populations.
59. To acknowledge that the current level of taking, since the Seal Agreement has entered into force, is too high to be justified and therefore:
60. To reduce the current number of seals taken from and released to the Wadden Sea to the lowest level possible by applying guidelines for handling diseased or weakened seals or evidently abandoned pups, and to release seals based on the precautionary approach, referred to under 58 to be elaborated in the framework of the Conservation and Management Plan for the Wadden Sea Seal Population 1996-2000. The guidelines shall be based upon the following principles:
  - 60.1 only a very limited number of persons in each country shall be authorized to decide on the handling of diseased or weakened seals or abandoned pups, including taking and releasing of the animals, and only such animals may be taken which have a chance to survive;
  - 60.2 seals rehabilitated shall only be released into the wild on a permit granted by the national authority responsible for nature conservation and management if the following criteria are met:
    - (i) the seal has not been treated with specific groups of medicine to be further specified in the framework of the Conservation and Management Plan for the Seals which will be amended in 1995;
    - (ii) the seal does not carry pathogens alien to the wild population;
    - (iii) the seal is released as soon as possible but not later than half a year after it has been brought in for rehabilitation;
    - (iv) the seal has not been kept in a center where species of animals alien to the Wadden Sea, or marine mammals not resident in the Wadden Sea, are held;
  - 60.3 seals should only be released in the areas where they were found;
  - 60.4 seals shall not be transported between subregions of the Wadden Sea;
  - 60.5 seals held in captivity shall, in principle, not be released into the wild;
  - 60.6 seals born in captivity shall not be released into the wild; exemptions can only be allowed after the approval of the competent authorities.
61. To agree that the principles and guidelines, to be elaborated as stated under ° 60, also apply to the grey seal.
62. To amend the Conservation and Management Plan for the Wadden Sea Seal Population, which will expire in 1995, for 1996-2000 in the light of the results of the Joint Trilateral Seal Project.

## TARGETS ON HABITAT AND SPECIES

- viable stocks and a natural reproduction capacity, including juvenile survival, of common seal and grey seal.

## **Report on the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS), May 1994 - March 1997**

Prepared by Jette Jensen, ASCOBANS Secretariat

### Membership

At present there are 7 Parties to ASCOBANS (Belgium, Denmark, Germany, the Netherlands, Poland, Sweden and the United Kingdom). The most recent signatory was Poland who acceded to the Agreement in January 1996.

A further 8 Range States are considering whether to accede to the Agreement (Estonia, Finland, France, Latvia, Lithuania, Norway, Russia and EC). Norway participates actively with ASCOBANS' scientific endeavours, but due to its desire to maintain a consistent national policy will not sign the agreement itself. France has expressed its intention to accede but has not yet done so. EC has signed but not yet ratified. Negotiations are continuing with Ireland on an extension of the ASCOBANS area into their waters to coincide with Ireland's designated whale and dolphin sanctuary.

### Meetings and Administration

The first meeting of the Parties to ASCOBANS was held in September 1994. All parties and Range States apart from Finland were represented. A resolution on the implementation of the Conservation and Management Plan (attached as an annex to the Agreement text, and listed below) was adopted as well as guidelines for the national reports. An Advisory Committee was established to provide information on the implementation of the Conservation and Management Plan. Several intersessional working groups were and have been established since. Three meetings of the Advisory Committee have been held with the fourth meeting to come in June 1997. The second Meeting of Parties will be held in November 1997.

The Secretariat has been established at the Sea Mammal Research Unit in Cambridge, England. The future location of the Secretariat will be decided at the next Meeting of Parties.

### The Action Plan

#### Background documentation

For further detailed progress on the activities under ASCOBANS the following reports are available from the Secretariat upon request:

- Report of the first meeting of Parties, Stockholm, 26-28 September 1994
- Report of the first meeting of the Advisory Committee, Cambridge, 8-10 March 1995
- Report of the second meeting of the Advisory Committee, Cambridge, 29 November-1 December 1995
- Report of the third meeting of the Advisory Committee, Copenhagen, 13-15 November 1996
- First Annual Compilation of the National Reports, 1996.

The Conservation and Management plan includes:

- (a) the reduction of pollution;
- (b) the reduction of direct interactions with fisheries (e.g. bycatches, particularly of harbour porpoises);
- (c) the reduction of indirect interactions with fisheries (e.g. impact on food resources);
- (d) the reduction of disturbance (e.g. seismic testing, whalewatching);

- (e) the establishment of protected areas (e.g. areas of special importance to breeding and feeding);
- (f) monitoring, status and population studies;
- (g) establishment of national databases on by-catch & strandings;
- (h) education and promotion.

The reduction of direct interactions with fisheries (i.e. bycatches of small cetaceans) is considered the most important task for the Agreement.

The Parties submit a national report each year on the implementation of the Conservation and Management plan, as well as on national legislation. The first compilation was published in September 1996.

#### Implementation of the Conservation and Management plan: Reduction of pollution

A report is being undertaken to summarise the matters that are relevant to ASCOBANS deriving from the IWC workshop on chemical pollution. Samples of harbour porpoises from the whole Agreement area are being analysed by all Parties for various pollutants.

Reduction of direct interaction with fisheries A review of marine mammal bycatch observer schemes has been carried out with a recommendation on an appropriate observer scheme to monitor bycatch of marine mammals in the ASCOBANS area.

Related to this issue is the BY-CARE project that involves Denmark, Ireland, Sweden and UK. The main aim of the BY-CARE project is to address the issues of by caught animals in the North Sea, Bay of Biscay, Skagerrak-Kattegat and the Western Baltic. It is focussing on harbour porpoises caught in bottom-set gillnets and dolphins caught in the drift nets for tuna, as well as the investigation of different gear modifications to try to reduce the bycatch. The BY-CARE is a partly EU funded project running from December 1995 till the end of 1997. Observer programmes to record the bycatch have been established in all countries involved in BY-CARE. Sweden has further conducted satellite tracking of harbour porpoises.

Of other ASCOBANS members, The Netherlands and Germany have established observer schemes, but no measures have been taken in Belgium and Poland due to the apparent low numbers of animals taken in their fisheries.

Another related project is CETASEL, an EU funded research project involving Denmark, France, the Netherlands, Sweden and United Kingdom. It aims at investigating how harbour porpoises use their sonar system, with a view to determine which gear modifications will best enable small cetaceans to avoid entanglement in fishing gear.

A working group on developing a revised standard format for recording by-catch has been established, and it will be conducted in close co-operation with ICES.

Reduction on indirect interactions with fisheries stomach analysis is performed in most countries to investigate whether any direct conflicts exist between fisheries' target species and small cetacean prey species.

#### Reduction on disturbance

UK, Sweden and Norway are undertaking a 2 year research programme on acoustic disturbance. Netherlands is undertaking similar research. The UK has implemented guidelines on seismic disturbance, introduced information packages on whalewatching and instigated discussion documents on general disturbance.

#### Protected areas

A working group has been established to identify criteria at the national and international level which have

been, or are being developed for the identification and definition of marine protection areas. It will also consider how far implementation of any of the identified criteria might provide protection against disturbance of small cetaceans in the ASCOBANS area.

#### Monitoring, status and population studies

The entire North Sea was surveyed in 1994 under the SCANS project (an independent project that was endorsed by ASCOBANS); the Baltic was surveyed in 1995, apart from Polish waters. Sweden continued the SCANS work by conducting an aerial survey for harbour porpoises in the Baltic in the summer 1995, and Germany continued SCANS by conducting an aerial survey for harbour porpoises in German waters in October 1995.

The Advisory Committee is contracting an evaluation of the SCANS project with a view to determining how best to continue work on the monitoring of abundance of small cetaceans in the ASCOBANS area.

A harbour porpoise population stock identity study for the North Atlantic is being conducted and preliminary results suggest that the North Sea is a major mixing ground for a number of sub-populations. Sweden has conducted stock identity studies that show that the Baltic porpoises comprise a separate stock.

Establishment of international databases on by-catch and strandings A questionnaire has been distributed to Parties and Range States for information on national stranding databases. Most countries report strandings systematically to national databases and necropsies are performed on many animals. The merit of establishing an international database containing the information from the national databases is being considered.

#### Education and promotion

A promotional campaign to raise the awareness of ASCOBANS is being undertaken, and the Parties deal with national campaigns.

7 March 1997

## Agreement on the Conservation of Bats in Europe, 1991 (EUROBATS)

1. This Article IV (3) AGREEMENT came into force on 16 January 1994. It aims to address threats to 30 bat species in Europe arising from habitat degradation, disturbance of roosting sites and harmful pesticides. It currently has thirteen Parties: Czech Republic, Denmark, France, Germany, Hungary, Ireland, Luxembourg, Netherlands, Norway, Poland, Portugal, Sweden, and United Kingdom. Belgium signed the AGREEMENT in 1991, but has yet to ratify it. An interim secretariat established within the UK Department of the Environment actively promoted the exchange of information on bats and the AGREEMENT itself through a circular called "Eurobat Chat".
2. The first session of the Meeting of the Parties was held in Bristol, UK, from 18-20 July 1995, hosted by the Government of the United Kingdom. It was attended by all Parties, nine more Range States and a number of international and national, governmental and non-governmental organisations. It decided, *inter alia*, on the establishment of a permanent secretariat as of 1 January 1996 which would be co-located with the Convention Secretariat in Bonn, Germany, as well as on the establishment of an Advisory Committee and a comprehensive work programme for the implementation of the Agreement in the trionum to come.
3. In January 1996, Mr Eric Blencowe was appointed Executive Secretary of the permanent Secretariat. The Advisory Committee held its inaugural meeting on 18/19 April 1996. It discussed its work programme and decided to emphasise the harmonisation of methodologies and research methods, thus trying to facilitate transboundary research and monitoring. Various international projects will address bat conservation problems. There are research and conservation projects for various species as well as various projects to be implemented in Central and Eastern European countries. The Secretariat has also been assisting bat experts in Hungary on the elaboration of a comprehensive, trans-boundary project to address the declining status of *Miniopterus schreibersi* populations in this region. The project would also require the involvement of experts in Austria, Croatia, Romania, Slovakia, Slovenia, Ukraine and Yugoslavia.
4. Meeting in Kraków from 28-29 January 1997 at the invitation of the Polish Government, the 2<sup>nd</sup> Advisory Committee outlined future aims, a key task being the development of a draft transboundary programme for bat conservation. Practical actions for the protection of bats at their key sites, such as a project to establish a list of European caves of significance to bat populations and the drawing up of guidelines for bat-friendly management of forests bring about a further field for cooperation in Europe: Coordinated actions at a regional level could bear more fruit than isolated measures taken by individual governments.
5. In addition to many television, radio and newspaper appearances, the Secretariat has developed a range of publicity material to publicise the Agreement, and the need to protect European bats throughout their range. The Secretariat has recently been connected to e-mail and the World Wide Web. They are developing a Web Page which should be available later in the year. The Secretariat has continued with publishing "Eurobat Chat", the latest of which was produced in March 1997.

## **Report on the African-Eurasian Waterbird Agreement**

prepared by Mr Bert Lenten, AEWa Interim Secretariat

1. After several years of preparations and informal consultations, the first consultative meeting of Range States to discuss the draft Agreement was held from 12-14 June 1994 (Nairobi) in connection with the meeting of the Conference of the Parties of the Bonn Convention. This meeting strongly supported the concluding of AEWa, and consensus could be achieved on almost all matters of substance.
2. From 12-16 June 1995 the final negotiation meeting to adopt the Agreement on the Conservation of African-Eurasian Migratory Waterbirds took place in the Ministry of Foreign Affairs in The Hague, The Netherlands. This meeting was convened by the UNEP/ CMS Secretariat in collaboration with the Government of the Kingdom of the Netherlands. Sixty four Range States and one regional economic integration organisation (the EU) were present. This meeting was also attended by the Governments of India and Pakistan as observers. Furthermore representatives of United Nations bodies, intergovernmental and non-governmental organisations attended this meeting as observers. The meeting adopted by consensus the Agreement and the Final Act was signed by European Community and fifty three Range States. The meeting accepted with appreciation the offer of the Government of the Kingdom of the Netherlands to act as Depositary. This offer includes also that the Netherlands provide at its own expense for the first three years from the date on which the Agreement is opened for signature, an Interim Agreement Secretariat, and to host the first Meeting of the Parties following entry into force of the Agreement.
3. The Dutch Government, Ministry of Agriculture, Nature Management and Fisheries, Department of International Nature Management established per 1 January 1996 the Interim Secretariat. A full time secretary was appointed which is working in close co-operation with UNEP/CMS Secretariat
4. The translations of the AEWa in Russian and Arabic have caused delay, but were finally solved in March 1996 by the Depositary and the Interim Secretariat. The date for opening AEWa for signature was set by the Depositary on 15 August 1996.
5. From 15 August onwards until 31 December 1996 the following Range States signed and in some cases without the need to ratify AEWa: Germany, Ireland, United Kingdom of Great Britain and Northern Ireland, and Sudan signed with reservation in respect of ratification. AEWa was signed without reservation in respect of ratification by The Netherlands, Switzerland and Guinea.
6. In its first year of existence the Interim Secretariat set up the necessary administrative arrangements including finalising of the financial administrative arrangements and account of the negotiation meeting, set up a new archive, databases and the development of a house style . Besides this work the Interim Secretariat participated in the following meetings: "From Research to actions plans, organised by UNAVI, Italy (Mr Bert Lenten), 6th Conference of the Parties of the Ramsar Convention, Australia (Mr Gerard C. Boere), Meeting of the Nordic Hunting Association, Denmark (Mr Gerard C. Boere), European Conference of BirdLife International, Finland (Mr. Gerard C. Boere and Mr. Bert Lenten), Meeting of the Working Group for the Conservation of Arctic Flora and Fauna, Finland (Mr Gerard C. Boere), International Symposium on the White Stork, Germany (Mr Bert Lenten), and the Ninth Pan African Ornithological Congress, Ghana ( Mr Bert Lenten). In 1996 the first Newsletter was produced and widely distributed.
7. The Interim Secretariat made contact with all the Range States to collect information about the procedures to sign AEWa and what specific problems exist. From the information that was received it seems to be that all the Range States are ready to sign AEWa and therefore the future for this Agreement is very promising.
8. More detailed information about the activities of the Interim Secretariat in its first year of existence can be found in the annual report of this Secretariat, available at the 5<sup>th</sup>. Conference of the Parties of the Bonn Convention.



**\*\* DO NOT TRANSLATE OR USE IN THIS DOCUMENT:  
MAYBE USE ELSEWHERE \*\***

**A. *Marine turtles***

41. The last CMS Conference of the Parties identified marine turtles as a group of species which deserves priority action. The Secretariat, assisted by the experts of the Scientific Council and in cooperation with the Marine Turtle Working Group of the IUCN Species Survival Commission, has taken initial steps towards this aim in the Indian Ocean region.

42. Several CMS-sponsored workshops bringing together scientists and government experts of western and northern Indian Ocean Range States have contributed to the setting up of numerous conservation activities which are presently under way. Examples of these are the production of a national marine turtle plan in Kenya, or the development of a formal regional CMS *Marine Turtle Action Plan for the Northern Indian Ocean*. These plans could provide a framework and overall strategy for future national and international conservation efforts in the Indian Ocean. The objective is to provide participants the opportunity to begin to standardize regional research methodology, prioritize conservation and management activities, promote capacity building, foster collaboration and co-operation among marine turtle conservationists and managers and make recommendations for future activities. Once elaborated into formal project proposals, some of these activities may warrant additional financial support from CMS.

**B. *Sahelo-Saharan ungulates***

43. Eight species of the family "*Bovidae*" are listed in Appendix I of the Convention. Six of them have been observed in the Sahelo-Saharan region. Some of those species are extinct or in danger of extinction owing to excessive hunting activities in the past few decades. The CMS Scientific Council expressed the urgent need to elaborate an Action plan to ensure the survival of this species and the Conference of the Parties, at its fourth meeting in Nairobi, gave its support to developing a concerted action. The Royal Belgian Institute of Natural Science (IRSNB) applied for funds from the European Union necessary to initiate the implementation of conservation actions identified in the sub-project and workshop financed by the CMS Trust Fund. The Institute will now work in conjunction with the CMS Secretariat towards the common goal of achieving an Agreement for the conservation of Sahelo-Saharan ungulates on a regional basis.

**C. *Great Cormorant (Western European Population)***

44. The European population of the Great cormorant (*Phalacrocorax carbo*) has recovered significantly due to strict protection over the last decades as well as some other favourable conditions. In fact, its numbers have increased to such an extent that other problems are now surfacing: complaints have been raised that the birds are causing severe damage to fish ponds and to the environment. Although the CMS text emphasises the protection of endangered species and the conservation of species which have an unfavourable conservation status the management, including sustainable use, of species with a favourable conservation status also belongs to its issues.

45. There are, however, two other cormorant species which are endangered and which need protection. The Pygmy cormorant (*Phalacrocorax pygmaeus*) and Socotra cormorant (*Phalacrocorax nigrogularis*) potentially share a certain part of their migration range with that of the Great cormorant.

46. Following Recommendation 4.1 (Nairobi, 1994), an open Working Group of the Range States met twice in order to further the elaboration of an International Conservation and Management Plan for those three cormorant populations. The Working group expressed the desire that the Plan be finalised soon and submitted to the fifth meeting of the Conference of the Parties for adoption. However, the issue seems to be too controversial to receive quick and substantive results.

47. The Secretariat would hope that the Conservation and Management Plan, or at least a guideline be developed soon. It could serve as a model for other actions of this kind undertaken in favour of cormorants in other regions. It could also serve as a model for the coordinated and concerted management of other migratory species which have a favourable conservation status.