

Convention on the Conservation of Migratory Species of Wild Animals



Secretariat of the Convention
Bonn, Germany

Proceedings of the Seventh Meeting of the Conference of the Parties

Bonn, Germany
18 to 24 September 2002



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of Migratory Species of
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Conference of the Parties (CMS COP7)**

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Secretariat of the Convention

UNEP/CMS Secretariat
United Nations Premises in Bonn
Martin-Luther-King-Str. 8
D-53175 Bonn
Germany

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FOREWORD

The Conference of the Parties (COP), the decision-making body of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), normally meets at intervals of 2,5 to three years, unless the Conference decides otherwise. In accordance with CMS Article VII, the COP held its Seventh Meeting at the invitation of the Government of the Federal Republic of Germany in Bonn, Germany, from 18 to 24 September 2002.

Bonn is particularly significant for CMS. On 23 June 1979, the Convention text was signed in Bonn, hence the name “Bonn Convention”. In November 1984, at the invitation of the German Government, the CMS Secretariat was established in Bonn where it has been located until the present day. The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) held its second Meeting of Parties (25-27 September 2002) back to back with the CMS COP as it did already in Cape Town, South Africa in November 1999.

The CMS Secretariat was particularly pleased that the new Headquarters Agreement for the Convention Secretariat was signed by the representatives of the Federal Republic of Germany, the United Nations and the CMS Secretariat in the morning of the official opening of the Conference of Parties. This Agreement will automatically apply also for the Secretariats of the co-located CMS Agreements AEWA, ASCOBANS and EUROBATS on request of their Meetings of the Parties.

The *Proceedings of the Seventh 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 the reports of associated meetings of the CMS Standing Committee and Scientific Council. For the first time, the Proceedings of the Conference are available on CD Rom. Besides the English, Spanish and French language versions of the Proceedings, the CD Rom contains the national reports which, for reasons of size, are available in electronic form only.

The *Proceedings of the Seventh Meeting of the Conference of the Parties* are also available as hard copies in English, French and Spanish.

Arnulf Müller-Helmbrecht, Executive Secretary
Bonn, Germany, March 2003



Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I

REPORT OF THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

Introduction

1. The Seventh Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held at the International Congress Centre, Bundeshaus, in Bonn, Germany, from 18 to 24 September 2002 at the invitation of the Government of Germany.

I. ATTENDANCE

2. All 80 Parties to the Convention were invited to participate in the meeting. The following 66 were represented:

Albania	Guinea-Bissau	Republic of Moldova
Argentina	Hungary	Romania
Australia	India	Sao Tome and Principe
Belgium	Ireland	Saudi Arabia
Benin	Israel	Senegal
Bulgaria	Italy	Slovakia
Burkina Faso	Jordan	Slovenia
Cameroon	Kenya	Spain
Chad	Latvia	Sri Lanka
Chile	Lithuania	Sweden
Congo	Mali	Switzerland
Croatia	Monaco	The Former Yugoslav Republic of Macedonia
Czech Republic	Mongolia	Togo
Democratic Republic of the Congo	Morocco	Uganda
Denmark	Netherlands	Ukraine
Egypt	New Zealand	United Kingdom of Great Britain and Northern Ireland
European Community	Niger	United Republic of Tanzania
Finland	Nigeria	Uruguay
France	Norway	Uzbekistan
Georgia	Pakistan	
Germany	Peru	
Ghana	Philippines	
Guinea	Poland	
	Portugal	

3. The following 38 States were represented by observers:

Armenia	Equatorial Guinea	Saint Lucia
Azerbaijan	Gabon	Sierra Leone
Bangladesh	Indonesia	Sudan
Brazil	Islamic Republic of Iran	Syrian Arab Republic
Burundi	Italy	Thailand
Cambodia	Kazakhstan	Timor-Leste
Cape Verde	Kyrgyzstan	Turkey
Central African Republic	Lebanon	Turkmenistan
China	Liberia	United Arab Emirates
Comoros	Mauritius	Viet Nam
Côte d'Ivoire	Nepal	Zambia
Djibouti	Russian Federation	Zimbabwe
Ecuador	Rwanda	

4. The intergovernmental and non-governmental organizations that attended the meeting as observers are listed in paragraph 28 below. The list of participants is attached as Annex I to the report.

II. OPENING OF THE MEETING AND WELCOMING ADDRESSES (Items 1 and 2)

5. The joint opening ceremony for the Seventh Meeting of the Conference of the Parties to the Convention on Migratory Species and the Second Meeting of the Parties to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) took place at the International Congress Centre, at 9.30 a.m. on Wednesday, 18 September.

6. Opening statements were made by Mr. Jürgen Trittin, Federal Minister for the Environment, Nature Conservation and Nuclear Safety of Germany; Ms. Bärbel Dieckmann, Lady Mayor of Bonn; Mr. Demetrio Ignacio, Undersecretary for the Environment and Natural Resources of the Philippines and Chair of the CMS Standing Committee; Mr. Yousoof Mungroo, Chairman of the AEWA Technical Committee; Dr. Claude Martin, Director General of the World Wide Fund for Nature and representing the community of non-governmental organizations; and Mr. Shafqat Kakakhel, Deputy Executive Director of the United Nations Environment Programme, representing the Executive Director, Dr. Klaus Töpfer. A message to the Conference from H.R.H. The Prince of Wales was delivered by Mr. Müller-Helmbrecht, Executive Secretary of CMS.

7. Mr. Trittin welcomed all participants to Bonn, the home of the Secretariat to both CMS and AEWA and the place where 38 countries had adopted CMS in 1979. He said that the seasonal migration of animals, particularly birds, had captivated human beings for centuries. He singled out climate change as a huge threat to migratory species and said that everything possible must be done to limit that change. The German Government had therefore adopted an ambitious climate change protection programme and would spend over half a billion euros over the next decade. Climate change illustrated the fundamental need to coordinate nature conservation on a global scale.

8. Mr. Trittin said that migratory species were dependent on the developing countries providing enough land and food for them to shelter. However, starving people could not be expected to leave food for animals in the fields or to comply with a hunting ban. It was essential to live up to the commitment made at the World Summit on Sustainable Development in Johannesburg to halve the number of poor people by 2015. He announced that Germany, together with other EU member countries, was contributing to the replenishment of the GEF which would have approximately USD 3 billion to spend in the period of 2004-2008. One promising GEF project was the network of habitats for African-Eurasian waterbirds, developed as a joint project of AEWA and Ramsar. The Minister promised to provide an additional EUR 1 million subject to the Ministries budget as a voluntary contribution in the main project period 2004-2008.

9. Ms. Dieckmann said that she was proud that the two meetings would take place in Bonn, recalling that CMS had been founded and signed in Bonn 23 years ago. She expressed satisfaction that the Alexander Koenig Museum and the Centre for Development Research of the University of Bonn had developed the Global Register of Migratory Species (GROMS) and the German Environment Ministry would hand the Register over to the CMS Secretariat on the occasion of the Conference. She said that the United Nations community in the city was still small but was growing all the time. In accordance with an agreement signed in the presence of the United Nations Secretary-General, a campus for a common premises for all United Nations entities in Bonn was to be created in the vicinity of the extraordinary meeting facilities which the former German Parliament was providing.

10. Mr. Ignacio commended the Government of Germany for its support to CMS over the years. The Convention had evolved greatly over the last two decades, especially during the past three years, with nearly 100 countries involved in CMS and its daughter agreements. Speaking from the perspective of his native country, he said that the Philippines ranked eighth in the world for biodiversity and had 85 protected areas, many of which were passageways for migratory species. It had established, jointly with Malaysia, a protected area around the Turtle Islands. Each country was achieving small victories such as these, which together constituted a big victory.

11. Mr. Mungrao said that the growing number of Parties was clear evidence of the mounting recognition of the important role of CMS and AEWA. The number of Parties to AEWA had doubled since the First Meeting of the Parties, in 1999. As Chairman of the Technical Committee of AEWA, he urged all Range States to CMS and AEWA to join the instruments as soon as possible.

12. Dr. Martin, speaking on behalf of the global NGO community, acknowledged the fruitful cooperation between CMS and non-governmental organizations. That CMS recognised explicitly the role and contribution of NGOs in the fulfilment of its mission as well as in the AEWA and other Agreements was well received. He noted that the current meeting was being held two weeks after the end of the World Summit for Sustainable Development in Johannesburg, a meeting that many non-governmental organizations had criticised as disappointing. On the positive side, the margins of the Summit had seen the development of new trans-frontier and cross-cutting initiatives and alliances among non-governmental organizations. It was time for governments to take funding for the environment seriously. Replenishment of GEF would help, but it was also important to provide the core budgets for the secretariats of the environmental conventions. Those secretariats could only be effective if given the financial means.

13. Mr. Kakakhel welcomed the signing of the headquarters agreement between CMS and the Government of Germany. He said that the current meeting was the first opportunity for the international community to seize on the momentum generated at the Johannesburg Summit, and it was important for CMS to contribute to all the targets set there. CMS was also contributing to the goal of linking poverty and the question of conservation and sustainable use of species. He stressed the need for collaboration between international agencies working in related fields, such as CMS and CITES. CMS had been working to link information technologies and management and, together with UNEP, had been a strong proponent of harmonising reporting and information management for the global agreements related to biodiversity. The early results of those efforts had been reported to the meeting, but financial support would be needed in order to create much-needed synergies within the multilateral system.

14. Mr. Müller-Helmbrecht delivered a message from H.R.H The Prince of Wales, which noted that CMS had been one of the first agreements to focus on the conservation and sustainable use of biodiversity and to play a major role in helping to maintain the natural base of human life. CMS therefore deserved full support. A great deal had been achieved in the 20 years since CMS had come into being. The Agreement on the Conservation of Seals in the Wadden Sea was one example, and it was once again playing a vital role in helping to control the ravages of distemper, which regularly affected seals in the Wadden Sea. The development of that and other agreements benefiting mammals, bats and birds - relating to both endangered and non-endangered migratory species - was greatly to the credit of the Convention. The work of CMS was of vital importance to all those who cared about the planet. Prince Charles appealed strongly to the international

community, Range States and other countries with relevant fishing fleets to ratify and implement the Agreement on the Conservation of Albatrosses and Petrels (ACAP) as soon as possible.

15. The 1st plenary session of the Seventh Meeting of the Conference of the Parties to CMS was opened on Wednesday, 18 September, by Mr. Ignacio who, in his capacity as Chair of the Standing Committee, was also acting as temporary chair of the meeting until the Conference of the Parties elected the officers of its seventh meeting.

III. ADOPTION OF RULES OF PROCEDURE (Item 3)

16. Mr. Ignacio informed the Conference that the Standing Committee had met immediately before the meeting of the Conference of the Parties to discuss the provisional Rules of Procedure for the meeting (UNEP/CMS/Conf.7.4 (Rev.1)) and had issued its report (UNEP/CMS/StC24/Doc.2 and Corr.1). There had been no substantive amendments to the provisional Rules of Procedure since the Sixth Meeting of the Conference of the Parties, held in Cape Town in November 1999.

17. The Deputy Executive Secretary drew special attention to rule 14 (2), which read as follows:

“Representatives of Parties which are three or more years behind in paying their subscriptions on the date of the opening session of the meeting of the Conference of the Parties shall not be eligible to vote. However, the Conference of the Parties may allow such Parties to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances, and shall receive advice in this regard from the Standing Committee.”

18. The Deputy Executive Secretary stressed that paragraph 13 of Resolution 6.8 of the Conference of the Parties had served notice that rule 14 (2) on withholding of voting rights would be strictly adhered to at the present meeting. As at 31 August 2002, Argentina, Burkina Faso, Cameroon, Democratic Republic of the Congo, Georgia, Guinea-Bissau, Mali, Mauritania, Niger, Nigeria, Paraguay, Senegal, Somalia, Togo, Uganda and Uzbekistan were more than three years in arrears.¹

19. The Executive Secretary informed the Conference that a letter had been sent out some three months previously to the countries in arrears and giving a deadline of 15 August for responses to be received. Only one reply had been received, in which the Government of Argentina had described the severe economic hardships facing that country. The Standing Committee had unanimously agreed that the circumstances were exceptional and unavoidable in the case of Argentina and had recommended that the Conference of the Parties should allow Argentina to exercise its right to vote, with the expectation that Argentina would make a partial payment in 2003 as a sign of good will.

20. The Conference accepted the Standing Committee's recommendation in the case of Argentina. The representative of Argentina expressed his thanks and informed the Conference that he would transmit to his Government the recommendation of the Standing Committee concerning a partial payment in 2003. He stressed that Argentina considered the conservation work which it was carrying out in relation to CMS as of fundamental importance and that it would continue.

21. To doubts expressed by the representatives of both Argentina and Chile as to the appropriateness of rule 14 (2), to establish a sanction that was not provided for in the Convention, the Executive Secretary responded that the parallel provisions under other conventions were stricter. Also, a number of the Parties affected had benefited in the past from having their arrears of contributions written off.

22. The representative of Togo disputed the length of time his country had been in arrears and said that a letter had been sent by the relevant Ministry in Togo to the Secretariat on the subject. The representative of

¹ The Secretariat subsequently verified that Argentina, Nigeria, Togo and Uganda should be removed from the list.

Nigeria said that he had documents to show that a transfer had been made. Both asked to be allowed to exercise their right to vote. The representative of the Democratic Republic of the Congo affirmed that the problem for his country was not one of a lack of will. The Executive Secretary explained that for practical reasons it was not possible to confirm immediately whether monies had in fact been received and suggested that those Parties whose contributions had been confirmed by the Secretariat before any voting as received and fulfilling the terms of rule 14 (2) should be allowed to exercise the right to vote. His suggestion was accepted.

23. The Rules of Procedure, including rule 14 (2), were adopted and are reproduced at Annex II.

IV. ELECTION OF OFFICERS (Item 4)

24. The Conference elected the following officers by acclamation:

Chair:	Ms. Gila Altmann (Germany)
Vice-Chair:	Mr. Demetrio L. Ignacio (Philippines)

25. In accordance with rule 5 (2) of the Rules of Procedure, the Chair of the Committee of the Whole served also as Vice-Chair of the Meeting. The Conference elected, also by acclamation, Dr. Imeh Okopido (Nigeria) as Vice-Chair of the Committee of the Whole.

V. ADOPTION OF THE AGENDA AND SCHEDULE OF WORK (Item 5)

26. The Conference adopted the provisional agenda circulated in document UNEP/CMS/Conf.7.1 (Rev.1) and contained in Annex III to the present report. A list of all conference documents is contained in Annex IV.

VI. ESTABLISHMENT OF CREDENTIALS COMMITTEE AND SESSIONAL COMMITTEES (Item 6)

27. Under rule 3 (3) of the Rules of Procedure, at its opening plenary session the Conference established a credentials committee and elected, by acclamation, the representatives of Chile, Egypt, Saudi Arabia, Slovenia and the United Kingdom of Great Britain and Northern Ireland as its members. The Chair directed that the Credentials Committee should elect its chair from amongst its own membership.

VII. ADMISSION OF OBSERVERS (Item 7)

28. The meeting noted the presence of the six Scientific Council experts appointed by the Conference of the Parties and a number of intergovernmental organizations. The following intergovernmental organizations, as well as international and national non-governmental organizations that were considered to have met the criteria in paragraph 9 of article VII of the Convention, were admitted as observers:

(a) Intergovernmental organizations: Interim Secretariat of the Agreement on the Conservation of Albatrosses and Petrels (ACAP), Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), Secretariat of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), Secretariat of the Agreement on the Conservation of Populations of European Bats (EUROBATS), Secretariat of the Agreement on the Conservation of Seals in the Wadden Sea, Secretariat of the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Common Wadden Sea Secretariat, Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), Convention on Wetlands of International

Importance especially as Waterfowl Habitat (Ramsar Convention), Council of Europe, International Convention for the Regulation of Whaling (IWC), International Council of Environmental Law, Regional Activity Centre for Specially Protected Areas (RAC/SPA), Secretariat of the United Nations Environment Programme (UNEP), UNEP World Conservation Monitoring Centre (UNEP-WCMC), and World Conservation Union (IUCN);

(b) International non-governmental organizations: BirdLife International, European Natural Heritage Fund (EURONATUR), Federation of Associations for Hunting and Conservation of the European Union (FACE), Global Nature Fund, Humane Society International, International Council for Game and Wildlife Conservation (CIC), International Fund for Animal Welfare (IFAW), Snow Leopard Trust, Wetlands International, Whale and Dolphin Conservation Society, Wild Camel Protection Foundation, and World Wide Fund for Nature (International);

(c) National non-governmental organizations: Frankfurt Zoological Society (Zoologische Gesellschaft Frankfurt, ZGF), German Dolphin Conservation Society (Gesellschaft zur Rettung der Delphine, GRD), German Hunters' Association (Deutscher Jagdschutz-Verband, DJV) and the Society for the Lesser White-fronted Goose.

VIII. OPENING STATEMENTS (Item 8)

29. The Chair observed that it had been agreed that opening statements would not be presented orally but should be submitted in writing for distribution and inclusion in the report of the meeting. The opening statements are contained in Part II to the Proceedings, in the form in which they were submitted.

30. The Chair invited observers from non-member countries that intended to accede or were considering acceding to the Convention to report on their progress and prospects.

31. The observer for Armenia said that membership in the Convention was under consideration and his Government would inform the Secretariat of its decision in the course of 2003. The observer for Bangladesh said that his country hoped to join by 24 September 2002. The observer for Côte d'Ivoire said that it remained only to deposit the instrument of ratification, which should take place within one month. The observer for Djibouti said that ratification was expected within weeks or perhaps months. The observer for Indonesia said that internal consultations were under way and he was unable to estimate the time required. The observer for Nepal said documents were being prepared and his country expected to join before the Eighth Meeting of the Conference of the Parties. The observer for Sierra Leone said that his country expected to join as soon as possible but in any case before the Eighth Meeting of the Conference of the Parties. The observer for Viet Nam said that his country expected to join as soon as possible but no later than the Eighth Meeting of the Conference of the Parties.

32. At the 6th session of the Committee of the Whole, the representative of Uruguay informed the meeting that, owing to the economic situation currently facing his country, Uruguay was not in a position to enter into any agreements that would require payment of contributions. The process of ratification of ACAP had therefore unfortunately been put on hold.

33. The representative of New Zealand urged the signatories to ACAP to ratify the agreement and ensure that it entered into force as soon as possible.

34. The Conference welcomed the following new member countries to CMS since the time of the sixth meeting: Congo, Croatia, Cyprus, Gambia, Georgia, Jordan, Libyan Arab Jamahiriya, Lithuania, Malta, New Zealand, Republic of Moldova, Sao Tome and Principe, Tajikistan and Uganda. The Secretariat reported that Bolivia was expected to deposit its instrument of ratification shortly.

IX. REPORTS (Item 9)

A. Secretariat

35. At its 2nd plenary session, on 18 September, the Conference of the Parties considered item 9 of its agenda.

36. Mr. Arnulf Müller-Helmbrecht, the Executive Secretary, introduced a report by the Secretariat on its work since the Sixth Meeting of the Conference of the Parties (UNEP/CMS/Conf.7.5.1), thanking the German Ministry of Foreign Affairs for its role as Depositary of the Convention and noting the personal contribution the Ministry had made to recruitment through contacts with non-Party Governments through its diplomatic network. He noted also the efforts of the Ministry of Environment to encourage States to join CMS and associated Agreements.

37. The Executive Secretary reported that the Secretariat, along with other United Nations organizations located in Bonn, expected to move within a few years to premises within the former Parliament building at Bonn which was to become an important international conference centre. The Executive Secretary also highlighted the permanent support accorded the Secretariats of the Convention and associated Agreements in addition to hosting the present meetings of the CMS Conference of the Parties and AEWA Meeting of the Parties. He drew attention to the signing of the headquarters agreement by the Federal Minister for the Environment, Nature Conservation and Nuclear Safety of Germany, the Deputy Executive Director of UNEP, a representative of the German Foreign Ministry and the Executive Secretary of the Convention. He noted that the structure and work of the Secretariat had been changed by the integration of the secretariats of AEWA, ASCOBANS and EUROBATS. Summarising a number of changes in personnel, the Executive Secretary said that the human resources of the Secretariat had actually decreased during the reporting period. The Conference took note of the report of the Secretariat.

B. Standing Committee

38. Mr. Demetrio Ignacio, Chair of the Standing Committee, introduced a report on the 24th Meeting of the Standing Committee (UNEP/CMS/StC24/Doc.2 and Corr.1), contained in Annex V to the present document, with an oral summary of the Committee's activities since the Sixth Meeting of the Conference of the Parties. He said that the Convention had achieved a breakthrough in its partnership with the Convention on Biological Diversity (CBD) when the Sixth Meeting of the Conference of the Parties to CBD recognised CMS as its lead partner in the conservation and sustainable use of migratory species. CMS, in turn, had recognised the active support of non-governmental organizations, such as BirdLife International and Wetlands International, and they were invited to attend the Standing Committee meetings as observers. The Standing Committee had helped to promote the finalisation of the new headquarters agreement. To encourage more developing countries to attend, the Committee had raised the travel assistance threshold, making six more countries eligible for support. Concerning the Strategic Plan for 2000-2005, a working group was carrying forward its review.

39. Following the closure of the Seventh Meeting of the Conference of the Parties, the Standing Committee held a brief meeting. The report of the Committee's 25th meeting is contained in Annex VI to the present document.

C. Scientific Council

40. Dr. Colin Galbraith, Chair of the Scientific Council, gave a summary of the Council's work since the Sixth Meeting of the Conference of the Parties (UNEP/CMS/Conf.7.5.3), reproduced in Annex VII of the present document. The account was meant to accompany the report of the Eleventh Meeting of the Scientific

Council (UNEP/CMS/Conf.7.17), which is reproduced in Annex VIII to the present document. He noted that further papers on the work of the Council would be submitted to the current meeting.

41. At the 5th plenary session, it was announced that the report of the Scientific Council was available. The Chair of the Council said that it had met for three and a half days and the report was a comprehensive record of the meeting. He said that holding the meeting of the Council immediately prior to the Conference of the Parties without any break presented difficulties in terms of having a report available at the start of the Conference.

42. The Chair of the Council informed the Conference of the Parties that, in assessing species for listing in the Appendices to the Convention, the Council had adhered strictly to scientific principles. In the case of certain whales, he stressed that the reason the Council could not support proposals to add them to the Appendices was that there were gaps in the data and information available, and that this should not be misunderstood as down-playing concern about those species. The Council had taken note of the need for further research and collaboration, which might lead to action in the future.

43. The Scientific Council was enthusiastic to improve its efficiency through intersessional contacts, including regular teleconferences and regional preparatory meetings. If the costs of those changes could not be met within the core budget of CMS, the Chair of the Council said that voluntary contributions should be sought.

D. Depositary

44. The representative of the Depositary noted that a number of documents before the Conference contained references to activities undertaken by the Depositary. He underlined three main areas of activity during the period under review: the good day-to-day working contacts with the CMS Secretariat; the representations made by the Government of Germany in June 2002 addressed to non-Parties, which had resulted in positive expressions of interest in joining CMS by 28 States; and the finalization of the new headquarters agreement, signed that very morning. The written report of the Depositary was made available to the meeting as document UNEP/CMS/Conf.7.5.4.

45. The Conference welcomed the information provided by the Depositary to the meeting.

X. REPORT OF THE CREDENTIALS COMMITTEE (Item 10)

46. At the final plenary session, on 24 September, the Chair of the Credentials Committee reported that the Credentials Committee had approved the credentials of 50 countries out of the 66 Parties in attendance. Another eight Parties had provided credentials, but in faxed or copy form. He suggested, and the Conference of the Parties agreed, that the credentials of those eight Parties should be accepted on the firm understanding that the originals must be received by the Secretariat by 8 October 2002.²

XI. REVIEW OF THE IMPLEMENTATION OF THE CONVENTION (Item 11)

A. Information Management Plan

47. At the 4th session of the Committee of the Whole, the Deputy Executive Secretary introduced document UNEP/CMS/Conf.7.6, on the implementation of the CMS Information Management Plan, stressing the Secretariat's close cooperation with UNEP-WCMC. A total of 19 actions were described in the document and had been ranked by priority. He requested the Conference of the Parties to review the implementation to

² Of this last group the credentials of four additional contracting Parties were found acceptable, bringing the total number of Parties with acceptable credentials to 54.

date of the Information Management Plan, and to consider actions and priorities which should be added or adjusted, and to provide feedback on the content and presentation of the Information Management System, so as to provide guidance for the coming triennium.

48. The observer for UNEP-WCMC explained that the prototype Information Management System contained, in its own database, a synthesis of Party reports based on the electronic submissions received to date for 2002. Information from relevant organizations was available through it, as was information that was not normally available, such as project assessment reports from various sources. Information could be secured in four main ways: by individual species, by major taxonomic groups, by country and by theme. Such themes included use of satellite telemetry and the mobilisation of scientific, technical and financial resources. Also, information could be sought to review implementation of resolutions and recommendations.

49. It was announced that a presentation and demonstration of both the Information Management System and GROMS would be given as a side event, with attention given to the question of harmonisation.

50. A Working Group on the Information Management Plan was established, whose membership comprised representatives or observers of Belgium, Benin, Germany, Togo, Zimbabwe and BirdLife International.

Resolution 7.4: Implementation of the CMS Information Management Plan³

51. At the 8th session of the Committee of the Whole, on 23 September, the representative of Germany reported that the Working Group had revised the draft resolution on the implementation of the CMS Information Management Plan, in collaboration with the Secretariat.

52. At its 9th session, on 24 September, the Committee of the Whole considered revised draft resolution 7.4 (UNEP/CMS/Res.7.4 (Rev.1)) and discussed in that connection the issue of how the Information Management System would be linked to other databases. Of particular concern was the possibility that CMS would become dependent on other organizations. The development of the Convention's own specialized information system, on the other hand, would allow CMS to promote its own vision. The Deputy Executive Secretary assured the Committee that linkage did not imply a relationship of dependence. CMS could not gather all the information itself and the proposal would promote synergy with BirdLife International, Wetlands International and other organizations, thus avoiding duplication of effort.

53. The issue of funding for the Information Management Plan was also raised. The Deputy Executive Secretary said that the Budget Working Group had proposed that funding for the Information Management Plan should be removed from the CMS core budget and that it was envisaged that the Plan would be funded for the next triennium by voluntary contributions or, if necessary, from any surplus in the CMS Trust Fund. He said the cost of the Plan over the next triennium was put at US \$140,000. Some members of the Working Group had felt that cost was a matter of concern.

54. A number of oral amendments to the draft resolution were introduced by the representatives of the United Republic of Tanzania and France. The draft resolution, as amended, was endorsed for submission to the Plenary for approval.

55. At its final plenary session, on 24 September, the Conference of the Parties took up consideration of draft resolution 7.4 (UNEP/CMS/Res.7.4 (Rev.1)) on implementation of the CMS Information Management Plan. The Deputy Executive Secretary introduced the amendments that had been made to the draft resolution.

56. The Conference of the Parties adopted Resolution 7.4, as amended, contained in Annex IX to the present document.

³ Subsequently renumbered by the Secretariat as Resolution 7.8.

1. Synthesis of Party reports

57. The Committee of the Whole took up consideration of the above agenda item, which was one element of the Information Management Plan, at its 3rd session, on 19 September.

58. Introducing the item, the Deputy Executive Secretary said that, in the previous year, the Secretariat had contracted a synthesis of all the national reports prepared between 1988 and 2001, using the old reporting format, and the results had been reported to the Standing Committee in December 2001 and had been made available on the Internet. A similar synthesis of 32 national reports had been prepared for the current meeting by UNEP-WCMC, using reports submitted by 31 July 2002, all but nine of which used the new reporting format (see also next section). That synthesis was contained in document UNEP/CMS/Conf.7.6.1.

59. The observer for UNEP-WCMC explained that the latter synthesis comprised two parts: Part I, containing general information, and Part II, containing information on Appendix I listed species. That represented a fund of valuable material on species that was not available from other sources. Noting the historically low response rate of Parties, he also pointed to the minimal amounts of information provided by some of them, which was often insufficient to assist in the formulation of any recommendation for action. Parties needed to report in a timely and comprehensive way. The most information had been provided on the higher taxa, in the groups covered by the Scientific Council. The least information had been provided on the obstacles to migratory species. Twenty-five Appendix I species had not been reported on by any Party. He briefly summarised some of the information contained in the synthesis and stressed that the new reporting format encouraged more accurate and comprehensive reporting. However, some Parties continued to be too succinct.

60. One representative congratulated the Secretariat and UNEP-WCMC on the work carried out, which provided improved information on what was happening at the national level in countries and facilitated the task of those working in the field. He questioned whether the use of percentage figures in the synthesis with regard to marine mammals and marine turtles was meaningful for the interpretation of information, owing to the fact that some populations were coastal and some could be inland. Noting the difficulties in listing the precise obstacles to migrations, he also wondered whether a reformulation of the questions might lead to a more favourable response rate on the subject. The observer from UNEP-WCMC explained that the synthesis of national reports was also available online in the CMS Information Management System, and it was possible to see what information had been contributed by each country, as well as what was available on each species.

2. Format for national reports

61. The Deputy Executive Secretary said that, in conducting its synthesis of national reports in 2001, UNEP-WCMC had detected problems with the use of the old format for national reports. A new format had been developed and introduced for trial use in 2002. He drew attention to document UNEP/CMS/Conf.7.6.2, which set out the background and rationale for the new format, and to which was attached a general template for a national report. More than 30 Parties had shown a willingness to use the new format, and positive feedback had been received from Parties in that respect. He noted the action proposed to encourage Parties to use the new format for their national reports and to submit their next reports also in electronic form.

62. UNEP-WCMC had attempted to convert the information contained in reports submitted in the old format and incorporate it into the new format to enable the information to be integrated into the new database. The new, modular format enabled information to be put in the database in a systematic way, and also facilitated harmonisation of the reports with those of the other biodiversity-related conventions. The synthesis had highlighted the need to fine-tune some areas of the new format: for example, a section was needed to provide for miscellaneous comments on Appendix I species; and a section was needed to include the information provided by countries on specially protected areas for migratory species.

63. Several representatives expressed appreciation for the new format and the templates provided. Denmark, speaking on behalf of the member States of the European Community, welcomed the new format and said that it would contribute significantly to enhancing the information level of the Convention's work. He believed that any measures introduced in order to reduce the workload of Parties with regard to national reporting were highly welcome. Consequently, it was desirable to make as few amendments to the proposed format as possible, in order to create a stable reporting regime, which would hopefully encourage more Parties to provide regular and informative reports.

64. Another representative proposed the addition of a box beside the questions, which Parties could mark to indicate whether the issue was applicable to the Party or not. The observer for BirdLife International considered that the synthesis report was really a compilation of information, and did not track trends, issues or progress. He expressed the hope that in future such syntheses would improve on that.

65. The Conference of the Parties agreed by consensus that Parties with outstanding reports for 2002 should submit them using the new format, in electronic form, by 31 December 2002.

66. In its Resolution 7.4⁴ on the implementation of the CMS Information Management Plan adopted at the final plenary session, the Conference of the Parties commended the development of the new format for Party reports and recommended that the final version of the format should be submitted to the Standing Committee at its 26th meeting for formal adoption.

67. The observer for UNEP-WCMC introduced document UNEP/CMS/Inf.7.20, which aimed to provide the Conference of the Parties with information on work undertaken by UNEP to support harmonisation of national reporting and integrated information management; to describe harmonisation activities in the context of CMS and its agreements; and to outline the roles of UNEP and CMS in future harmonisation and streamlining activities. Pilot projects were being carried out in four countries (Ghana, Indonesia, Panama and the Seychelles) in order to test related concepts in the context of national reporting to the five biodiversity conventions. At the same time, UNEP was preparing a draft action plan, focusing on the following key areas: testing concepts and methods, harmonisation of information management; improving institutional linkages; and supporting actions. The UNEP-WCMC web site⁵ could be consulted for information on progress.

3. Global Register of Migratory Species

68. The Executive Secretary drew attention to document UNEP/CMS/Conf.7.7 and gave an overview of the history of GROMS. He pointed out that so far there was no specialised, comprehensive database or data collection system in place for migratory species. GROMS was planned a number of years ago to become a unique and specialised tool for the decision-making of the bodies of CMS and associated Agreements. It was intended to make it a publicly accessible tool within the CBD Clearinghouse Mechanism. One of the features of GROMS was that it qualified as a detailed scientific database for well-defined species or groups of species where this would benefit CMS, any Agreement, MOU or programme/project. Furthermore, it aimed to link to other, more detailed databases because GROMS itself could not possibly gather all information for every migratory species. He noted too that GROMS did not just collect data: it pointed to where data were lacking, not just by species, but also by region. It was important to identify such gaps since, for example, proposals for listing could fail because there was not enough knowledge available.

69. GROMS was being handed over to CMS by the German Government as a book with CD-ROM. However, much remained to be done to make it more complete and integrated it with the Information Management System, a task in which UNEP-WCMC, as the world biodiversity information and assessment centre of UNEP, would be intimately involved and in which it could be invited ultimately to take over responsibility for database maintenance. The result should be a metadatabase providing a portal to all

⁴ Subsequently renumbered by the Secretariat as Resolution 7.8.

⁵ http://www.unep-wcmc.org/conventions/harmonization/emg_img.htm

relevant data on migratory species, with the information held by UNEP-WCMC, BirdLife International, Wetlands International and IUCN in the front rank. As such it would serve as an innovative tool contributed by the German Government and CMS to the CBD Clearing-house Mechanism. However, issues such as copyright and fees for the use of proprietary information held by other organizations remain to be solved. After two years, another three or four years might be needed before the fully-fledged system could be presented again to the Conference of the Parties.

70. It had been agreed with the German Ministry of Environment that Germany's annual voluntary contribution to CMS could be used towards costs for experts and specialist personnel for GROMS for 2003 and 2004. However, additional voluntary contributions would be required.

71. Denmark, speaking on behalf of the member States of the European Community, expressed thanks to the German Government and all other cooperating institutions for their generous support to the development of the GROMS database. He said that GROMS was particularly relevant to the development of the Convention. However, it should improve its cross-referencing with other databases developed for other conservation or species-related conventions, in particular the Global Biodiversity Information Facility. The limited progress in developing a conceptual framework for integrating GROMS into the general CMS Information Management Plan remained a concern. Such a framework must take into account the advanced stage which GROMS had reached and the long-term need for adequate database administration. It must take into account also the financial implications, and in that respect he welcomed the voluntary contributions already pledged by the German Government, other Parties and other institutions. Activities should also be undertaken to mobilise funds from other sources.

72. He welcomed further the Secretariat's intention to develop a financial and management plan for GROMS. He considered that the CMS Information Management Plan was the appropriate framework for integrating long-term support for GROMS. The Secretariat should take the lead in forming a core group of international organizations and national institutions already involved in the development of GROMS to determine how it should be administered and integrated into that framework.

73. The representative of the Philippines said that her Government would consider linking to GROMS the network which it hosted covering South-East Asian migratory species. The representative of Senegal welcomed the development of GROMS and the Information Management System but wondered how effectively it could be used in Africa: computer equipment, material and capacity-building must be arranged, for African focal points in particular. The observer for Zimbabwe said that it was now inconceivable to do work without the Geographic Information System (GIS) component of GROMS. However, on some GIS species distribution maps the resolution was too poor to be useful on a regional scale. He mentioned two bird atlases which provided information lacking in GROMS. Conceptual work was needed because the maps must reflect also the biology and abundance of the species.

74. The representative of Germany agreed that although GROMS was global in scale, more precision was needed and intended. To achieve that greater precision, help and networking were needed in providing data. The possibility of linking to the South-East Asian migratory species network hosted by the Philippines was welcomed. He announced that the representative of the United Arab Emirates was willing to supply satellite telemetry data on the Houbara bustard (*Chlamydotis undulata*). GROMS as it currently stood, as a stand-alone database, was available on CD-ROM, and therefore was particularly useful in countries with limited internet access.

B. Measures to improve the conservation status of Appendix I and II species

75. Item 11 (b) on measures to improve the conservation status of species listed on Appendices I and II of the Convention was taken up at the 2nd session of the Committee of the Whole, on 19 September.

76. The Deputy Executive Secretary introduced document UNEP/CMS/Conf.7.8, which provided a summary of activities undertaken since the Sixth Meeting of the Conference of the Parties on Appendix I species that had been identified by the Parties as warranting concerted action. Species designated for cooperative action were also listed in the document, but no details were provided.

77. The summary provided information for birds, marine mammals, terrestrial mammals and marine turtles. For each species, details were given concerning activities related to agreements; convening of meetings; CMS-sponsored projects; and CMS publications, as well as a cross reference to information provided in CMS Party reports and an indication of whether a review report was available. The deliberations of the Scientific Council on concerted action species at its recently concluded 11th meeting were reflected in the Council's report (UNEP/CMS/Conf.7/17) and Annex VIII to the present document.

78. In the absence of the Appointed Councillor for Birds, Mr. John O'Sullivan (observer for BirdLife International), in his capacity of rapporteur of the working group for birds, reported on 14 species of birds, broken down into two groups: one covering species where significant action was under way and the other covering species where further effort was needed. In the first category, he spoke briefly on current activities for the following species: Ruddy-headed goose (*Chloephaga rubidiceps*); Houbara bustard (*Chlamydotis undulata*); Great bustard (*Otis tarda*); Slender-billed curlew (*Numenius tenuirostris*); Siberian crane (*Grus leucogeranus*); Aquatic warbler (*Acrocephalus paludicola*); Ferruginous duck (*Aythya nyroca*); White-headed duck (*Oxyura leucocephala*); Whitewinged flufftail (*Sarothrura ayresi*); and Blue swallow (*Hirundo atrocaerulea*). He also spoke on the following species identified as requiring additional effort: Humboldt penguin (*Spheniscus humboldti*); two species of Andean flamingo (*Phoenicopterus andinus* and *Phoenicopterus jamesi*); Lesser white-fronted goose (*Anser erythropus*); and Lesser Kestrel (*Falco naumanni*). Mr. O'Sullivan said that CMS made a significant contribution towards conservation of migratory birds, but there was no room for complacency. In that regard, the Working Group on Birds of the Scientific Council had recommended that three additional bird species should be considered for concerted action: the Black-faced spoonbill (*Platalea minor*), the Spoon-billed sandpiper (*Eurynorhynchus pygmeus*), and the Chinese crested tern (*Sterna bernsteini*).

79. The Appointed Councillor for Marine Mammals and Large Fishes informed the Conference that three marine mammals were currently identified for concerted action: Franciscana dolphin (*Pontoporia blainvillei*); Mediterranean monk seal (*Monachus monachus*); and Southern marine otter (*Lontra felina*). He said that the Scientific Council's Working Group on Marine Mammals had suggested additions to the list of species for concerted action, in view of likely decisions by the Conference. Australia intended to begin efforts to develop a regional cooperative agreement covering the great whales of the South Pacific region should the listing proposals be approved, and therefore the Working Group had recommended that in the event that any of the Appendix I proposals were approved, those species should be added to the list for concerted action. In addition, the Southern right whale (*Eubalaena australis*), the Blue whale (*Balaenoptera musculus*), and the Humpback whale (*Megaptera novaeangliae*), which were already listed in Appendix I, were recommended for concerted action. The Appointed Councillor for Marine Mammals and Large Fishes further informed the Conference of the Parties that the Working Group had considered the issue of strategic planning and was in favour of the concept of developing strategic plans along taxonomic lines.

80. The Scientific Councillor for Belgium, speaking in the absence of the Appointed Councillor for Terrestrial Mammals, said that the Working Group on Terrestrial Mammals had evaluated progress in concerted actions for the South Andean deer (*Hippocamelus bisulcus*) and for the Sahelo-Saharan antelopes. She added that there had been vigorous support for adding the Snow leopard (*Uncia uncia*) to the list of species for concerted action.

81. The Appointed Councillor for Marine Turtles said that there had been no recommendations to identify additional species of marine turtles for concerted action. He called attention to the fact that there was no institutionalised regional cooperation on conservation of marine turtles in the broader Pacific Ocean area. The situation was critical for the marine turtles in that region. The Leatherback turtle had experienced a 90 per cent decline in its breeding stock over the last 20 years, with by-catch as the biggest source of mortality. The Loggerhead turtle had seen an 86 per cent decline in its breeding stock over the last 25 years. In virtually all coastal communities in the Pacific Islands and in South-East Asia, turtles and their eggs were considered sources of food. The challenge was how to work with the people to address a practice that was culturally significant but unsustainable.

82. In the ensuing general debate, the representative of Spain stated that there was some hybridisation between the Ruddy duck (*Oxyura jamaicensis*) and the White-headed duck (*Oxyura leucocephala*). Good progress had been made and populations of the Ruddy duck had reached levels where it was no longer considered a serious threat. Important progress had also been achieved in the United Kingdom. For the Monk seal (*Monachus monachus*), Spain intended to continue to move ahead with the recovery plan for the Atlantic population, which could be the basis for a memorandum of understanding among the Range States. Spain was making efforts to support human communities and at the same time have a positive impact for the Monk seal.

83. The observer for Zimbabwe noted that the Lesser kestrel (*Falco naumanni*) had been the subject of action some years previously and again in 2000. However, as some 40 countries fell in its range, it was difficult to find a forum where they could easily and cheaply discuss the species and decide on action. He wondered whether CMS and its Scientific Council could exert pressure in that direction because more action was required.

84. Concern was raised by one representative that the seasonally flooded grasslands along the banks of Lake Victoria, where the Blue swallow could be found during its migrations northwards, were held in private hands and could be developed by their owners some time in the future.

85. The representative of Senegal appealed to the Conference of the Parties to show support for the actions being taken by his Government to protect Sahelo-Saharan antelopes. Another representative from a West African State felt there was a need for concrete knowledge on what was being done towards conservation of those species. It was also important for CMS, perhaps working with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), to play a role in taking concerted action for the African elephant, for which it was important for the Range States to keep the migratory corridors open. The representative of Burkina Faso said that it had invited its neighbours to a workshop on the African elephant, and his Government was planning to sign a memorandum of understanding with Ghana, Benin and Niger in 2003. The representative of Togo noted that work was being carried out, with international support, on a plan for conservation of the wetlands of Togo.

86. With regard to marine turtles off the coast of West Africa it was considered that, in addition to by-catch, coastal development, erosion and pollution needed to be taken into account. If development along the beaches continued, there would soon be no more nesting sites. In terms of efforts to reduce by-catch, Nigeria had deployed turtle excluder devices. A study on the protection of cetaceans and marine turtles in Togo was being carried out.

87. The problem of development of beach-front areas as being a direct threat to marine turtles was raised by a representative from an observer State. The bright lights were a particular problem as baby turtles often headed towards the lights rather than to the sea. Commenting that out of every 100 hatchlings, only one would reach maturity, he said that there was a successful hatchery for Hawksbill turtles in the Cayman Islands, and that project should be replicated.

88. The representative of Mauritius announced that marine turtles had been protected under the Fisheries and Marine Resources Act and that no exploitation whatsoever was permitted.

89. Denmark, speaking on behalf of the member States of the European Community, announced that the European Community would positively consider the addition of a number of species to the list of concerted action species, as well as to the list of cooperative action species, as proposed by the Scientific Council.

90. The effectiveness of the programmes to eradicate the Ruddy duck (*Oxyura jamaicensis*) in some countries of Europe was confirmed by one representative. He commented that the experience gained by the Bern Convention on the Conservation of European Wildlife and Natural Habitats and the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean for the protection of marine turtles could be transferred through CMS to other parts of the world.

91. The representative of India announced his Government's intention to sign the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia as soon as possible. He also raised concern about the situation of the Tibetan antelope, whose wool was being traded all over the world. India, Nepal and Bhutan were planning to request the Scientific Council to consider taking up a study on the situation of the Gangetic river dolphin. He said that it was essential to provide alternatives for people affected by prohibitions on hunting, fishing or trade.

92. The representative of Morocco informed the meeting that Morocco was carrying out a major rehabilitation project for the Sahelo-Saharan antelopes themselves and also for their habitat. The new project for those antelopes therefore did not include Morocco, which was already receiving assistance from the German Government for its own project, but would pass on to the new project details of its integrated approach to those megafauna. Morocco was also engaged in cooperation on a number of species with Spain on both its Atlantic and Mediterranean seaboard. Although it had been asked for input for the Barcelona Convention, it had not been invited to take part in the implementation and would be interested in doing so.

93. The representative of Finland reported that for the past few years the Lesser white-fronted goose (*Anser erythropus*) had not bred in Finland, but between 20 and 30 individuals had been observed staging there. The location of their breeding sites was not known but was suspected to lie further north; further research in that direction was needed. The two staging locations where they had recently been observed were protected, as were known former staging locations.

94. The Director of the Regional Activity Centre for Specially Protected Areas (RAC/SPA) said that under the Mediterranean Action Plan there were plans of action for marine turtles and for cetaceans, in cooperation with ACCOBAMS. Work was being carried out to study the interactions of marine turtles and humans in terms of fisheries and by-catch, and measures had been taken to deal with turtles caught in that way. A new plan of action for birds was being developed for species that were also included in the Appendices to CMS. The latest information on the Mediterranean population of Monk seals (*Monachus monachus*) was that they were now very threatened. A meeting would be held at the end of October 2002 for the eastern Mediterranean to see what could be done.

95. Summarising the discussions, the Chair of the Scientific Council reminded the meeting that it was discussing only the species with the highest priority for conservation. It must be borne in mind also that their status was truly perilous. Cooperative action was the key to saving them, and CMS had developed novel ways of tackling the problem of conservation. He noted in that connection that measures to eradicate the Ruddy duck (*Oxyura jamaicensis*) had been controversial in the United Kingdom. In the case of the Sahelo-Saharan antelopes, CMS had developed a study of the species involved which was a classic of its type. Furthermore, he noted that the role of CMS was a catalytic one and momentum must be maintained in order to keep up the flow of funding, because many more species needed to be listed in the Appendices to the Convention and much more work remained to be done.

96. The Deputy Executive Secretary said that the agenda item should remain open and drew attention to the fact that the Scientific Council had developed a new procedure for elaborating review reports for species to be the subject of concerted action. The new procedure would have to be discussed. Also, the meeting would

have to cover cross-cutting and thematic areas such as by-catch, impact assessments, barriers to migration, invasive species and poisoning, and a number of resolutions and recommendations would have to be drafted.

Recommendation 7.1: Cooperative Actions for Appendix II Species

97. At its 8th session, on 23 September, the Committee of the Whole considered draft recommendation 7.1 (UNEP/CMS/Rec.7.1) on cooperative actions for Appendix II species, which had been prepared by the Secretariat in consultation with the Chair of the Scientific Council, on the basis of the relevant recommendations of the Council at its 11th meeting. The observer from BirdLife International recalled that the Working Group on Birds of the Scientific Council had proposed cooperative actions for the following three species, which should be added to the recommendation: Bearded tachuri (*Polystictus pectoralis pectoralis*), Dark-throated seedeater (*Sporophila ruficollis*), and Dinelli's doradito (*Pseudocolopteryx dinellianus*).

98. The Chair of the Scientific Council proposed an amendment to the preamble of the draft. One representative, recalling Recommendation 6.2 of the Sixth Meeting of the Conference of the Parties, noted that all albatrosses should also be listed in the draft.

99. The Committee approved the draft recommendation, as orally amended, for transmission to plenary.

100. At its final plenary session, on 24 September, the Conference of the Parties adopted recommendation 7.1 on cooperative actions for Appendix II species, contained in Annex X to the present report.

Resolution 7.1: Concerted Action for Appendix I Species

101. At its 8th session, the Committee of the Whole considered document UNEP/CMS/Res.7.1, containing a draft Resolution on concerted actions for Appendix I species, which had been prepared by the Secretariat in consultation with the Chair of the Scientific Council, on the basis of the relevant recommendations of the Council at its 11th meeting. The Deputy Executive Secretary clarified that several species were listed in brackets in the draft, because they were subject to a decision by the current meeting of the Conference of the Parties on whether to include them in Appendix I.

102. The Committee approved the draft resolution for transmission to plenary.

103. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.1, on concerted actions for Appendix I species, contained in Annex IX to the present document.

C. Review of Article IV Agreements

104. The Chair drew attention to documents UNEP/CMS/Conf.7.9, UNEP/CMS/Conf.7.9.1, UNEP/CMS/Conf.7.9.2 and UNEP/CMS/Conf.7.9.3.

Resolution 7.2: Implementation of Existing Agreements and Development of Future Agreements⁶

105. At its 9th session, on 24 September, the Committee of the Whole considered draft resolution 7.2 (UNEP/CMS/Res.7.2) on implementation of existing Agreements and development of future Agreements. Germany and the Netherlands, while fully supportive of all conservation activities for the Aquatic warbler, expressed reservations concerning the development of a new memorandum of understanding on the species. They suggested an alternative would be for the species to be listed on Annex 2 to AEWA.

⁶ Subsequently renumbered by the Secretariat as Resolution 7.7.

106. The Executive Secretary informed the meeting that the majority of the key Range States had informed the Secretariat, in writing, that they were in favour of the development of the memorandum of understanding and action plan for the Aquatic warbler. Work towards that end, led by BirdLife International, was in an advanced stage. He noted that the Aquatic warbler could not be listed on Annex 2 of AEWa for at least another three years and recalled that the Parties had listed the species on CMS Appendices I and II in 1997, and in 1999 had listed it for concerted action. He would recommend pursuing a memorandum of understanding and, at a later stage, have the Range States decide whether that should flow into AEWa as an international species action plan, following the model of the Slender-billed curlew and Siberian crane memoranda of understanding.

107. Germany and the Netherlands subsequently agreed that the relevant text in the draft resolution need not be amended, on the understanding that their views would be recorded in the report of the meeting.

108. Regarding sturgeons, the issue of whether CMS should take the lead for action on the species, particularly bearing in mind that action was already being taken in the context of CITES, was raised by the representative of Germany, which would, however, cooperate with other Range States if it was agreed that there was a need to develop a specific instrument. The Chair of the Scientific Council noted that the matter had been discussed by the Council at its 11th meeting, where it had been suggested that CITES might be given more time to achieve results. The Executive Secretary noted that the action envisaged under CMS was completely different from action under CITES, and was in fact intended to create synergies.

109. The representatives of Chad and Morocco noted a preference to have a reference specifically to a memorandum of understanding for Sahelo-Saharan antelopes. The Executive Secretary clarified that the word “Agreement”, when used in connection with Article IV and capitalized as in the text of the draft resolution, was considered to refer to any type of agreement, including memoranda of understanding, in accordance with the preference of the Parties concerned.

110. Additional oral amendments were also presented to the text of the draft resolution, which was endorsed for adoption by the plenary, as orally amended.

111. At the final plenary session, on 24 September, the Deputy Executive Secretary introduced the amendments made to the draft resolution. The Conference of the Parties adopted Resolution 7.2, as orally amended, on implementation of existing Agreements and development of future Agreements, contained in Annex IX to the present document.

1. Agreements already concluded

Agreement on the Conservation of Seals in the Wadden Sea– 1990

112. Ms. Reineking (Common Wadden Sea Secretariat (CWWS)) gave an update on the information provided on the Agreement on the Conservation of Seals in the Wadden Sea (1990) in document UNEP/CMS/Conf.7.9.1 and to the Danish-German-Dutch trilateral seal management plan described in volume 15 in the Wadden Sea Ecosystem series, which was available to participants.

113. Mortality from the phocine distemper virus in 1988 had been approximately 60 per cent of the total seal population in the area covered by the agreement, but the population had subsequently recovered to over 25,000. The outbreak of the same virus which had begun in May 2002 had killed over 4,000 harbour seals in the Kattegat/Skagerrak (off the United Kingdom, Sweden and Norway) and others in the Wadden Sea, with possibly over 20,000 animals affected in total. It was not clear why the outbreak had started on the same island in the Kattegat as in 1988: more scientific work was needed.

Agreement on the Conservation of Populations of European Bats (EUROBATS)– 1991

114. Mr. Streit (Executive Secretary) explained that the 26 Parties mentioned in document UNEP/CMS/Conf.7.9.1 represented a doubling in the membership in just four years. The Agreement had been amended by a decision of the third session of the Meeting of the Parties to make it more flexible in terms of being easier to add new species, as new bat species were quite regularly identified in Europe. He noted that during the meeting of the Scientific Council immediately preceding the current meeting of the Conference of the Parties, the feasibility had been examined of concluding similar agreements on bats elsewhere. He stressed that bats were important species for terrestrial ecosystems; in that connection, the EUROBATS programme to reach a broader public was becoming a success.

115. The representative of the Democratic Republic of the Congo commended the Secretariat on its initiatives to consider extending CMS activities to African bats and drew attention to the significant research carried out on bats in that country. As the bats and their nesting sites there remained little known, the Democratic Republic of the Congo looked forward to participating in a full programme of implementation.

116. The representative of Romania announced that pursuant to a European Community directive, Romania had developed a bat protection project in the south and west of the country for 2001-2004 and was preparing an action plan together with the United Kingdom.

Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)– 1991

117. Mr. Strempel (Executive Secretary) added to the information given in document UNEP/CMS/Conf.7.9.1, informing the meeting that ASCOBANS was working on a recovery plan for the Baltic Sea which had been agreed by its Scientific Committee in June 2002 and would shortly be put to the Parties. The membership stood at eight Parties, though another two Parties were expected to accede within the next six months or so.

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

118. Ms. van Klaveren (Executive Secretary) drew particular attention to the information in paragraph 30 of document UNEP/CMS/Conf.7.9.1 concerning the Black Sea population of the Bottlenose dolphin (*Tursiops truncatus*) and expressed gratitude to donor countries France, Monaco and the United Kingdom. The proposal by Georgia to list the Black Sea bottlenose dolphin in Appendix I to CITES had been supported by genetic work carried out pursuant to a resolution of a meeting of the Parties to ACCOBAMS. A scientific committee on the marine environment of the Black Sea had been established and an action plan was being developed. Also, a GEF project for all Black Sea countries was about to be established. The number of States Parties stood at 12, but ratification procedures were under way in all the other States on the Mediterranean/Black Sea littoral. She expressed gratitude to the Ministry of Environment of Turkey for making available to the ACCOBAMS Secretariat a biology expert, who was responsible for biodiversity agreements in Turkey.

119. The representative of Romania informed the meeting that Romania had made its Black Sea research institute available to help draw up action plans for cetaceans in the Black Sea and that, in December 2001, a cetacean protection workshop had been held there for the whole Black Sea area.

120. Mr. Simmonds (observer from the Whale and Dolphin Conservation Society) said that ACCOBAMS and ASCOBANS were to be commended on their novel initiatives which would not have taken place without them, particularly the work of ASCOBANS on by-catch and ACCOBAMS on the beleaguered Black Sea bottlenose dolphin.

Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) – 1996

121. Mr. Lenten (Executive Secretary) recalled that AEWA had entered into force on 1 November 1999 with 17 Parties; there were now 33. Another four States had ratified the Agreement but had not yet deposited their instruments, allowing AEWA to hope that by the end of 2002 it would have 37 Parties. A great deal of support had been received for its current plan of action, which would run to 2004, and the forthcoming Second Meeting of the Parties would decide on projects for the triennium to follow. AEWA was working with Wetlands International, BirdLife and the Ramsar Bureau on an African/Eurasian flyway project with USD 6 million in GEF funding. The Government of Germany had promised EUR 1 million subject to the Ministries budget out of USD 6 million required in matching funds. The work to be carried out in Africa, the Middle East and Central Asia would be presented as a side event during the current series of meetings.

Agreement on the Conservation of Albatrosses and Petrels (ACAP) – 2001

122. The representative of Australia, which was fulfilling the role of interim Secretariat for ACAP, explained that the speed with which the progress detailed in document UNEP/CMS/Conf.7.9.1 had been made was indicative of the level of concern. Of the eight signatories, two, Australia and New Zealand, had ratified the Agreement. The Interim Secretariat was confident that the additional three ratifications needed to bring the Agreement into force would take place in 2003, allowing activities, which would follow a holistic approach, to begin in earnest. Range and fishing States – Argentina, Brazil, Chile, France, Republic of Korea, Namibia, New Zealand, Norway, Peru, Spain, Ukraine, the United Kingdom, the United States of America and Uruguay – had supported and participated in the ACAP process, in which BirdLife International, the Commission for the Conservation of Antarctic Marine Living Resources, CMS, the Food and Agriculture Organization of the United Nations (FAO) and the World Wide Fund for Nature were also closely involved.

123. The representative of the United Kingdom said it would soon ratify ACAP. The United Kingdom was interested by virtue of its overseas territories, and as a fishing State through its limited involvement in long-line fishing. The United Kingdom was not involved in trade of any kind in any albatross or petrel but would be required, by the interaction of domestic and European legislation consequent to the signing by the European Community of the Agreement's Final Act, to make a reservation with respect to the trade in albatrosses, petrels and their eggs.

Memorandum of Understanding concerning Conservation Measures for the Siberian Crane (Grus leucogeranus) – 1993

124. The Deputy Executive Secretary introduced the Siberian Crane Memorandum of Understanding, discussed in part II of document UNEP/CMS/Conf.7.9.1, noting that it was the first CMS memorandum of understanding and the model for all those which had followed. The conservation status of the Siberian crane was tenuous and it was to be hoped that there were undiscovered breeding, staging and wintering areas. He drew particular attention to the use of ultralight aircraft to try to lead a flock of young, captive-bred Siberian cranes along part of their traditional migratory route between Russia and the Islamic Republic of Iran. A Flyway Officer funded by CMS and the International Crane Foundation had been appointed to coordinate efforts to help the Siberian crane's recovery. Further information was available through the CMS web site. He noted that a USD 10 million GEF project had been approved in principle which would benefit Siberian crane conservation in four Range States – China, the Islamic Republic of Iran, Kazakhstan and the Russian Federation – which, it was hoped, would be finally approved after the forthcoming replenishment of GEF.

Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew (Numenius tenuirostris) – 1994

125. The Executive Secretary noted in connection with the Slender-billed Curlew Memorandum of Understanding that it had been agreed that the European office of BirdLife International would act as secretariat for the species. Mr. O'Sullivan (observer for BirdLife International), speaking in the absence of the Appointed Councillor for Birds, said that the information given in document UNEP/CMS/Conf.7.9.1 was up to date. The Scientific Council had found that a large part of the problem with the Slender-billed curlew was that it was very difficult to find, let alone work on, and recording sightings, particularly on its migratory route, was of great importance. He drew attention to the informal meeting on the species referred to in paragraph 58 of the document, which was to be held in the margins of the current meeting of the Conference of the Parties.

Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (Otis tarda) – 2000

126. The Executive Secretary thanked the member of the United Kingdom delegation for his work on the Great Bustard Memorandum of Understanding at the time of his secondment to the CMS and EUROBATS Secretariats. With the signature during the first day of the conference by Germany, 12 out of 16 Range States had signed. Of the remaining four, one would be unable to sign for technical and procedural reasons, as its procedure for signing memoranda of understanding required the full process of ratification. Slovenia and at least two or three other States were expected to sign soon. He called on the four remaining States to expedite their procedures and work on implementation of the memorandum. He reported that he had recently visited the transboundary area of Austria, Hungary and Slovakia, where the results had been excellent in only a few years, with a very large increase in population of the Great bustard. This should serve as an example for other regions. He also drew the attention of the delegates to the exhibition on Great bustard in the lobby of the Plenary hall.

Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa – 1999

127. The Deputy Executive Secretary reported on the proceedings of a meeting held in May 2002 in Nairobi and chaired by Dr. Okopido of Nigeria, which was referred to in document UNEP/CMS/Conf.7.9.1. These would be published as soon as possible. Work under the memorandum had been stimulated by the publication "Biogeography and Conservation of Marine Turtles of the Atlantic Coast of Africa" (CMS Technical Series Publication No. 6) by Jacques Fretey, a French/English bilingual document available to participants.

128. The representative of the Democratic Republic of the Congo recalled that at the Nairobi meeting CMS had been asked to help provide support for a protected park in the mangrove swamps of the Republic's Atlantic coast, which were seriously threatened by industrial and oil pollution in particular. The assistance would be used in part to train experts in marine turtles.

Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA) – 2001

129. Turning to the IOSEA Memorandum of Understanding, the Deputy Executive Secretary said that the memorandum, together with its detailed conservation plan, covered some 40 States. So far, it had 12 signatories and more States must be brought on board. A small secretariat would be co-located with the UNEP Regional Office for Asia and the Pacific in Bangkok. As reflected in document UNEP/CMS/Conf.7.9.1, voluntary contributions for this purpose had been secured from Australia, the United Kingdom, the United States of America, the UNEP Division of Environmental Conventions and

CMS itself. Since the document had been issued, the Government of France had pledged a voluntary contribution also.

130. The representative of Pakistan informed the meeting that Pakistan hoped to sign the memorandum, to which it was committed, perhaps by the end of the present conference, once domestic procedural hurdles had been overcome.

Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer – 2002

131. Turning to the Bukhara Deer Memorandum of Understanding, the Executive Secretary noted that it had been the product of cooperation with the Central Asia Programme of the World Wide Fund for Nature. On the first day of the current meeting, Uzbekistan had added its signature to those of Kazakhstan, Tajikistan and Turkmenistan, meaning that all four Range States had signed, as had the international non-governmental organization *Conseil international de la chasse*, meaning that all the cooperating organizations had signed also. The fact that all interested parties had signed would serve as an incentive to attract funding from international agencies.

132. Adding to his earlier intervention, the representative of the AEWA Secretariat noted that consideration was being given to adding all migratory waterbird species to its list and was considering also extending coverage to the Central Asian/Indian flyway, either by means of a new agreement, by extending AEWA or by extending another agreement. With only two staff members and many projects, project and financial administration were a bottleneck which AEWA hoped to solve in the near future.

133. The representative of Denmark announced that the European Commission was giving positive consideration to starting the process leading to ratification of AEWA by the European Community, which could take place before the Third Meeting of the Parties. It was hoped that ratification would be beneficial for European Community States in cooperating with other AEWA member States and that it would serve as an incentive for other States to join the Agreement.

134. The representative of Hungary announced that Hungary had decided on 13 September 2002 to join AEWA and the necessary documentation would soon be forwarded.

135. The representative of the Democratic Republic of the Congo expressed support for the principle of universal membership in AEWA so that migratory routes could be studied and appropriate action taken as soon as possible.

136. The Executive Secretary announced that he had held discussions with representatives of the Government of India during the first day of the present Conference. The Government of India had agreed to take the lead over the question of the Central Asian/Indian flyway. He recalled in that connection that, under AEWA, States that were not in the defined area could join if they consider themselves Range States, a provision which had been sought by a number of States when the AEWA had been negotiated. However, there had been no ratifications or accessions to it under that provision.

2. Development of future Agreements

137. The Committee of the Whole took up the development of future Agreements at its 3rd session, on 19 September.

138. The Chair drew attention to a review of Article IV agreements under development prepared by the Secretariat (UNEP/CMS/Conf.7.9.2), and also to the report of the Working Group on the Development of CMS Regional Agreements (UNEP/CMS/Inf.7.16).

(a) Houbara bustard

139. The representative of Saudi Arabia, speaking for the National Commission for Wildlife Conservation and Development, confirmed that Saudi Arabia was the lead Party in the working group preparing an Agreement for the conservation of the Asiatic houbara bustard (*Chlamydotis undulata*). He said that a draft agreement had been circulated, along with substantial comments from the Secretariat. Saudi Arabia was proposing to convene a meeting in Autumn 2003 to finalise the Agreement. It was expected that that meeting would be preceded by at least one informal meeting and by extensive consultations among Parties expected to subscribe, and with other interested organizations, so that the meeting could indeed be conclusive and an Agreement could be opened for signature.

140. The observer from Zimbabwe asked the representative of Saudi Arabia whether measures were being taken to control falconry in the Arabian Peninsula, which he said was a major threat to the Houbara bustard. The representative of Saudi Arabia said that the country had taken several measures to regulate both hunting and the transport of birds for the purpose of hunting, and that further measures were under consideration.

141. The Committee welcomed the progress to date, with a view to having the instrument finalised as soon as possible.

(b) Aquatic warbler

142. The observer from BirdLife International, which had worked closely with the Secretariat to develop a memorandum of understanding concerning conservation measures for the Aquatic warbler (*Acrocephalus paludicola*), said that a draft memorandum had been circulated and a workshop was proposed in late 2002 or early 2003.

143. The Committee acknowledged the work of BirdLife International, in close cooperation with the Secretariat, to prepare a memorandum of understanding on the Aquatic warbler. It endorsed preparations for a meeting of Range States in late 2002 or early 2003 and the intention of the Secretariat to continue cooperation with BirdLife International, including providing financial support for the development of an action plan and the holding of a negotiation meeting.

(c) Sand grouse

144. As suggested by the Secretariat in its document UNEP/CMS/Conf. 7.9.2, the Committee welcomed the South African initiative to develop a memorandum of understanding on the Sand grouse.

(d) Sturgeon

145. The representative of Germany said that the German Federal Government had undertaken preparatory work in the development of a memorandum of understanding on information exchange with regard to migratory sturgeons. He noted the importance of cooperation with CITES, without which isolated action by CMS related to the international trade in sturgeon and caviar was unlikely to be productive. The subject had been discussed by Range States and non-governmental organizations in the margins of the meeting of the CITES Conference of the Parties, held in Nairobi in April 2000. However the CITES Secretariat had since indicated that it was not in a position to pursue the work. Further activity had been postponed.

146. One representative drew the Committee's attention to a workshop on sturgeon held in Sofia, and a booklet that had been issued.

147. The Committee took note of the report from Germany and urged the resumption of cooperative activities among the lead country, IUCN, the CMS Secretariat and the CITES Secretariat. It invited the CITES Conference of the Parties to encourage closer collaboration between the CMS and CITES Secretariats with respect to sturgeon conservation, in view of the strategic priorities of the two complementary conventions.

(e) Marine turtles

148. The Deputy Executive Secretary noted that, with a CMS memorandum of understanding in place for marine turtles of the Indian Ocean-South-East Asia region, another for those of the Atlantic coast of Africa and a separate Inter-American Convention in operation, one vast area remained without international conservation measures for marine turtles: the Pacific Ocean.

149. The Committee authorised the Secretariat to explore the development of an instrument for marine turtles of the Pacific Ocean within the context of the CMS Strategic Plan and the existing CMS Indian Ocean-South-East Asian marine turtle memorandum of understanding, and to allocate sufficient resources for that purpose.

(f) Marine mammals

150. The Conference-appointed Scientific Councillor for Marine Mammals, said that in addition to existing agreements to conserve the seals of the Wadden Sea, small cetaceans of the North and Baltic Seas and cetaceans in the Mediterranean and Black Seas, the African, South-East Asian and Indian Ocean regions showed potential for CMS agreements for marine mammals.

151. The Deputy Executive Secretary commented that the latter represented a strategic approach, which would require the investment of considerable resources over the long term to bring to fruition.

i. Small cetaceans and manatees in tropical West Africa

152. The Conference-appointed Councillor for Marine Mammals reported that two CMS-sponsored research projects related to small cetaceans in West Africa had already been completed and a third was under way. A workshop held in Guinea in May 2000 had recommended development of an action plan for conservation and management. As prepared in outline, it would cover small cetaceans (defined as all Odontocetes, minus the Sperm whale) and the West African manatee (*Trichechus senegalensis*). Eighteen of the 25 Range States were CMS Parties.

153. Representatives of Chad, Guinea, Mali, Senegal and Togo spoke in favour of developing an action plan.

154. The Committee expressed its support for initiatives to develop an appropriate instrument for marine mammals along the West African coast, with the allocation of sufficient funds. Interested Parties were invited to form a working group, with the possibility of bringing forward requests for financial support.

ii. Small cetaceans of South-East Asia

155. The Conference-appointed Councillor for Marine Mammals reported on a CMS-supported workshop held in the Philippines in July 2002, which had explored the possibility of developing a regional instrument to protect small cetaceans and had outlined the first phase of an action plan. The workshop had emphasised the

importance of by-catch as the major threat to small cetaceans, which must be addressed soon if populations or even species were not to become extinct.

156. The Committee expressed its support for the development of an appropriate instrument for the region and indicated it would be willing to allocate sufficient funds for the purpose if the Range States indicated their intention to proceed.

iii. Cetaceans in the Indian Ocean

157. An observer for the Whale and Dolphin Conservation Society said work towards an Agreement conserving the cetaceans of the Indian Ocean was at a very preliminary stage, as there was a great lack of knowledge about species and their movements and especially about the possible impact of offshore fisheries.

158. The representative of Bangladesh told the Committee that there was great need for a programme to conserve cetaceans in the Bay of Bengal.

The representative of Pakistan said the Blind dolphins of the Indus Delta (*Platanista gangetica minor*) were vanishing and assistance was needed.

159. The Committee took note of the comments made and expressed its support for initiatives to develop a regional agreement.

iv. Marine mammals in other regions

160. The representative of Australia said that the Dugong (*Dugong dugon*) was listed in Appendix II of the Convention, but no steps had been taken towards developing cooperative action. It would be useful if the Conference of the Parties could encourage consultation among Range States.

(g) Terrestrial Mammals

i. Sahelo-Saharan antelopes

161. Dr. Roseline C. Beudels-Jamar de Bolsee, member of the Scientific Council's taxonomic Working Group on Terrestrial Mammals, reported that the Government of France had approved funding for a project within the concerted action plan for Sahelo-Saharan antelopes developed under CMS auspices.

162. The representative of France confirmed that the French Government, seeking to ensure that the project was fully transparent and genuinely multilateral, was requesting that the CMS Secretariat should act as fund manager and administrator for the project sponsored by the French GEF.

163. The Executive Secretary said that this request was an important opportunity for CMS to demonstrate its ability to assist in the implementation of other global instruments, but under United Nations rules the CMS Secretariat needed authorisation from its superior body, the United Nations Environment Programme, to accept. It would also entail a substantial administrative task and the employment of a project coordinator and an administrative assistant. It was understood that UNEP saw no objection in principle.

164. The representative of Belgium welcomed the French initiative and said that perhaps it was time for another meeting similar to the one that produced the Djerba Declaration. The representative of Morocco said his country was willing to organise such a workshop.

165. The Committee welcomed the progress made and, subject to approval from UNEP, endorsed the proposal that the CMS Secretariat should act as fund manager and administrator for the French GEF project,

including additional funding for staff. It also endorsed the work of the Secretariat and the Sahelo-Saharan Antelope Working Group to develop an agreement, as requested by the Djerba Workshop.

ii. Saiga antelope

166. The Executive Secretary reported that a draft memorandum of understanding for measures to conserve the Saiga antelope (*Saiga tatarica tatarica*) had been circulated to the Range States and would be discussed in the margins of the forthcoming meeting of the CITES Conference of the Parties. There was a good chance that a memorandum of understanding could be opened for signature in a very short time.

167. The Committee welcomed the progress made to date and encouraged the early conclusion of a memorandum of understanding to conserve the Saiga antelope. It also requested the CITES Conference of the Parties to acknowledge and endorse further cooperation between the CMS and CITES Secretariats.

iii. Mongolian gazelle

168. The Executive Secretary said that it had originally been hoped that the activities for the Saiga antelope could be used as a model for action for the conservation of the Mongolian gazelle (*Procapra gutturosa*), but the status of progress was uncertain. He proposed that the Secretariat should hold consultations and, once the species had been listed on Appendix II, it would be possible to assess how best to proceed.

169. The Conference endorsed the intention of the Secretariat with regard to the proposed work programme to develop a memorandum of understanding for the Mongolian gazelle, and to provide sufficient funding for that purpose.

iv. African elephant

170. The representative of Nigeria reported that the Working Group on African Elephants had been prevented from making progress due to events which prevented Burkina Faso from acting as focal point as had been intended.

171. The Secretariat reported that it had not been able to recruit a junior professional officer to service the Working Group, and had been forced to put the issue on hold.

v. Bats

172. The Chair of the Scientific Council, said that there was a lack of data about migratory populations of bats but several species might be added to the Appendices of the Convention. The Council sought a mandate from the Parties to carry forward work that could lead to regional Agreements.

173. The Committee took note of the studies on the feasibility of developing additional CMS Agreements on bats and instructed the Secretariat to continue to support this effort.

3. Guidelines on the harmonisation of future Agreements

174. Agenda item 11 (c) (iii) on guidelines on the harmonisation of future Agreements was taken up at the 5th session of the Committee of the Whole, on 20 September. The Executive Secretary introduced document UNEP/CMS/Conf.7.9.3. He said that no progress had been made in the project to develop harmonised Agreements for some time and sought the guidance of the Conference of the Parties as to whether efforts to produce guidelines should be pursued. He argued that a number of memoranda of understanding and

Agreements had been developed in the meantime and that most of the existing draft guidelines would have to be completely changed. One representative considered that a more worthwhile way to proceed would be to build on experience gained to date, rather than continuing with the development of the guidelines. The representative of Germany drew attention on the finding of the Working Group on the Development of CMS Regional Agreements (UNEP/CMS/Inf.7.16) that it would be useful *inter alia* to develop guidelines on practical advice towards developing Agreements.

175. In the absence of any objection, the meeting agreed to discontinue efforts to finalise the guidelines for harmonisation of Agreements.

D. Review of the implementation of the Strategic Plan for 2000-2005

176. The item was taken up by the Committee of the Whole at its 1st session, on 18 September. In his introduction, the Deputy Executive Secretary drew attention to document UNEP/CMS/Conf.7.10, containing the review of implementation of the Strategic Plan 2000-2005, and noted that it was complemented by an information paper on performance indicators (UNEP/CMS/Inf.7.19). After giving a brief history of the origins of the Strategic Plan, he underlined its role as a planning and monitoring tool. Linked to monitoring was the concept of performance indicators, and the Standing Committee and the Scientific Council had both set up working groups to examine both operational as well as biological indicators. The current meeting of the Conference of the Parties marked the first opportunity to review the Strategic Plan, using the tools developed over the previous two years of its operation. Document UNEP/CMS/Conf.7.10 had been reviewed by the Standing Committee and the Scientific Council, but there were areas where more examination was needed.

177. The Strategic Plan set out four major objectives, and served to show how the Conference of the Parties could assess the activities under each of those areas. First, it aimed to promote the conservation of migratory species in major groups. The Scientific Council broadly divided species into birds; marine mammals and large fishes; terrestrial mammals; and marine turtles. Under agenda item 11 (b), there were plans to examine in depth the projects and specific activities for Appendix I species that were the object of concerted action. Under item 11 (c) the development of CMS Agreements would be considered, and he drew attention to document UNEP/CMS/Conf.7.9 in that regard. The Scientific Council had also spent much time in reviewing the conservation status of the species and he recalled that the Chair of the Council had himself pointed to the need to adopt a more strategic approach to such activities.

178. Within the focusing and prioritising of conservation activities, there were several sub-objectives, among them the need to engage sectors such as fisheries or agriculture more actively; and the need to integrate the concerns of migratory species into national policy and practices. Those two areas were not well covered in document UNEP/CMS/Conf.7.10 and required further discussion. It was also necessary to mitigate the obstacles to migratory species, and several draft resolutions or recommendations to that effect had emerged from the Scientific Council, particularly concerning by-catch, wind-parks, oil pollution and power lines.

179. The second objective was to ensure that the CMS lists of species appropriately reflected their special needs for attention. The Conference would be considering proposals for the Appendices, and the Scientific Council had provided advice in that respect.

180. A third objective of the Strategic Plan was to make CMS a truly global initiative. The Standing Committee and current Parties had a role to play in that regard, and it would also be useful for the regional group discussions to present to non-Parties the case for joining the Convention expeditiously.

181. The fourth objective was to facilitate the implementation of the Convention. One field of activity to serve that end was the enhancing of awareness. The Sixth Meeting of the Conference of the Parties had developed an Information Management Plan and a new system for processing information from the Parties. In addition, the new national reporting format was before the current meeting for approval. The mobilisation of additional resources for the implementation of the Convention had met with limited success and would be

further discussed under item 13 of the agenda. Implementation of CMS could also be served by improving the functioning of its institutions and, in that connection, the Scientific Council had already initiated an examination of its own *modus operandi*. Institutional linkages with other organizations were also important, and would be addressed under agenda item 11 (e).

182. The Deputy Executive Secretary concluded his remarks by noting that the Conference of the Parties did not have all the information required to evaluate the success of CMS: it needed meaningful indicators, and intersessional work was already under way in the Scientific Council and the Standing Committee to develop those indicators. Moreover, it was necessary to look to the future and to consider how to overhaul the Strategic Plan in preparation for the Eighth Meeting of the Conference of the Parties, based on the experience gained. At its Sixth Meeting, the Conference of the Parties had established a sessional working group on the Strategic Plan, and it might be valuable to establish such a group at the current meeting. Finally, he underlined the importance of document UNEP/CMS/Conf.7.10 on the Strategic Plan in guiding the deliberations on a number of the items on the agenda of the current meeting.

183. In the ensuing general discussion, some representatives noted that important supplementary information on actual and planned activities under CMS could be provided by States themselves. Denmark, representing the member States of the European Community, expressed approval for the work of the Scientific Council working group on performance indicators and recommended that it should continue for the next triennium. He considered that section 1 of document UNEP/CMS/Conf.7.10, on concerted action, should receive priority. Section 4.2, on mobilisation of resources was also crucial, particularly in the light of the need to increase the level of financial support for activities, which need not necessarily be channelled through the Secretariat. He was reluctant to support the funding of additional posts in the Secretariat, preferring to utilise the funding for project activities. In addition, he considered there was no need to establish a permanent committee to monitor the performance of CMS intersessionally, since the current mechanisms were adequate to the task.

184. Other points raised included the need to identify the crucial impacts and actual or potential threats to migratory species; the need to increase the awareness of issues concerning invertebrate species or fish, which had hitherto been neglected; the need to identify fish species for inclusion in Appendix I; the importance of cooperation with existing regional agreements and conventions, such as the Bern Convention on the Conservation of European Wildlife and Natural Habitats, or the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, and its Regional Activity Centres; the integration of performance criteria and biological indicators at the project level; and the need to work with the private sector.

185. The representative of Monaco, stressing that the emphasis of CMS should be on conservation, considered that some Appendix II species, by virtue of the Agreements, seemed to be better protected than certain Appendix I species. It was necessary to redress the balance. Moreover, for certain species such as marine mammals, where many actors were involved in conservation, it was difficult to evaluate the effects of CMS activity and its overall performance. The short time-frame used also did not permit an assessment of population increases and enable a real analysis to be conducted.

186. The observer from UNEP-WCMC, recalling that the World Summit on Sustainable Development had set the target of halting biodiversity loss by the year 2010, noted that document UNEP/CMS/Conf.7.10 set out many activities that could serve as indicators in that regard. He proposed that the Standing Committee or a working group should be invited to consider that issue and that an element on the subject should be incorporated into the Strategic Plan. His organization was willing to assist in that respect.

187. At the 2nd session of the Committee of the Whole, on 19 September, the Chair invited further comments and suggestions under item 11 (d) on the review of the implementation of the Strategic Plan.

188. The representative of the United Kingdom, which had served as Vice-Chair of the Performance Working Group of the Standing Committee, expressed his gratitude that the Secretariat had taken into

account most of the performance indicators recommended by that Working Group, either within the Strategic Plan or elsewhere. He said that the Group had been unable to set specific performance targets for lack of firm baseline data. The next step in the process was to seek answers to questions such as those that needed to be considered at the start of any journey: what was the destination, the time of arrival, the route to be followed, and the starting point.

189. In response to a request from the Chair as to how the Conference might proceed, the Deputy Executive Secretary reiterated his previous suggestion that the meeting might wish to set up a sessional working group with a mandate to (a) review document UNEP/CMS/Conf.7.10, and consider refining the objectives, sub-objectives and activities, and possibly improving on the performance indicators, while keeping to the current format; (b) consider adding content to the review document, which currently existed only as a framework for reporting; and (c) agree on a procedure to carry out a more thorough reworking of the Strategic Plan prior to the Conference of the Parties at its eighth meeting.

190. It was agreed to set up a Working Group on the Strategic Plan, open to membership of all Parties and observers. The Group would elect its own Chair.

191. At the 5th plenary session, the representative of Switzerland, speaking as Chair of the Working Group on the Strategic Plan, gave a brief progress report on the work of the Group. It had met the previous evening and had reviewed document UNEP/CMS/Conf.7.10, and had also taken into account the preamble of Resolution 6.4 of the Conference of the Parties.

192. At the 8th session of the Committee of the Whole, on 23 September, the representative of Switzerland, speaking as Chair of the Working Group on the Strategic Plan, reported on the discussions of the group, which had completed its work. He said that, for its deliberations, in addition to the documentation already noted, the Working Group had also taken into consideration the report of the 11th meeting of the Scientific Council (UNEP/CMS/Conf.7.17 and Annex VIII to the present report), the first part of the draft report of the proceedings of the current Conference of the Parties, as well as the questions posed by delegates to the Working Group on Financial Matters. The Working Group on the Strategic Plan had also considered, and commented on, draft recommendations on the Millennium Ecosystem Assessment and on the World Summit on Sustainable Development.

193. The Group had sought to identify problem issues within the Strategic Plan and to analyse it in depth, with a view to preparation of the next Strategic Plan, to be submitted to the Eighth Meeting of the Conference of the Parties. The Group had not considered itself competent to set priorities for the Secretariat, nor to make proposals where any potential budgetary restrictions could be made.

194. Concerning prioritisation, the Group had examined the issue of who sets the priority, with regard to three areas: scientific and biological; technical and feasibility; financial, administrative and staffing. Under the first of those areas, the Group had considered that there was a need for balance between the taxonomic approach; the regional approach; and the ecosystem/threat approach.

195. The Group had considered that the Strategic Plan needed to be better defined as a planning and monitoring tool, and needed to be flexible in order to take into account emergency actions, as well as forward planning. Concerning staffing, there was a need to clarify the allocation of tasks and to identify gaps. The Group had considered that the Strategic Plan was not aligned with the budget document, and there was a need for consistency in that respect. The Working Group was proposing to the Conference of the Parties that an open-ended working group should continue to work intersessionally, corresponding by e-mail, to draft the Strategic Plan for the Eighth Meeting of the Conference of the Parties. Pending endorsement by the Conference of the Parties, the working group would be able to prepare a preliminary report on the issue to the next meeting of the Standing Committee.

196. The Working Group also recommended that, at future meetings of the Conference of the Parties, the issues requiring the establishment of working groups should be identified early, to allow better planning, particularly for small delegations.

Resolution 7.3: Implementation of the CMS Strategic Plan⁷

197. At its 9th session, on 24 September, the Committee of the Whole considered draft resolution 7.3 (UNEP/CMS/Res.7.3). The draft resolution was endorsed by the Committee, as orally amended, to name Switzerland as Chair of the intersessional working group on the Strategic Plan, for adoption by the plenary.

198. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.3, as orally amended, on implementation of the CMS Strategic Plan. The resolution is contained in Annex IX to the present document.

E. Cooperation with other bodies

199. At its fifth session, on 21 September, the Committee of the Whole considered agenda item 11 (e) on cooperation between CMS and other bodies. The Executive Secretary introduced document UNEP/CMS/Conf.7.11. He said that considerable progress had been made in networking with other international bodies, especially the environmental conventions. He commented particularly on the synergies between CMS and CBD. A joint work programme between CMS and CBD, which had been endorsed by the Conference of the Parties to CBD in April 2002, was before the meeting. Various agreements for cooperation had been concluded with CITES, IWC, the Ramsar Bureau, Wetlands International and the United Nations Educational, Scientific and Cultural Organization (UNESCO), and efforts were being made to conclude agreements with the United Nations Convention to Combat Desertification, the Barcelona Convention, the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, BirdLife International and IUCN.

200. Representatives congratulated the Secretariat on its work to develop cooperative arrangements, which helped to prevent duplication and to support sharing of information. Such arrangements to share human and financial resources also made economic sense. Joint activities and work programmes, however, required close consultation not only between the Secretariats, but also with the Parties, in order to address any financial implications. Close cooperation between the Secretariats of the environmental conventions also alleviated the burden on representatives from developing countries.

201. The observer for RAC/SPA reported that the Twelfth Meeting of the Contracting Parties to the Barcelona Convention had recognised the increased links between that Convention and CMS. The observer for the Ramsar Bureau noted that the Ramsar Convention and CMS both had a practical focus, and offered to share toolkits containing “wise-use” handbooks with Parties of both Conventions.

202. One representative suggested that increased cooperation at the regional level, for example between countries in terms of UNESCO Biosphere Reserves, should also be encouraged. Another asked how the lack of a formal agreement with IUCN would affect conservation efforts for the African elephant. The Executive Secretary assured delegates that lack of an agreement did not mean that cooperation with IUCN was not already close. He cautioned, though, that the Secretariat did not have the capacity to adequately pursue liaison and cooperation with other bodies.

⁷ Subsequently renumbered by the Secretariat as Resolution 7.6.

Resolution 7.5: Cooperation with Other Bodies and Processes⁸

203. At its 8th session, on 23 September, the Committee of the Whole considered document UNEP/CMS/Res.7.5, containing a draft resolution on cooperation with other bodies and processes. The Committee approved the draft resolution for transmission to plenary.

204. At its final plenary session, on 24 September, the Conference of the Parties took up consideration of draft resolution 7.5 (UNEP/CMS/7.5). The Conference of the Parties adopted Resolution 7.5, on cooperation with other bodies and processes, contained in Annex IX to the present document

XII. CONSIDERATION OF PROPOSALS FOR AMENDMENTS TO APPENDICES I AND II OF THE CONVENTION (Item 12)

205. The Committee took up the item at its 5th session, on 20 September. Introducing the item, the Deputy Executive Secretary drew attention to document UNEP/CMS/Conf.7.12, which contained the proposals for amendments to Appendices I and II of the Convention which had been received in accordance with Article XI of the Convention from Australia, Chile, Ghana, Mongolia, Paraguay, Peru, Philippines, Senegal and Uzbekistan. For the most part, those original proposals had not been edited, and retained the format in which they had been submitted by the respective Governments.

206. A summary of the proposals had been circulated in May 2002, in the Annex to document UNEP/CMS/Conf.7.12, and comments from Parties on the proposals, communicated to the Secretariat by 20 July 2002, were contained in document UNEP/CMS/Conf.7.12, addendum. The following other documents were also relevant: the conference room paper summarising the Scientific Council recommendations on proposals for amendment of the CMS Appendices to be considered by the Seventh Meeting of the Conference of the Parties; document UNEP/CMS/Conf.7.12 (Rev.1), reflecting a revised proposal for the inclusion of the Grey-cheeked parakeet (*Brotogeris pyrrhopterus*); and UNEP/CMS/Conf.7.12 (Rev.2), reflecting a revised proposal for inclusion of the Peruvian diving petrel (*Pelecanoides garnotii*).

207. The Chair of the Scientific Council, expressing thanks to the members of the Scientific Council for the work undertaken to consider the proposals for the listing of species on the CMS Appendices, stressed that, in its task, the Council had adhered to scientific principles and objectivity. The purpose of Appendix I was to list those species that were really the most threatened, and which required high-priority conservation. Appendix II listing was of importance to a species as a sign that its situation was deteriorating, and that support was needed in the form of CMS Agreements, resolutions and cooperative actions. In addition, while the listing of a species per se was of scientific interest, it was essential to have actions as a follow up, in order to improve the conservation status of the listed species. The Scientific Council, aided by the Appointed Councillors, had approved a number of proposals for the listing of species in the main taxa, and its findings were before the Conference of the Parties for endorsement.

208. However, in relation to a few proposals, notably relating to some of the whale species, the proposals appeared to contain some key data and information gaps, as well as technical inaccuracies. The Council had established a working group, chaired by the Appointed Councillor for Marine Mammals and Large Fishes, which had been unable to reach a consensus on how to proceed. The Council had therefore been guided in particular by the Appointed Councillor and by the Chair of the Scientific Council, who considered that, where there were clear information gaps and technical inaccuracies, the Council could not recommend support for those proposals at the current time. The Council was aware of the conservation needs of the species concerned and was keen that its view on the matter should not be seen by the Conference of the Parties, or indeed by others, as downplaying in any sense the conservation needs of the species concerned. The species remained proposed for listing on Appendix II, which left the way open for regional cooperative action. In addition, the

⁸ Subsequently renumbered by the Secretariat as Resolution 7.9.

Council had supported listing on both Appendix I and Appendix II for a number of whale species and remained receptive to receiving further, scientifically accurate, proposals for the species concerned in the future, if deemed appropriate by any Party to the Convention. The Council also looked forward to any further information and collaboration to allow any further action on the issue.

A. Cetaceans and large fishes

1. Great whales

209. The Appointed Councillor for Marine Mammals and Large Fishes drew attention to the report of the Scientific Council at its 11th meeting, document UNEP/CMS/Conf.7.17. Concerning the six proposals submitted by Australia for additions to Appendices I and II for great whales, the Council had agreed by a majority to include the Fin whale (*Balaenoptera physalus*) (I/3 and II/3), Sei whale (*Balaenoptera borealis*) (I/4 and II/4) and Sperm whale (*Physeter macrocephalus* [catodon]) (I/6 and II/6) on Appendices I and II, but had not recommended Australia's proposals to include the Antarctic minke whale (*Balaenoptera bonaerensis*) (I/1 and II/1), Bryde's whale (*Balaenoptera edeni*) (I/2 and II/2) and Pygmy right whale (*Caperea marginata*) (I/5 and II/5) on Appendix I. The Council had, however, endorsed the inclusion of the latter three species on Appendix II.

210. The representative of Australia, thanking the Scientific Council for its extensive review of its proposals to nominate six species of great whales to the Appendices of CMS, said that, as the Scientific Council had noted, there was a range of indirect threats that could impact adversely on marine species, especially those such as great whales that were at the top levels of complex marine food webs. It was in recognition of those increased threats to great whales, many of which were not specifically addressed by other international organizations, that Australia had lodged its proposals and presented them to the Scientific Council.

211. Australia was pleased that the Scientific Council had recommended that the Fin whale (*Balaenoptera physalus*), Sei whale (*Balaenoptera borealis*) and Sperm whale (*Physeter macrocephalus* [catodon]) should be included in both Appendices I and II of the Convention. Australia also endorsed the Scientific Council's recommendation to also include the Antarctic minke whale (*Balaenoptera bonaerensis*), Bryde's whale (*Balaenoptera edeni*) and Pygmy right whale (*Caperea marginata*) in CMS Appendix II. Australia also welcomed the Scientific Council's invitation to further develop the proposals to list the latter three species in Appendix I at a future time, and was already gathering together the additional information to support the future listing of those three great whales in Appendix I at a future meeting of the Conference of the Parties.

212. Given the Scientific Council's desire to obtain more information, prior to being in a position to recommend the inclusion of the Antarctic minke whale, Bryde's whale and the Pygmy right whale in Appendix I, Australia withdrew its proposal to include those species in Appendix I.

213. Noting the Scientific Council's recognition that its findings should not in any way impact adversely on the real conservation needs of the great whales, she said that Australia was already actively taking a range of measures to ensure the conservation and recovery of the six great whales nominated, as well as the five great whales already listed in CMS Appendix I.

214. The representative of Norway said that, as a measure to improve the conservation status of endangered species, Norway was generally in favour of listing in the Appendices under the Convention. However, the basis for such listing must be in accordance with the established criteria for listing under the Convention, and also based on sound scientific data. Many Parties had spoken to the need for synergies and effective cooperation between conventions and organizations, an approach also being promoted by the United Nations system, including the United Nations Secretary-General. That implied that other agencies might be effective as implementers of activities of common interest, and realising that fact was important for avoiding duplication of efforts.

215. Concerning the specific proposals made by Australia, he wondered whether those questions could not be better dealt with in other fora, where they were in fact also under consideration, as in the case of the extensive work being carried out under IWC, CITES, IUCN, and even the FAO Committee on Fisheries, as far as the wider issue of marine species was concerned. There was ongoing discussion and work in those fora to arrive at more clearly defined criteria for the protection and sustainable use of marine species. So long as that work had not been concluded, one should be reluctant to embark upon extensive listing of marine species under CMS.

216. Much as he appreciated the spirit and good intention of the proposals, they did not comply with the necessary requirements for listing, according to the adopted criteria, and accurate scientific information. If CMS were to accept those listings, it would represent a major deviation from the accepted principle, and set a dangerous precedent which could endanger the Convention and throw doubt on its sincerity and integrity. An added negative effect could be that it might generate conflict between the Parties, and thus imperil smooth running and positive cooperation.

217. Norway, he continued, had arrived at those conclusions independently, but took note that the Scientific Council concurred in that some proposals revealed numerous data gaps and also inaccuracies. Given that three of the species were listed by IUCN as either endangered or vulnerable, Norway had, of course, given particular attention to those species. He wished to supplement the information made available through the Scientific Council, in order that a decision could be made on the basis of the best available scientific data. In the case of the Fin whale, published scientific information under the auspices of the North Atlantic Marine Mammal Commission (NAMMCO) stipulated that, since 1880, the decrease of the population had been a maximum of 70 per cent, which was a far cry from 80 per cent over the past three generations. Also, the information available to Norway indicated that the population had increased since the end of commercial whaling, and was still increasing. The total population today was estimated at 47,000 in the North Atlantic.

218. As for the Sei whale (*Balaenoptera borealis*), NAMMCO reported a 60 per cent decline over the same period and that the decline had stopped, although data were still being collected on the status of the population. Nevertheless, in 1993 the population in the North Atlantic had been calculated by IWC at a minimum of 12,000-13,000. That meant that the criteria for listing of the species under Appendix I were not fulfilled. Finally, the Sperm whale was listed by IUCN only as vulnerable, and great uncertainties also existed about its population status. He had mentioned those three species specifically, as they possibly came closest to consideration for listing under Appendix II. Nevertheless, there was a need for more research to establish reliable data on the status of the species. Therefore, Norway opposed the listing of any of the whale species put forward by Australia.

219. Denmark, speaking on behalf of the member States of the European Community, noted the report of the Scientific Council on the great whales and the subsequent decision by Australia to amend its proposals. Consistent with its commitment to base its environmental policies on sound science, the European Community supported the proposals as advised by the Scientific Council, and was open to considering future proposals to promote to Appendix I the three species currently proposed for Appendix II, as and when further scientific advice was available. He noted that designation of the species in Appendix II should provide the basis for regional cooperation to safeguard those species as a first step towards more substantive protection, as and when the scientific situation was clarified. A positive decision on the matter would certainly reflect recognition by the Conference of the Parties that those species required active conservation management.

220. A number of representatives expressed support for the recommendation of the Scientific Council concerning the listing of the great whale species and for Australia's decision to revise its proposals, and several commended Australia on the work it had done to bring forward the proposals to the Conference of the Parties.

221. Several representatives supported the original proposals for listing in Appendix I. Noting that IWC had declared a moratorium on the hunting of the three species originally proposed for Appendix I listing, one representative believed that CMS should use its mechanisms also to support the conservation of the species.

Another representative questioned why a lack of scientific evidence should be taken as a reason to prevent the listing of a species for conservation while, on the basis of the same evidence, it was considered suitable for commercial exploitation. He also believed that the conservation of the species represented a perfect opportunity for synergy between the Bern Convention, ACCOBAMS and CMS. The observer from ACCOBAMS underlined the extreme difficulty in evaluating the marine environment and obtaining accurate scientific data.

222. The observer from the Whale and Dolphin Conservation Society said that the conservation organizations supported the original proposal to list the cetaceans nominated by Australia on both of the CMS Appendices. He quoted from a letter from several conservation organizations (see UNEP/CMS/Inf.7.25), that indicated that they were “aware that cetaceans face a wide range of threats in a rapidly changing world” and that there was “growing evidence that they are being impacted by climate change, pollution, fisheries and other factors that are often difficult to monitor, and their role as top predators with low reproductive rates makes them especially vulnerable to these multiple and often cumulative impacts”. The conservation organizations noted that “in addition, the transboundary nature of both the animals themselves and the threats that they face presents a unique range of conservation management [issues]”. The observer noted that, while IWC was striving to address limited hunting, and CITES addressed the trade in the species, it was the business of CMS to address the threats of habitat degradation and by-catch. One representative considered that a working group should be established to analyse the various criteria used by the other organizations working in the field of marine species, such as FAO, IUCN and IWC.

223. One representative, pointing out that all whales had full legal protection within her country’s exclusive economic zone, considered that only through collaboration, concerted action and information-sharing between Range States could the future of those great whales be assured. Her country was already involved in a number of research activities and programmes of direct relevance to the conservation of whales and looked forward to sharing the results of that work with other Range States.

224. The Chair of the Scientific Council underlined the need for CMS to base its decisions on objective science and a thorough and rigorous scientific approach. The Appointed Councillor for Marine Mammals and Large Fishes explained that, while the technical errors and gaps in the original proposal for the listing of the six species had been largely corrected in a revised version of the proposal considered by the working group, there were more substantive scientific issues involved. The majority of the Scientific Council had agreed that there was no clear, compelling scientific basis for the inclusion of the Antarctic minke whale (*Balaenoptera bonaerensis*) in Appendix I. The estimated population lay between 500,000 and 750,000, and the current approved take of the species was sustainable, at one-tenth of one per cent of the population annually. While the population was uncertain and the species faced threats, it was not in danger of extinction. The inclusion of a species in Appendix I had to be on the basis of a scientific assessment of its conservation status.

225. The Chair of the Committee decided to convey the Committee’s deliberations to the plenary session of the Conference of the Parties for further consideration.

2. Great white shark

226. The representative of Australia presented proposals to add the Great white shark (*Carcharodon carcharias*) to Appendices I and II of the Convention (proposals I/22 and II/21). She informed the Committee that evidence from the east coast of North America, and from South Africa and eastern Australia indicated that the Great white shark, a naturally rare species of top predator, had suffered severe population decline on coasts of three continents. The Scientific Council had endorsed the proposals.

227. An expert from South Africa, an observer for BirdLife International, noted that exploitation of the Great white shark in South African waters was now confined to non-consumptive uses, primarily a developing ecotourism industry that brought much-needed income and employment to disadvantaged communities in coastal areas.

228. The representative of Norway opposed the proposals, on the grounds of lack of scientific evidence. The representative of the European Community reserved his position on the issue. Subsequently, at the 7th session of the Committee of the Whole, on 23 September, Denmark, speaking on behalf of the European Community and its member States, announced that the Community had withdrawn its reservation to the listing of the Great white shark in Appendices I and II of the Convention.

229. The Committee agreed to forward the proposals with the recommendations of the Scientific Council to the plenary.

3. Killer whale

230. In the continued discussion of agenda item 12 at the 5th session of the Committee of the Whole, the Appointed Councillor for Marine Mammals and Large Fishes informed the Committee that the Scientific Council had endorsed a proposal from Australia to list all populations of the Killer whale (*Orcinus orca*) in Appendix II (proposal II/7). Some populations of the species were already listed.

231. The representative of Norway opposed the proposals, on grounds of lack of scientific evidence.

232. The Committee agreed to forward the proposal, with the recommendation of the Scientific Council, to the plenary.

4. South American sea lion and Fur seal

233. The Appointed Councillor said that the Scientific Council supported proposals from Peru for the addition to Appendix II of the South American sea lion (*Otaria flavescens*) (proposal II/8) and the South American fur seal (*Arctocephalus australis*) (proposal II/9).

234. The representative of Norway said that those species merited more discussion and research. Populations were reported to be increasing and some changes in population size might be natural fluctuations attributable to such causes as the El Niño phenomenon; CMS should take a careful look at the criteria it applied, or it would find it difficult to know what species it should not list.

235. The Chair of the Scientific Council observed that figures for population changes had to be considered in the context of the absolute size of the population.

236. The representative of Uruguay supported the proposals by Peru, with the proviso that Uruguay's Atlantic population of the South American fur seal was non-migratory, in that there was no cyclical pattern to their movements, and the populations were in any case protected and did not face any serious threat. The representative of Argentina said that his country supported the proposals in general terms but reserved the right to comment further when a translation of the relevant documents was available.

237. The Committee agreed to forward the proposal with the recommendation of the Scientific Council to the plenary.

5. Manatee

238. The Appointed Councillor said that the Scientific Council supported proposals for additional Appendix II listings by Ghana for the West African manatee (*Trichechus senegalensis*) (proposal II/10) and by Peru for the Amazonian manatee (*Trichechus inunguis*) (Proposal II/11). If the Council had received a proposal to add the West African manatee to Appendix I it would probably have supported it, and the Council looked forward to the possibility that it would receive such a proposal in the future.

239. The Committee agreed to forward the proposal with the recommendation of the Scientific Council to the plenary.

6. Gangetic river dolphin

240. The representative of India drew the attention of the Committee to the fact that, while the Gangetic river dolphin (*Platanista gangetica gangetica*) was referred to in the report of the 11th Meeting of the Scientific Council (UNEP/CMS/Conf.7.17) as a possible future listing, its conservation need was urgent. He apologized to the Committee for the fact that a proposal from India to list the Gangetic river dolphin had been presented too late for consideration by the current meeting of the Conference of the Parties, but the Scientific Council had been consulted during the drafting. Listing the species could encourage two non-Parties to subscribe to the Convention. The Committee agreed that the belated proposal should be circulated as an information document, and agreed also to hear advice from the Secretariat at a later stage as to whether the Rules of Procedure would allow further action. The representative of Bangladesh expressed support for the inclusion of the Gangetic river dolphin in Appendix II.

241. The Committee of the Whole returned to the subject of the Gangetic river dolphin at its 7th session, on 23 September. The representative of India reminded the Committee of the urgent need for conservation of the species and the benefits of listing it in Appendix I of the Convention.

242. The Executive Secretary referred to rule 11 of the Rules of Procedure for the Seventh Meeting of the Conference of the Parties (UNEP/CMS/Conf.7.4 (Rev.1)) and said that if the Conference of the Parties was overly-strict in the application of the rule, CMS could be criticised for standing aside for merely formal reasons while a species became extinct. He said that the somewhat ambiguous wording of the rule appeared to allow sufficient flexibility for the proposal (UNEP/CMS/Conf.7/Inf.29) to be considered by the current meeting of the Conference of the Parties.

243. The Chair of the Scientific Council said that the Scientific Council had discussed the drafting of a proposal for the Gangetic river dolphin at its 9th and 10th meetings, and had recognised that the threat to the species was very high. Addition of the species to Appendix I of the Convention had the full support of the Scientific Council.

244. The proposal was supported by the representative of Norway, the observers for Nepal and Bangladesh and the observer for the Whale and Dolphin Conservation Society. The Committee agreed to forward the proposal to add the Gangetic river dolphin to Appendix I to the plenary for endorsement.

245. The Committee also requested the Standing Committee to examine rule 11 of the Rules of Procedure and possibly to present a clarification for consideration by the Conference of the Parties at its Eighth Meeting.

B. Terrestrial mammals

246. The representative of Belgium, speaking on behalf of the Scientific Council's Working Group on Terrestrial Mammals, introduced the proposal approved by the Council to add the Wild or Bactrian camel (*Camelus bactrianus*) to Appendix I of the Convention (proposal I/7) and four other Asian species to Appendix II (proposals II/12 to II/15). The Committee agreed to forward the proposals to the plenary for approval.

C. Birds

247. The observer for BirdLife International, who had been recommended to become an appointed member of the Scientific Council, introduced proposals to add 15 species of birds to Appendix I (proposals I/8 to I/21) and four species to Appendix II (proposals II/16 to II/20).

248. He noted that, through a misunderstanding the documents circulated made it appear that the Perico macareno or Grey-cheeked parakeet (*Brotogeris pyrrhopterus*) was being proposed for Appendix II, but in fact it was proposed for Appendix I.

249. The observer from Zimbabwe challenged the proposal by Senegal (proposal II/20) to list in Appendix II the Turtle dove (*Streptopelia turtur turtur*), a popular game and food bird which, he said, was hunted and trapped in huge numbers all over Africa.

250. The representative of Norway said this was a truly common species and recommended that the proposal should be withdrawn. The representative of Morocco said the bird was once considered a pest, and the representative of Egypt said it still was.

251. The representative of Hungary said the bird was threatened by hunting, while the representative of Spain said that even hunters' associations recognised that the species was in steep decline. The representative of Senegal said that the fact that a bird was good to eat should not be an argument against protecting it. The representative of France said that other bodies were acting to conserve the species.

252. The Committee agreed to forward the proposals to the plenary, noting that reservations had been made concerning the proposal for the turtle dove.

Adoption of amendments to Appendices I and II of the Convention

D. Cetaceans

253. At the final plenary session, on 24 September, the Conference of the Parties had before it the summary of the proposals for amendment of Appendices I and II of the Convention contained in document UNEP/CMS/Conf.7.12 Annex (Rev.1).

254. Proposals I/1, I/2 and I/5 by Australia to list the Antarctic minke whale (*Balaenoptera bonaerensis*), Bryde's whale (*Balaenoptera edeni*) and the Pygmy right whale (*Caperea marginata*) on Appendix I had been withdrawn by the proponent, leaving the three large whale species proposed for listing on Appendix II under proposals II/1, II/2 and II/5.

255. In that connection, the representative of Norway made the following statement:

"Norway has stated her case, of which we are certain. Nevertheless, as there are serious misconceptions about the Norwegian policy on whales and whaling, allow us first to attempt to clear up some of these misconceptions.

"Many stories are told about Norwegian whaling, but let me assure you that none of the species before us and contained in the Australian proposal has any interest for Norwegian whaling. I repeat, we do not catch or plan to catch any of these species. Our objections then are on two grounds: for one, the scientific basis for the proposals is non-existent, even if we allow a wide margin for the precautionary principle. Allow me to remind the assembly that Norway fought long and hard for that principle during the World Summit on Sustainable Development in Johannesburg recently, and in the teeth of harsh opposition from some quarters.

“The second reason for our opposition to the proposal is that it will lead to duplication of work, as other organizations and forums, notably IWC, are in fact better placed to deal with the whole problem of whales and whaling. Therefore we cannot accept the proposal.”

256. The representative of Denmark made the following statement in respect of cetacean species in general and the Fin whale (*Balaenoptera physalus*), Sei whale (*Balaenoptera borealis*) and Sperm whale (*Physeter macrocephalus* [catodon]) in particular:

“Denmark, in the question of listing of Fin Whale, Sei Whale and Sperm Whale for Appendix I, has attached much importance to obtaining consensus among European Union member States on the subject.

“Further, Denmark fully recognizes the conservation needs of cetaceans and therefore supports the inclusion of the six whale species concerned and the killer whale in Appendix II.

“However, the opinion of Denmark is that the listing on Appendix I of the Bonn Convention does not add any further protection of the taxa as they are already protected by the IWC, including under the moratorium of 1982, which entered into force in 1986.

“On matters of importance for Greenland and the Faroe Islands, Denmark consults with their Governments. Denmark would like to present the position of our North Atlantic partners with regard to listing on Appendices I and II for the whale species.

“The Greenland Home Rule Government, although not covered by CMS, is opposing the proposed listing of the great whales on Appendix I. The Greenland Government has expressed the same position as Denmark concerning the inclusion of the whale species on Appendix II.

“Denmark wishes to point out that its support for the proposals to list cetacean species on Appendices I and II does not apply to the Faroe Islands. Denmark will therefore lodge a formal territorial reservation to these listings on behalf of the Faroe Islands.

“It is pointed out by the Faroe Islands that management of cetaceans in Faroese waters is the responsibility of the Home Rule authorities of the Faroe Islands. The authorities of the Faroe Islands are of the view that the proposals to list these species on Appendices I and II of the Bonn Convention are not scientifically justifiable or necessary for conservation purposes, given that these species are covered under existing global and regional bodies for the management and conservation of cetaceans.”

257. It was clarified that the position of Denmark was to support the amendment proposals of Australia, but to enter a reservation in relation to Faeroese Islands waters.

258. The representative of Australia then made the following statement:

“Australia will focus on the numerous threats that are adversely impacting upon populations of these great whales. I will not address the impact of hunting on the great whales as that is a discussion best had in meetings of the International Whaling Commission. However there are many other threats that should be discussed.

“I will not provide detail on the biology of the whales, as this has been discussed at length in the Scientific Council. I wish to note that all the species of great whales proposed by Australia share many biological characteristics that make them especially deserving of action under CMS.

“They are highly migratory – travelling large distances between critical feeding and breeding habitats.

“Put simply, the great whales are among those species least well adapted to respond to rapid change in their environment. They are also not equipped to rebound easily or quickly from sudden declines in population numbers or detrimental impacts on their environment due to a range of ever increasing anthropogenic marine related activities.

“The increasing volume of marine debris threatens species. Substantial volumes of rubbish have been found in the stomachs of stranded whales. And as has only just recently been demonstrated in Australia waters, along with entanglements in fishing gear, shark control programmes such as beach netting also cause life-threatening entanglements.

“Other forms of pollution in our oceans are also having, or have the potential to have, adverse impacts on great whales. Chemical pollution, such as that caused by persistent organic pollutants, is an increasing threat. Reproductive and immune system dysfunctions are likely consequences of chemical pollution. We also simply do not know enough about all possible impacts from underwater noise pollution from both industrial sources such as seismic exploration for oil and gas, and noises from military activities.

“Australia noted with concern the findings of the Scientific Council at its meeting last week that the Northern Hemisphere Right Whale is increasingly susceptible to mortalities from collisions with ships. As shipping continues to increase on the oceans, with faster and bigger vessels, we can expect that other species of great whales may also become increasingly threatened.

“Global environmental change such as climate change, along with ozone depletion which is a particular problem in the Southern Hemisphere, are beginning to impact adversely on the great whales. Climate change appears to be related to large-scale reductions in sea ice in the Southern Ocean and thus may have interfered with feeding patterns, as well as possibly altering the geographic ranges, and even migration patterns of those species of great whales that journey to and from the Antarctic waters.

“Nothing in the evolutionary history of the whales has prepared them for the current rate of change in their environment.

“Australia believes that the International Whaling Commission has primacy to mitigate threats arising from whaling. CITES addresses threats arising from trade in great whale products. Other organizations such as CBD also provide some protection for great whales.

“But CMS has an important and complementary role to play in creating an integrated approach to ensuring the ongoing survival of great whales. CMS uniquely targets action related to the migrations of great whales. And CMS provides an opportunity to increase the participation of smaller or developing nations in actions to protect migratory species, such as the great whales, through the development of article IV arrangements.

“I am therefore pleased to inform this Conference of the Parties that once the great whales are successfully listed on Appendix II today, Australia will commence discussions with our South Pacific neighbours as a matter of priority, with the intention to develop a memorandum of understanding on the conservation and management of all CMS-listed marine mammals to be found at various times during their migrations in the South Pacific region.

“Such a memorandum of understanding would be the first South Pacific regional initiative to specifically address non-avian migratory species conservation under CMS. As such it will provide a tremendous opportunity to engage the small island developing countries of the South Pacific in regional and international cooperative conservation efforts and increase awareness of our Convention.

“We believe there are compelling reasons why the Conference of the Parties should support our proposals. And we believe that many others here today also share our concerns.

“Australia thus strongly encourages this Conference of the Parties to support the inclusion of Fin, Sei and Sperm Whales on Appendices I and II and the inclusion of the Antarctic Minke, Bryde’s and Pygmy Right Whales on Appendix II at this time”.

259. An observer for the Whale and Dolphin Conservation Society reported that for the first time in more than a century, a Northern right whale calf had been sighted in the eastern North Pacific; the sighting might be taken as a signpost that the current meeting was the time and the place for international acknowledgement of the large and complex range of threats which the whale species faced. Whereas certain other bodies did have some competence in respect of threats to whales, no other international body had adequately addressed them. Many relevant conservation organizations, such as the World Wide Fund for Nature, the International Fund for Animal Welfare, Greenpeace and the Whale and Dolphin Conservation Society itself, continued to urge Parties to support Australia’s proposals.

260. The observer for ACCOBAMS expressed support for Australia’s original proposals for listing the whale species on Appendix I. However, the ACCOBAMS States Parties would join the consensus.

261. The representative of Norway stated that Norway objected to the Australian proposals in their entirety but concluded as follows:

“We realize that the mood of the room is unanimously in favour of the Australian proposal, and that we find ourselves in a minority of one. Important as it is for us to oppose the proposal, it is equally important that we stay within the philosophy of consensus within the Convention. We will therefore refrain from putting the proposal and our disagreement with it to the vote. We simply agree to disagree, thus respecting consensus decisions. We will however, ask that our disagreement be duly recorded in the report of the plenary session, and of course also in the proceedings of the seventh meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals.”

E. European turtle dove (*Streptopelia turtur turtur*)

262. The representative of Mali explained that he supported listing of the species in Appendix II, and recommended that work should be undertaken to permit cooperative actions on the species with Senegal and other countries, which could allow for better knowledge of the species and the dangers it faced. His country was prepared to apply all appropriate measures for the national management of dove species, including the Turtle dove, until there was evidence to the contrary.

263. Concerning cooperative actions among the Range States of the species, the representative of Morocco requested that the CMS Secretariat should provide support for the countries concerned to permit the preparation of a detailed report, for submission to the Eighth Meeting of the Conference of the Parties. The report could set out in detail the conservation status of the species on an international scale, and examine possible cooperation measures to maintain a favourable conservation status which, if necessary, could be combined into a memorandum of understanding.

264. The representative of France pointed out that such a course would represent the development of cooperative follow-up action for the species, and she hoped that all the Range States were in agreement on the need to have such cooperative actions, in line with its listing in Appendix II.

265. Concluding the debate on this agenda item, the Chair invited the Conference to adopt the proposals for amendment of Appendices I and II of the Convention, as summarised in the annex to document UNEP/CMS/Conf.7.12 (Rev.1). The proposals were then adopted by acclamation.

XIII. FINANCIAL AND ADMINISTRATIVE ARRANGEMENTS (Item 13)

266. The Committee of the Whole took up consideration of the above item of its agenda at its 3rd session, on 19 September. Introducing the item, the Deputy Executive Secretary drew attention to the pre-session documents on the subject, UNEP/CMS/Conf.7.13.1, Corrigendum, of 27 June 2002, and UNEP/CMS/Conf.7.13.1, Addendum (Rev.1), of 17 September 2002. Addressing the first of those reports, he said that the Secretariat had circulated the draft of the budget in June 2002. The draft followed the same format as for the draft budget presented to the Sixth Meeting of the Conference of the Parties and as used by other conventions. The Secretariat's work programme was divided into five functional units: Executive Direction and Management; Agreement Development and Servicing; Information and Capacity-building; Scientific and Technical Support; and Administration, Finance and Project Management. Annex 2 of the document set out an explanatory note to justify the increase in the budget.

267. He emphasised that a large part of the apparent increase in the budget was attributable to the fact that the activities for implementation measures, Agreement development and conservation measures were, for reasons of transparency, appearing in the core budget of the Convention instead of being subsumed under the Trust Fund, as had previously been the case. One additional Professional staff post was being requested as of 2003, to enable recruitment of an Inter-agency Liaison officer – a post which had been foreseen in the medium-term plan adopted by the Sixth Meeting of the Conference of the Parties, though only from 2005. A job description for the position was available.

268. In addition, two junior professional officer posts had provisionally been costed in the draft budget, but the respective budget lines would become zero if a firm commitment was made at the current meeting for the provision of two such officers to the Secretariat gratis. The budget proposal took into consideration normal salary increments, inflation and exchange rate fluctuations. The total resource requirements for the triennium showed an overall increase of 38 per cent, in large measure as a result of the inclusion of the activities for implementation measures, Agreement development and conservation measures.

269. The annual contributions of the Parties were summarised in Annex 4 of document UNEP/CMS/Conf.7.13.1, Corrigendum, and were based on the revised United Nations scale of assessment for the year 2003. The Secretariat proposed a withdrawal from the Trust Fund to offset the increase in Parties' contributions. In addition, the Conference of the Parties might wish to consider separately the practice normally adopted by a number of other international bodies to establish minimum levels of contributions for the entire triennium, rather than annually, or to waive small contributions altogether in order to economise on the resources otherwise expended to collect them.

270. He emphasized that Annexes 1 (a) on implementation measures, 1 (b) on agreement development, and 1 (c) on conservation measures, were indicative only, and should be reviewed by the Working Group on the Strategic Plan and in the light of further initiatives to be agreed by the Conference of the Parties. Indeed, Annex 1 (c) had already been superseded by the work of the recent 11th meeting of the Scientific Council.

271. Turning to part I of document UNEP/CMS/Conf.7.13.1, Addendum, he drew attention to the customary requested action whereby, in order to provide for continued financial support for the Convention, the Conference of the Parties was invited to request the extension of the Trust Fund administered by UNEP through to 31 December 2005. Annex 1 of the document showed the status of contributions of Parties to the Trust Fund. A number of Parties had paid in full, 21 Parties had not made any contribution to the Fund over the years, and 24 had made partial payments. He noted that the Secretariat would review all the payments received from Parties and update and reissue Annex 1 of the document in the course of the current meeting. The revised Annex was included in UNEP/CMS/Conf.7.13.1, Addendum (Rev.1).

272. Annex 2 showed the status of the Trust Fund as at 31 August 2002, at which time there had been a balance of around \$3.4 million, not including the special withdrawal of \$700,000 from the Fund for implementation and conservation measures. Thus, some \$2.7 million was left in the Fund after commitments through to the end of the year. It was possible that that figure would increase as outstanding contributions

were paid. However, there was a provision that the Trust Fund had to maintain an operational reserve amounting to six months' expenditure on the 2002 approved budget for CMS, namely, \$900,000. In addition, CMS was obliged to retain a Trust Fund reserve for possible shortfalls in the Agreements under CMS. That amounted to \$350,000 for AEWA; \$80,000 for ASCOBANS; and \$90,000 for EUROBATS. Thus, \$1.5 million was needed in the Trust Fund reserve. Of the remainder, a total of \$840,000 was proposed to offset the increase in Trust Fund contributions.

273. Annex 3 of document UNEP/CMS/Conf.7.13.1, addendum (Rev.1), contained the official statement of income and expenditure for 2001 provided by the Budget and Financial Management Service of UNON. Annex 4 contained an unofficial comparison, prepared by the Secretariat, of the 2001-2002 approved budget versus actual expenditures. Some figures in that Annex had been extrapolated until the end of the year. The apparent underspend of around \$435,000 was explained in the notes to that annex, where it was stated that a significant part of the divergence resulted from vacant posts in the Secretariat during the biennium. Annex 5 of the document set out the earmarked counterpart contributions received. The Deputy Executive Secretary expressed gratitude and great appreciation for all the contributions and pledges made.

274. Denmark, speaking on behalf of the member States of the European Community, expressed appreciation for the efforts made by the Secretariat to prepare a draft budget for the financial period 2003-2005 and said that it was his overall view that the budget should reflect the level of activity decided by the Conference of the Parties. It was important for the successful implementation of the Convention and the regional agreements concluded under the Convention that the Secretariat be given appropriate resources. However, in general, he considered the proposed increase in the budget to be unrealistically high. It was essential to set up clear priorities. He appreciated the efforts to strengthen the joint implementation and synergies with closely related agencies and was willing to discuss proposals to that effect. However, he was reluctant to prioritise the creation of new posts in the Secretariat at the expense of the financing of projects related to conservation measures and other priority areas.

275. He was aware that the increase in the budget partly stemmed from the fact that proposed projects on implementation measures, Agreement development and conservation measures were incorporated in the budget, and appreciated the transparency of that approach. He noted that a considerable part of the expenditures would involve the Trust Fund reserve. The status and possible development of the Trust Fund reserve would be evaluated.

276. Several representatives expressed a wish for a working group to be established to examine a number of questions in detail, including issues of use of the Trust Fund reserve, the funding of new Parties, the priorities of CMS, and the legal background and justification for the Fund's need to maintain a reserve for the CMS Agreement Secretariats.

277. The Executive Secretary said that the relevant resolutions governing the terms of reference of the budgets of the Agreement secretariats had been clarified in agreement with UNON, to the effect that, where the Agreements encountered problems in obtaining funding from their Parties, the Trust Fund of CMS was required to give guarantees for *inter alia* their personnel costs.

278. The Conference of the Parties established an open-ended Working Group on Financial and Administrative Matters, chaired by the United Kingdom, with a mandate to consider the draft budget and other administrative arrangements and to report to the Conference on the results of its deliberations.

Resolution 7.7: Financial and Administrative Arrangements⁹

279. At the 7th session of the Committee of the Whole, on 23 September, a status report on the work of the Working Group on Financial and Administrative Matters was provided by the Chair of the Working Group. The Working Group had met on Friday, 20 September, to consider the budget proposed by the Secretariat.

⁹ Subsequently renumbered by the Secretariat as Resolution 7.11.

The Working Group considered that the level of increase was too high, and had received explanations from the Secretariat giving the historical background and comparisons to the budgets of other convention Secretariats, and describing the efforts that had been made to reduce the proposed budget.

280. At its 10th session, on 24 September, the Committee of the Whole took up consideration of draft resolution 7.7 on financial and administrative matters. In its deliberations, the Committee had before it the draft resolution, contained in document UNEP/CMS/Res.7.7, as well as a document containing revisions to Annexes 1, 2 and 3 of draft resolution 7.7, and a revision 2 to Annex 1 of the draft resolution.

281. The representative of the United Kingdom, as Chair of the Working Group on Financial and Administrative Matters, reported that the Working Group had met five times between Friday, 20 September and Tuesday, 24 September. The United Kingdom had been elected to the Chair, with Australia as Rapporteur. The following Parties had been represented at various stages during the Working Group's deliberations: Argentina, Belgium, Denmark, Egypt, France, Germany, Netherlands, Nigeria, Norway, Poland, Switzerland and Uganda. BirdLife International had participated as an observer.

282. Members of the Working Group, while recognising that the Secretariat needed adequate resources to implement the strategies and programmes decided by the Conference of the Parties, unanimously considered that the level of increase proposed by the Secretariat (42 per cent over the triennium) was too high. He acknowledged that the Secretariat had stressed that CMS employed a number of cost-saving measures, for instance, unlike other United Nations organizations, the use of economy instead of business-class air travel.

283. The Working Group asked the Secretariat to provide alternative budgets based on zero per cent growth and increases of 10 and 20 per cent. The Secretariat subsequently provided a revised budget based on a 16.5 per cent increase over the triennium, which formed the basis for the Working Group's discussions.

284. The Working Group noted the customary surplus under the CMS budget, with the result that the Trust Fund had grown considerably. The Working Group was confident that the reserves were adequate to meet demands, but in recognition of the departure from normal budgetary procedures, which would draw from those reserves, felt that the Standing Committee should monitor the Trust Fund carefully.

285. The Working Group recommended to the Conference of the Parties adoption of the budget as contained in appendix I to draft resolution 7.7, and outlined details of the key elements of the revisions.

286. In terms of executive direction and management, a new P-4 Interagency Liaison Officer post would be created, commencing in 2004, which should also provide more staff resources for regional development activities, particularly in Africa. The servicing of the Eighth Meeting of the Conference of the Parties and support to delegates to attend the meeting would be funded from the Trust Fund reserve. Lastly, the provision for regional meetings was reduced by \$10,000 per year, with note being made that the Secretariat could exercise some discretion in disbursement of the funds.

287. For development and servicing of agreements and scientific and technical support, \$10,000 per year was transferred from the budget line providing for matching funds for other species, to a newly created line for strategic planning within the Scientific Council.

288. For information and capacity-building, funding was not agreed for a P-2 position. At the same time, Parties were encouraged to provide a junior professional officer on a gratis basis. Funding for the Information Management Plan would be provided either through voluntary contributions and/or from surplus funds.

289. For administration, finance and project management, funding was not agreed for a P-2 position and Parties were encouraged to provide a junior professional officer on a gratis basis.

290. The Working Group had discussed the administrative cost, for both UNEP and the Parties concerned, of processing small contributions. It was agreed that any Party wishing to pay its contribution for the triennium in one instalment could contact the Secretariat, which would then advise the United Nations Office at Nairobi to issue a single invoice.

291. The Working Group recalled that at the Sixth Meeting of the Conference of the Parties, UNEP had agreed to examine the possibility of funding an administrative/finance assistant from the 13 per cent programme support costs. The Secretariat was requested to pursue the matter with UNEP.

292. During the deliberations of the Working Group, the representative of Argentina had expressed to the Group its very serious problems concerning the scale of assessment used by the Secretariat to establish Argentina's contribution for the years 2003 to 2005. Those contributions had been automatically based on the fixed percentage applied to Argentina by the United Nations for the last several years. The representative explained that the Government of Argentina had requested the United Nations Committee on Contributions to reduce the scale, taking into account the exceptional reduction in Argentina's financial capacity as a result of the severe economic crisis affecting the country. The Committee on Contributions had already recommended a reduction in the percentage to be paid by Argentina for 2003 from 1.149 per cent to 0.969 per cent.

293. The Working Group was of the view that the Conference of the Parties should address the special case of Argentina with a sympathetic attitude, similar to that taken regarding its arrears on the advice of the Standing Committee. It therefore recommended to leave open the possibility of adjusting the contributions of Argentina, in consideration of its reduced payment capacity and in accordance with such decisions as the General Assembly may adopt on Argentina's contribution for 2003 and subsequent years.

294. The representative of Norway considered that too much money was being taken from the Trust Fund and said he would have preferred a 10 per cent increase in the budget, shared among the Parties. He also would have preferred the funding for the Information Management Plan to be in the core budget.

295. The observer from Sierra Leone expressed disappointment that the junior professional officer position to assist the Range States of the western populations of the African elephant had not been filled and he hoped that CMS would continue to provide support for the conservation of those populations. Since 1992, the countries of the region had been working on a joint management plan and pursuing the preparation of a memorandum of understanding on the West African elephant. He appealed for support for the convening of a meeting of the Range States, or an activity within the framework of the regional meeting. The Deputy Executive Secretary explained that an allocation for meetings of Range States was contained in budget line 3320.

296. The Committee of the Whole approved draft resolution 7.7 on financial and administrative matters for transmission to plenary.

297. At its final plenary session, on 24 September, the Conference of the Parties considered draft resolution 7.7 on financial and administrative matters, contained in document UNEP/CMS/Res.7.7.

298. The representative of Argentina, reiterating the views expressed in the Working Group concerning the United Nations scale of assessment and the financial capacity of Argentina, stated that his Government reserved the right to seek a revision to the scale of contributions contained in appendix 2 to the draft resolution, in accordance with any future decisions by the competent United Nations bodies in terms of reducing the percentage assigned to Argentina for 2003 and the subsequent years.

299. The Conference of the Parties adopted Resolution 7.7 on financial and administrative matters, contained in Annex IX to the present document.

XIV. INSTITUTIONAL ARRANGEMENTS (Item 14)

300. The Committee of the Whole took up agenda item 14 on institutional arrangements at its 6th session, on 21 September.

A. Headquarters agreement and juridical personality

301. The Executive Secretary introduced documents UNEP/CMS/Conf.7.14.1 and UNEP/CMS/Inf.7.27 on the CMS headquarters agreement and juridical personality. He recalled that the headquarters agreement had been signed on the first day of the current meeting and said that the CMS staff now had the same legal status as other United Nations staff in Bonn. He noted that the agreement referred also to delegates visiting Germany on official business in relation to the Convention. The headquarters agreement was also intended to apply to staff of the secretariats of the CMS Agreements co-located in Bonn; for it to come into force required only a decision of their decision-making bodies. The action required of the Conference of the Parties was to take a formal decision to endorse the headquarters agreement, and a draft resolution would be submitted to the Parties for adoption.

302. In Resolution 6.9 (Cape Town, 1999), the Conference of the Parties had decided that the Convention Secretariat should possess in the host country the legal capacity necessary to conduct its business, and had raised the issue of the juridical personality of the Secretariat. The headquarters agreement, however, would address the issue of the juridical personality of the CMS Secretariat in Germany but not on an international basis. The Secretariat had therefore kept in contact with the other United Nations convention secretariats in Bonn. Those secretariats had not yet been able to follow up on the matter. The Executive Secretary therefore proposed that the meeting should postpone the matter and request the Secretariat to submit a report to the Conference of the Parties at its Eighth Meeting.

303. The Secretary of the EUROBATS Agreement, welcoming the headquarters agreement, noted that it also applied to the Agreement secretariats co-located in Bonn. Those secretariats would also undertake to have the headquarters agreement endorsed by their own Parties.

Resolution 7.8: Headquarters Agreement for and Juridical Personality of the Convention Secretariat¹⁰

304. At its 8th session, on 23 September, the Committee of the Whole considered document UNEP/CMS/Res.7.8, containing a draft resolution on the headquarters agreement and the juridical personality of the Convention Secretariat. Two amendments proposed by the representative of Germany were agreed.

305. At its 9th session, on 24 September, the Committee of the Whole considered the revised draft resolution (UNEP/CMS/Res.7.8/Rev.1) and endorsed it for adoption by the plenary.

306. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.8, on the headquarters agreement for and juridical personality of the Convention Secretariat, contained in Annex IX to the present document.

B. Co-location of agreement Secretariats

307. The Executive Secretary introduced document UNEP/CMS/Conf.7.14.2, on the co-location of agreement secretariats. At its Fourth Meeting, the Conference of the Parties had decided that efforts should be made to co-locate the Secretariats of the daughter agreements located in Europe with the CMS Secretariat in Bonn. The secretariats of ASCOBANS, AEWa and EUROBATS were now co-located and administratively integrated with the CMS Secretariat under the umbrella of UNEP. The four secretariats engaged in regular

¹⁰ Subsequently renumbered by the Secretariat as Resolution 7.13.

consultation and sought to achieve synergies whenever possible. While the ACCOBAMS Secretariat was not located in Bonn, cooperation and exchange of views and information between CMS and that secretariat was good.

308. Representatives welcomed the co-location of the secretariats in Bonn. It was acknowledged that upon entry into force of Agreement on the Conservation of Albatrosses and Petrels (ACAP), its secretariat, once created, should be based in the southern hemisphere, in line with the previous guidance of the Conference of the Parties, which had sought to co-locate European-based secretariats only.

309. Denmark, speaking on behalf of the member States of the European Community, expressed disappointment in the financial and administrative support provided to CMS by UNEP and the United Nations Office at Nairobi (UNON). In response, the representative of UNEP assured the meeting that the Executive Director of UNEP had decided that greater attention would be paid to CMS and its UN-administered Agreements, both administratively and substantively. Efforts would be made to recruit junior professional officers for both Bonn and Bangkok. The Executive Secretary welcomed the intention of UNEP to improve its support to CMS and said that some of the difficulties had already been resolved by the valuable support of a staff member who had been seconded from UNON to the CMS Secretariat for three months prior to the current meeting. He also recognized the difficulties that UNON itself had been facing as a result of the installation of new databases and recording systems mandated by United Nations Headquarters in New York. The representative of the United Kingdom welcomed the assurances and said that the improvements should be apparent before the meetings of ASCOBANS and EUROBATS in 2003.

C. Standing Committee

310. The Deputy Executive Secretary introduced to the Committee of the Whole document UNEP/CMS/Conf.7.14.3, on institutional arrangements for the Standing Committee. Given that the composition of the Committee had been revised at the Sixth Meeting of the Conference of the Parties, no further revision was being proposed. However, election to the Standing Committee of new members from Latin America and the Caribbean and Asia/Oceania, as well as election of alternates from all other regions, was required at the current meeting. The regional groups should consult among themselves to nominate members, at which time the item would be re-opened in the plenary for election of the new members.

311. At the final plenary session, in response to an invitation from the Chair for nominations for the Standing Committee, the following nominations were made for the five major geographical regions:

- (a) Africa: as agreed by the meeting of the African Ministerial Conference on the Environment, Kenya (member) and United Republic of Tanzania (alternate); Morocco (member) and Chad (alternate);
- (b) Americas and the Caribbean: Chile (member) and Peru (alternate);
- (c) Asia: Sri Lanka (member) and Saudi Arabia (alternate);
- (d) Europe: United Kingdom of Great Britain and Northern Ireland (member) and Monaco (alternate); Ukraine (member) and Hungary (alternate);
- (e) Oceania: Australia (member) and New Zealand (alternate).

312. Standing Committee members and alternates were invited to attend a short meeting immediately following the close of Plenary to decide on a Chair and Vice-Chair, and determine the timing of the Committee's next meeting. The report of that meeting is contained in Annex VI to the present document.

D. Scientific Council

Resolution 7.6: Institutional Arrangements – Scientific Council¹¹

313. At its 8th session, on 23 September, the Committee of the Whole considered document UNEP/CMS/Res.7.6, containing a draft resolution on institutional arrangements for the Scientific Council, that had been prepared by the Secretariat in consultation with the Chair of the Scientific Council, on the basis of the recommendations of the Council at its 11th meeting.

314. The Chair of the Scientific Council proposed an amendment to the effect that any additional expenses relating to the operations of the Council should not be funded from voluntary contributions alone, but from provisions in the core budget or surplus in the Trust Fund.

315. At its 9th session, on 24 September, the Committee of the Whole considered a revised draft resolution on institutional arrangements for the Scientific Council (UNEP/CMS/Res.7.6 (Rev.1)) which took into account the deliberations of the Working Group on Financial and Administrative Matters and endorsed it for adoption by the plenary.

316. At its final plenary session, on 24 September, the Conference of the Parties took up consideration of draft resolution 7.6 (UNEP/CMS/Res.7.6 (Rev.1)) on institutional arrangements for the Scientific Council. The Deputy Executive Secretary introduced the amendments that had been made to the draft resolution.

317. The Conference of the Parties adopted Resolution 7.6, contained in Annex IX to the present document.

318. The Conference of the Parties also endorsed by acclamation the appointment of Mr. John O'Sullivan (United Kingdom) as the Appointed Councillor for Birds.

XV. REPORTS OF SESSIONAL COMMITTEES (Item 15)

319. Apart from the Credentials Committee, the report of which is covered under item 10, there were no sessional committees established by the Conference of the Parties at its Seventh Meeting.

XVI. ADOPTION OF RESOLUTIONS AND RECOMMENDATIONS AND AMENDMENTS TO APPENDICES I AND II (Item 16)

Consideration and adoption of resolutions and recommendations

320. At its Seventh Meeting, the Conference of the Parties adopted 15 resolutions and 7 recommendations, which are contained in Annex IX and Annex X, respectively, to the present document. The record of the deliberations of the Committee of the Whole and the plenary on the resolutions and recommendations can be found under the respective agenda items of this report, where appropriate.

321. A number of resolutions and recommendations were adopted on general threats to migratory species and on species and groups of species not otherwise considered for specific action under CMS Appendices I and II. A drafting group, chaired by the United Kingdom, was established to finalise some of the texts of draft resolutions and recommendations for subsequent adoption in plenary session.

322. At the 7th session of the Committee of the Whole, on 23 September, the Chair of the Drafting Group presented a report on its work, which concerned resolutions 7.10, 7.11, 7.12 and 7.13. It had also briefly reviewed draft resolution 7.14. Details of the work of the Drafting Group in that respect are recorded under the individual resolutions, as set out below.

¹¹ Subsequently renumbered by the Secretariat as Resolution 7.12.

Resolution 7.10: Impact Assessment and Migratory Species¹²

323. At the 6th session of the Committee of the Whole, on 22 September, the observer from BirdLife International introduced document UNEP/CMS/Conf.7.16 and draft resolution UNEP/CMS/Res.7.10 on environmental impact assessment in respect of migratory species, which had been prepared by that organization and sponsored by Kenya and Hungary. Whereas environmental impact assessments were fundamental to the Convention and its daughter Agreements, and to other decision-making regimes, assessments of impacts on biodiversity were their least satisfactory aspect; Parties had expressed the need for information about such aspects and for guidelines, including guidelines on good practice. The draft resolution therefore offered a statement of principles which should be adhered to at the international level. He stressed that CMS must build on the work done under CBD, and noted that BirdLife International had therefore followed CBD guidelines in preparing the draft resolution. One representative suggested that in connecting the work of CMS with the other biodiversity conventions and vice versa, the Secretariat must work also with the Secretariat of the United Nations Framework Convention on Climate Change.

324. The Appointed Councillor for Neotropical Fauna stressed the importance of environmental impact assessments and said that such assessments must cover all new installations before they were extended to cover existing ones.

325. At the 7th session of the Committee of the Whole, on 23 September, the Chair of the Drafting Group reported that the Group had introduced only minor amendments to resolution 7.10.

326. At its 9th session, on 24 September, the Committee of the Whole considered the revised draft resolution 7.10 (UNEP/CMS/Res.7.10 (Rev.1)) on impact assessment and migratory species, and endorsed it, with one minor correction, for adoption by the plenary.

327. At its final plenary session, on 24 September, the Conference of the Parties took up consideration of draft resolution 7.10 (UNEP/CMS/Res.7.10 (Rev.1)) on impact assessment and migratory species. After the Deputy Executive Secretary introduced technical correction to the draft resolution, the Conference of the Parties adopted Resolution 7.10, on impact assessment and migratory species, as contained in Annex IX to the present document.

Resolution 7.11: Oil Pollution and Migratory Species¹³

328. At the 6th session of the Committee of the Whole, the representative of Germany introduced draft resolution UNEP/CMS/Res.7.11 on offshore oil pollution and migratory species submitted by his Government. Some participants suggested that the scope of the draft resolution on oil pollution should be expanded to cover the marine environment generally.

329. It was stressed that the problem was not just one of accidental spills but ongoing, chronic problems also. All States must put in place, and then enforce and monitor, legislation to combat activities such as the washing out of oil tanks at sea, and littoral States must be prepared and ready to act together in the event of a spill. The importance of working with the industry was stressed. Representatives of two African countries noted the importance of work, in respect of oil pollution and the hazards of ongoing pollution resulting from offshore oil exploration and extraction, under the Abidjan Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region and its Protocol concerning Cooperation in Combating Pollution in Cases of Emergency. An expert from South Africa, an observer for BirdLife International, undertook to make available to CMS its experience with oil pollution and power-line electrocution, and with mitigation measures for both.

¹² Subsequently renumbered by the Secretariat as Resolution 7.2.

¹³ Subsequently renumbered by the Secretariat as Resolution 7.3.

330. At the 7th session of the Committee of the Whole, on 23 September, the Chair of the Drafting Group reported that draft resolution 7.11 had been amended by the Group to reflect the interventions made during the plenary, as well as the view of the Chair of the Scientific Council, to the effect that all oil pollution should be included.

331. At its 9th session, on 24 September, the Committee of the Whole took up consideration of the revised version of draft resolution 7.11 (UNEP/CMS/7.11 (Rev.1)). The representative of India proposed a change to the operative paragraphs calling on the Parties to encourage industry to pay for any environmental damage for which it was responsible. The representative of the United Kingdom was unable to support the suggested wording, but was supportive of the principle and suggested alternative text, which was accepted by the meeting. The meeting also considered appropriate wording to reflect the need to limit oil pollution in the habitats of migratory species. Wording suggested by the representative of Denmark, and amended by India, was agreed for inclusion in the draft resolution to be submitted to the plenary. In addition, the inclusion of a reference to wastes arising out of crude and refined oil was agreed.

332. Although not agreed by the meeting, the representative for Bulgaria expressed his opinion that all qualifying statements such as “*where appropriate and where necessary*” should be deleted from the draft resolution, as these reduced the motivation for Parties to take the envisaged action.

333. The draft resolution, as orally amended, was endorsed for adoption by the plenary.

334. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.11, as orally amended, on oil pollution and migratory species, contained in Annex IX to the present document.

Resolution 7.12: Electrocution of Migratory Birds¹⁴

335. At the 6th session of the Committee of the Whole, on 22 September, the representative of Germany introduced draft resolution UNEP/CMS/Res.7.12 on electrocution of migratory bird species submitted by his Government. It was suggested that the scope of the draft resolution should be expanded to include the issue of collision of migratory bird species with power lines.

336. The observer from Zimbabwe reported that certain power utilities, particularly in Africa, were continuing to construct medium-voltage “killer” power lines even though the solution – placing the insulators and cables underneath the cross-bar rather than above – was so simple. He recommended targeting pressure on the financial backers of the utilities in question, who were more sensitive to “green” pressure. There was a need also to share best practice. Some species were at greater risk from electrocution, others at greater risk from collision. One African representative stressed that to minimise costs, the choice of where to begin retrofitting existing installations had to be prioritised, and national Governments must be provided with information on flyways. The importance of working with the industry was stressed. An expert from South Africa, an observer for BirdLife International, said that the experience of his country in terms of power-line electrocution and related mitigation measures would be made available to CMS. The Appointed Councillor for Neotropical Fauna stressed the importance of environmental impact assessments in approving and siting new power lines.

337. At the 7th session of the Committee of the Whole, on 23 September, the Chair of the Drafting Group reported that some changes had been introduced to draft resolution 7.12 to reflect an overall lower level of knowledge on collisions. However, the main substance of the draft resolution remained on electrocution.

338. The Committee of the Whole took up consideration of a revised version of draft resolution 7.12 (UNEP/CMS/Res.7.12 (Rev.1)) at its 9th session, on 24 September. The observer from Zimbabwe said he was disappointed that the drafting group had not taken fully into account comments made

¹⁴ Subsequently renumbered by the Secretariat as Resolution 7.4.

earlier in the current meeting about related dangers to birds from collisions with high-voltage transmission lines, with railway power lines and with utility poles.

339. The representative of Germany said that his country had found that it was comparatively easy to get the electricity industry to adopt the measures being recommended to make medium-voltage transmission lines safe for migratory birds. It was a matter of strategy that the drafting group, basing itself on a majority of the delegates who had spoken on the subject, felt CMS would be most effective at the current stage by focusing mainly on the issue of electrocution.

340. The representative of India suggested that explicit reference should be made to high-voltage transmission lines. However, the representative of Germany said that he understood that electrocution occurred only with medium-voltage and not with high-voltage transmission lines.

341. The draft resolution was endorsed by the Committee, as orally amended, for adoption by the plenary.

342. During the 10th session of the Committee of the Whole, on 24 September, the representative of India stated that he wished the report to reflect his view that the migratory paths of birds should ideally be taken into account by the power companies and authorities when deciding on sites for the location of power transmission lines. He acknowledged that, for practical reasons, such a course of action might not be feasible.

343. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.12, on electrocution of migratory birds, contained in Annex IX to the present document

Resolution 7.13: Wind Turbines and Migratory Species¹⁵

344. At the 6th session of the Committee of the Whole, on 22 September, the representative of Germany introduced draft resolution UNEP/CMS/Res.7.13 on offshore wind turbines and migratory species submitted by his Government. It was suggested that the scope of the draft resolution should be extended to cover wind turbines onshore and world wide.

345. The Appointed Councillor for Neotropical Fauna said that, as for power lines, it was important to carry out environmental impact assessments before approving and siting new wind turbines. The representative of Bulgaria requested assistance in assessing proposed wind turbines on the Via Pontica flyway over the western Black Sea littoral.

346. At the 7th session of the Committee of the Whole, on 23 September, the Chair of the Drafting Group reported that draft resolution 7.13 had been amended (UNEP/CMS/Res.7.13(Rev.1) to reflect the views expressed that all types of wind turbines should be included.

347. At the 9th session of the Committee of the Whole, on 24 September, the representative of the Netherlands spoke against the proposal to call on Parties to take a step-by-step approach to the construction of offshore wind parks, limiting the numbers constructed until the impact on migratory birds had been thoroughly assessed. He said there were still differing views about the effects on migratory birds of wind turbines, and studies so far did not demonstrate any real impact. There was a danger that the draft resolution, if fully applied, could halt the development of that form of renewable energy. The representative of the United Kingdom supported the view of the Netherlands. An amendment calling for Parties to take environmental impact data into account, monitoring information as it emerged, and also taking into account experience provided through the spatial planning process, was agreed, in addition to other amendments, allowing the Committee to endorse the resolution for adoption by the Plenary.

348. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.13, as orally amended, on wind turbines and migratory species, contained in Annex IX to the present document.

¹⁵ Subsequently renumbered by the Secretariat as Resolution 7.5.

Resolution 7.14: Implications of the World Summit on Sustainable Development for CMS¹⁶

349. At the 6th session of the Committee of the Whole, on 23 September, the Deputy Executive Secretary introduced draft resolution UNEP/CMS/Res.7.14 on the implications of the World Summit on Sustainable Development for CMS, which had been drafted by the Secretariat in recognition of the need to incorporate the outcome of the Johannesburg Summit into the Strategic Plan.

350. The Chair of the Working Group on the Strategic Plan introduced a number of oral amendments, which were agreed.

351. At the 7th session of the Committee of the Whole, the Chair of the Drafting Group reported that draft resolution 7.14 on implications for CMS of the World Summit on Sustainable Development had been briefly reviewed by the Drafting Group.

352. At its 9th session, on 24 September, the Committee of the Whole considered the revised draft resolution (UNEP/CMS/Res.7.14 (Rev.1)) and endorsed it for adoption by the plenary.

353. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.14, on implications of the World Summit on Sustainable Development for CMS, contained in Annex IX to the present document

Resolution 7.15: Future Action on the Antarctic minke, Bryde's and Pygmy Right Whales Under the Convention on Migratory Species

354. At its 9th session, on 24 September, the Committee of the Whole endorsed draft resolution 7.15 submitted by Australia (UNEP/CMS/Res.7.15 (Rev.1)) on future action on the Antarctic minke, Bryde's and Pygmy right whales under CMS for adoption by the plenary.

355. At its final plenary session, on 24 September, the Conference of the Parties took up consideration of draft resolution 7.15 (UNEP/CMS/Res.7.15 (Rev.1)). The Conference of the Parties adopted Resolution 7.15 on future action on the Antarctic minke, Bryde's and Pygmy right whales under CMS, contained in Annex IX to the present document.

Recommendation 7.2: Implementation of Resolution 6.2 on By-catch

356. At the 6th session of the Committee of the Whole, on 22 September, the Chair of the Scientific Council introduced the recommendations of the Scientific Council concerning by-catch, contained in Annex VIII to the report of the Scientific Council (UNEP/CMS/Conf.7.17). That some species on the CMS Appendices were moving from by-catch to directed catch was a particularly worrying development. The representative of Australia highlighted the significance of "ghost" fishing by lost and discarded fishing gear and explained that the purpose of the recommendation was to focus activities, given that the results of Resolution 6.2 had not lived up to expectations. Denmark, speaking on behalf of the European Community and its member States, informed the meeting that the Scientific, Technical and Economic Committee for Fisheries of the European Commission was proposing by-catch mitigation measures to the European Parliament. However, more emphasis must be placed on working with the industry, and with regional fisheries bodies, to find solutions. The observer for Sierra Leone pointed to the problem of waste in artisanal fisheries through spoilage as a result of the lack of storage facilities. Also, monitoring work was expensive and time-consuming, so there was a need for capacity-building. The representative of Australia detailed that country's new, strict legislation requiring by-catch action plans for each fishery which would include mitigation and information-gathering measures; the strategic assessment of all fisheries; recovery plans for marine turtles (pending) and albatrosses and petrels; and dugong protection areas, around the Great Barrier Reef, from which fisheries were effectively

¹⁶ Subsequently renumbered by the Secretariat as Resolution 7.10.

excluded. It was pointed out that for species such as the Northern right whale (*Eubalaena glacialis*), ship collisions were a greater hazard than by-catch, and that some cetaceans could be badly affected by noise pollution.

357. At its 9th session, on 24 September, the Committee of the Whole considered draft recommendation 7.2 (UNEP/CMS/Rec.7.2), which had been prepared by a Scientific Council Working Group in collaboration with the Secretariat. The representative of Denmark on behalf of the member States of the European Community, proposed that the words “*greatest threats*” in the first preambular paragraph should be replaced by the words “*major causes of mortality*”; and that, in the introductory lines of operative paragraph 1, the words “*in particular*” should be deleted and the words “*as appropriate*” inserted after the words “*organizations and agreements*”. The draft resolution, as orally amended, was endorsed by the Committee of the Whole for adoption by the plenary.

358. At the final plenary session, on 24 September, the Deputy Executive Secretary read out the text of the recommendation as agreed by the Committee of the Whole. The Conference of the Parties adopted recommendation 7.2, on implementation of Resolution 6.2 on by-catch, as amended, contained in Annex X to the present document.

Recommendation 7.3: Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa

359. The Committee of the Whole considered draft recommendation 7.3 (UNEP/CMS/Rec.7.3) at its 9th session, on 24 September, and endorsed it as orally amended by Senegal for adoption by the plenary. The draft recommendation was proposed by Benin, Cameroon, Chad, Congo, Democratic Republic of the Congo, Gambia, Ghana, Guinea, Guinea-Bissau, Mali, Niger, Nigeria, Sao Tome and Principe, Senegal and Togo as Parties to CMS, and by Central African Republic, Côte d’Ivoire, Equatorial Guinea, Gabon, Liberia and Sierra Leone as observer countries.

360. At the final plenary session, on 24 September, the Deputy Executive Secretary recalled that the representative of Senegal, the original sponsor, had substantively revised the proposal, and that the proposed changes had been duly reflected in document UNEP/CMS/Rec.7.3 (Rev.1). The Conference of the Parties adopted Recommendation 7.3 on regional coordination for small cetaceans and sirenians of Central and West Africa, as revised, contained in Annex IX to the present document.

Recommendation 7.4: America Pacific Flyway Programme¹⁷

361. At the 6th session of the Committee of the Whole, on 22 September, draft recommendation UNEP/CMS/Rec.7.4, “America Pacific Flyway Programme”, proposed by Chile, Argentina and Peru, was introduced by the representative of Argentina, who explained that the recommendation had the backing of the whole Central and South American region.

362. At its 10th session, the Committee of the Whole took up consideration of a revised version of draft recommendation 7.4 (UNEP/CMS/Rec.7.4 (Rev.1)). The Appointed Councillor for Neotropical Fauna observed that one of the criteria by which CMS would be judged was by its establishment of protected flyways in the Americas along the lines of the African-Eurasian Flyway, and thanked the Government of the Netherlands and Wetlands International for initiating discussions on the draft recommendation. The observer from Zimbabwe suggested that the America Pacific flyway was equally important for raptors, but was subsequently convinced that it was not appropriate to include raptors in the draft, which covered migratory waterbirds. The Committee approved draft recommendation 7.4 for transmission to plenary.

¹⁷ Subsequently renumbered by the Secretariat as Recommendation 7.7.

363. At the final plenary session, on 24 September, the Deputy Executive Secretary introduced a minor typographical correction to the draft resolution. The Conference of the Parties adopted recommendation 7.4 on the America Pacific Flyway Programme, as orally revised, contained in Annex X to the present document.

Recommendation 7.5: Central Asian-Indian Waterbird Flyway Initiative

364. The representative of India introduced draft recommendation UNEP/CMS/Rec.7.5, “Central Asian-Indian Flyway Initiative”, submitted by his Government, and highlighted the need for technical and financial support.

365. At the 9th session of the Committee of the Whole, on 24 September, the representative of Pakistan announced that he was not in a position to support the adoption of a revised version of the draft recommendation 7.5 (Rev.1) at the current meeting, as it required further consultation within his Government.

366. At its 10th session, on 24 September, the Committee of the Whole continued its consideration of draft recommendation 7.5 (UNEP/CMS/Rec.7.5 (Rev.1)) on a Central Asian-Indian flyway initiative. The Executive Secretary announced that it had not been possible to find an acceptable solution to the political and substantive problems which the initiative had encountered. Work would continue intersessionally to find such a solution, pending which the Parties involved had agreed that the recommendation should be dropped, while still pursuing the initiative. The representative of India said that the proposal had been withdrawn because the representative of Pakistan had wanted to change the name to Central Asian-South Asian Flyway. Also, the representative of Pakistan had not been in a position to take a decision on the content of the proposed recommendation, and had wanted to consult with his Government in that regard.

Recommendation 7.6: Improving the Conservation Status of the Leatherback Turtle

367. At its 8th session, on 23 September, the Committee of the Whole considered document UNEP/CMS/Rec.7.6, containing a draft recommendation on the conservation status of the Leatherback turtle (*Dermochelys coriacea*), prepared by the Conference-Appointed Councillor on Marine Turtles, in collaboration with the Secretariat.

368. Introducing the draft recommendation, the Appointed Councillor made a technical correction to the draft. Proposals from the floor were made, and approved, to the effect that traditional harvesting of the species should be monitored and commercial harvesting prevented. The Committee agreed to defer further consideration of the draft resolution, as orally amended, pending further consultations among the delegates.

369. At its 9th session, on 24 September, the Committee of the Whole considered a revised version of draft recommendation 7.6 (UNEP/CMS/Rec.7.6 (Rev.1)). The representative of Denmark, on behalf of the European Community and its member States, proposed that subparagraphs (a) and (b) of operative paragraph 1 should be replaced by a new subparagraph (a) reading “*to implement Resolution 6.2 and Recommendation 7.2 with respect to this species*”, and the remaining subparagraphs renumbered accordingly. The draft resolution was endorsed for adoption by the plenary.

370. At the final plenary session, on 24 September, the Deputy Executive Secretary read out the revised wording replacing subparagraphs 1 (a) and 1 (b). The Conference of the Parties adopted recommendation 7.6 on improving the conservation status of the Leatherback turtle, *Dermochelys coriacea*, as orally revised, contained in Annex X to the present document.

Recommendation 7.7: Range State Agreement for Dugong (*Dugong dugon*) Conservation¹⁸

371. At its 9th session, on 24 September, the Committee of the Whole endorsed draft Recommendation 7.7 (UNEP/CMS/Rec.7.7) for adoption by the plenary, as submitted by Australia.

372. At its final plenary session, on 24 September, the Conference of the Parties adopted Recommendation 7.7 on a Range State agreement for dugong (*Dugong dugon*) conservation, contained in Annex X to the present document.

Recommendation 7.8: Regional Coordination for Small Cetaceans and Dugongs of South-East Asia and Adjacent Waters¹⁹

373. At its 9th session, on 24 September, the Committee of the Whole endorsed draft recommendation 7.8 (UNEP/CMS/Rec.7.8), as orally amended by India and the Philippines, for adoption by the plenary. The draft recommendation was submitted by the Philippines, in consultation with the Conference-appointed Councillor for Marine Mammals, Wetlands International, and the Range States of Cambodia, Indonesia, Thailand and Viet Nam.

374. At the final plenary session, on 24 September, the Deputy Executive Secretary readout a number of oral revisions to the text which had been agreed by the sponsor – the Philippines – in consultation with the Appointed Councillor for Marine Mammals and Large Fishes, the Whale and Dolphin Conservation Society and the Range States concerned. The Conference of the Parties adopted Recommendation 7.8 on regional coordination for small cetaceans and dugongs of South-East Asia and adjacent waters, as orally revised, contained in Annex X to the present document.

Consideration and adoption of amendments to Appendices I and II of the Convention

375. The Conference of the Parties also adopted, by acclamation, a number of proposals for amendments to Appendices I and II of the Convention, as summarised in the annex to document UNEP/CMS.Conf.7.12 (Rev.1). The following 21 species were added to Appendix I: Fin whale (*Balaenoptera physalus*), Sei whale (*Balaenoptera borealis*), Sperm whale (*Physeter macrocephalus*), Gangetic river dolphin (*Platanista gangetica gangetica*), Bactrian camel (*Camelus bactrianus*), Pink-footed shearwater (*Puffinus creatopus*), Peruvian diving petrel (*Pelecanoides garnotii*), Japanese night heron (*Gorsachius goisagi*), Black-faced spoonbill (*Platalea minor*), Swan goose (*Anser cygnoides*), Baikal teal (*Anas formosa*), Pallas's sea eagle (*Haliaeetus leucoryphus*), White-naped crane (*Grus vipio*), Hooded crane (*Grus monacha*), Spotted greenshank (*Tringa guttifer*), Spoon-billed sandpiper (*Eurynorhynchus pygmeus*), Chinese crested tern (*Sterna bernsteini*), Marsh seedeater (*Sporophila palustris*), Grey cheeked parakeet (*Brotogeris pyrrhopterus*), Cock-tailed tyrant (*Alectrurus tricolor*) and Great white shark (*Carcharodon carcharias*). The following 20 species were added to Appendix II: Antarctic minke whale (*Balaenoptera bonaerensis*), Bryde's whale (*Balaenoptera edeni*), Fin whale (*Balaenoptera physalus*), Sei whale (*Balaenoptera borealis*), Pygmy right whale (*Caperea marginata*), Sperm whale (*Physeter macrocephalus*), Killer whale (*Orcinus orca*) (all populations not already listed), South American sea lion (*Otaria flavescens*), South American fur seal (*Arctocephalus australis*), West African manatee (*Trichechus senegalensis*), Amazonian manatee (*Trichechus inunguis*), Asiatic wild ass (*Equus hemionus* s.l.), Goitered gazelle (*Gazella subgutturosa*), Mongolian gazelle (*Procapra gutturosa*), Saiga antelope (*Saiga tatarica tatarica*), Bearded tachuri (*Polystictus pectoralis pectoralis*), Dark-throated seedeater (*Sporophila ruficollis*), Dinelli's doradito (*Pseudocolopteryx dinellianus*), Turtle dove (*Streptopelia turtur turtur*) and Great white shark (*Carcharodon carcharias*). The record of the deliberations of the Committee of the Whole and the plenary on the proposals can be found under agenda item 12, on consideration of proposals for amendments to

¹⁸ Subsequently renumbered by the Secretariat as Recommendation 7.5.

¹⁹ Subsequently renumbered by the Secretariat as Recommendation 7.4.

Appendices I and II of the Convention. The lists of new species added to Appendices I and II are contained in Annex XI to the present document.

XVII. DATE AND VENUE OF THE EIGHTH MEETING OF THE CONFERENCE OF THE PARTIES (Item 17)

376. At its 8th session, on 23 September, the Committee of the Whole considered document UNEP/CMS/Res.7.9, containing a draft resolution on the date, venue and funding of the Eighth Meeting of the Conference of the Parties. The Executive Secretary invited Parties to inform the Secretariat, even informally, of any intention to offer to host the next meeting of the Conference of the Parties. The Committee then approved the draft resolution for transmission to plenary.

Resolution 7.9: Date, Venue and Funding of the Eighth Meeting of the Conference of the Parties²⁰

377. At its final plenary session, on 24 September, the Conference of the Parties adopted Resolution 7.9, on the date, venue and funding for the Eighth Meeting of the Conference of the Parties, contained in Annex IX to the present document.

XVIII. OTHER MATTERS (Item 18)

Report of the Latin America and Caribbean regional group

378. At the 7th session of the Committee, on 23 September, Dr. Schlatter, reporting for the Latin America and Caribbean regional group, said that the countries of the region possessed immense biological diversity. They cooperated very closely with one another, and had held three technical meetings, as well as workshops on a regular basis. Such meetings were crucial for concerted actions and the development of memoranda of understanding. Indeed, the first such memorandum of understanding on flamingos was under preparation. The members of the region had established national committees and drawn up strategies to implement projects. In that way, they helped to increase the efficiency of their efforts, and they were firmly committed to the protection of the biological diversity of the region. He informed the meeting that a number of countries had expressed interest to become Parties to the Convention. The representative of Chile, noting that the majority of the projects in the region had received CMS funding, expressed his thanks for that financial support.

Statement by the representative of Argentina

379. At the final plenary session, on 24 September, the representative of Argentina made the following statement:

“Various documents circulated at this Seventh Meeting of the Conference of the Parties – for example, UNEP/CMS/Conf.7.12; Conf.7.12 (Rev.3 and Rev.4); Conf.7.17; Inf.7.2 (Rev.); and Inf.7.14.21 – contain various references to the Malvinas (Falkland Islands), South Georgia and South Sandwich islands and their surrounding maritime areas.

“As the Conference knows, there is a dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over those islands and their maritime areas.

“The Argentine Government reiterates the reservation of its rights over the territories and maritime areas which this dispute involves which it made in its instrument of accession to the Convention, dated

²⁰ Subsequently renumbered by the Secretariat as Resolution 7.14.

10 October 1991, and reaffirms that no aspect of its participation in this Conference or in the Convention may be interpreted as renouncing or detracting from those rights, nor as acceptance or recognition of events or claims which the other State involved in the dispute alleges.

“The Argentine delegation requests that this statement should be recorded in the official record of this Conference.”

Statement by the representative of the United Kingdom

380. The representative of the United Kingdom of Great Britain and Northern Ireland made the following statement:

“The United Kingdom has no doubt about its sovereignty over South Georgia and the South Sandwich Islands, and their surrounding maritime areas, and does not regard it as negotiable. Similarly, the United Kingdom has no doubt about its sovereignty over the Falklands Islands and their surrounding maritime areas. The Islands are British, and will remain so for as long as that is the wish of the Islanders.”

XIX. ADOPTION OF THE REPORT OF THE MEETING (Item 19)

381. At the final plenary session, on 24 September, the Executive Secretary suggested, and the Conference of the Parties agreed, to approve the present report on the basis of a draft report circulated in document UNEP/CMS/Conf.7/L.1 and its addendums 1 and 2, on the understanding that the finalisation of the report would be entrusted to the Secretariat, in consultation with the Chairs of the Plenary and Committee of the Whole. A deadline of 8 October 2002 was set for submissions of any comments in relation to those portions of the report already available to the meeting.

XX. CLOSURE OF THE MEETING (Item 20)

382. After the customary exchange of courtesies, the meeting closed at 6.40 p.m. on Tuesday, 24 September 2002.



Convention on the Conservation of Migratory Species of Wild Animals



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LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS / LISTA DE PARTICIPANTES*

Chairman/Président/President

Parliamentary State Secretary
Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Attn. Ms. Gila Altmann (Head of German
Delegation)
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2040
Fax: (+49 228) 305 2049
E-mail:

Vice-Chairman/Vice-Président/Vice-presidente (Chairman of the Committee of the Whole)

Mr. Demetrio L. Ignacio, Jr. (Head of Philippine
Delegation)
Undersecretary for Policy
Department of the Environment and Natural
Resources
Visayas Avenue
Diliman
Quezon City 1100
PHILIPPINES/Philippines/Filipinas

Tel.: (+6 32) 928 4969
Fax: (+6 32) 926 8094
E-mail: udli@denr.gov.ph

Official Delegations / Delegations Officielles / Delegaciones Oficiales Parties / Membres / Miembros

ALBANIA

Mr. Zamir Dedej
Director
Natural Resources Management and Biodiversity
Ministry of Environment
Rr. Durrresi 27
Tirana
ALBANIA/Albanie/Albania

Tel.: (+355 4) 27 06 24 / 27
Fax: (+355 4) 27 06 23
E-mail: zamir@cep.tirana.al

ARGENTINA

S.E. Sr. Enrique Candiotti (Head of Delegation)
Embajador de la República Argentina
Dorotheenstraße 89,
3. Etage
10117 Berlin
ARGENTINA/Argentine/Argentina

Tel.: (+49 30) 226 6890
Fax: (+49 30) 229 1400
E-mail: oficina.berlin@t-online.de

* The alphabetic order follows the order of English country short names. / L'ordre alphabétique suit l'ordre des noms abrégés des pays en anglais. / El orden alfabético sigue el orden de las abreviaturas de los nombres de países en Inglés.

MSc. Sergio Daniel Goldfeder
Dirección de Fauna y Flora Silvestres
Secretaría de Ambiente y Desarrollo Sustentable
San Martín 459 - 2° piso
Ofic. 232
1004 Buenos Aires
ARGENTINA/Argentine/Argentina

Tel.: (+54 11) 4348 8558/55/51
Fax: (+54 11) 4348 8554
E-mail: sgoldfeder@medioambiente.gov.ar

AUSTRALIA

Mr. Barry Baker
Asst. Director
Wildlife Australia, Wildlife Scientific Section
Environment Australia
G.P.O. Box 787
Canberra ACT 2601
AUSTRALIA/Australie/Australia

Tel.: (+61 2) 62 74 24 02
Fax: (+61 2) 62 74 24 55
E-mail: barry.baker@ea.gov.au

Ms. Robyn Bromley (Head of Delegation)
Director - Marine Species
Environment Australia
G.P.O. Box 787
Canberra ACT 2601
AUSTRALIA/Australie/Australia

Tel.: (+61 2) 62 74 10 06
Fax: (+61 2) 62 74 19 06
E-mail: robyn.bromley@ea.gov.au

Ms. Frances Verrier
Assistant Director - Marine Species
Environment Australia
G.P.O. Box 787
Canberra ACT 2601
AUSTRALIA/Australie/Australia

Tel.: (+61 2) 62 74 10 06
Fax: (+61 2) 62 74 20 69
E-mail: frances.verrier@ea.gov.au

Ms. Nicola Beynon
Humane Society Internaional
P.O. Box 439
Avalon NSW 2107
AUSTRALIA/Australie/Australia

Tel.: (+61 2) 99 73 17 28
Fax: (+61 2) 99 73 17 29
E-mail: nicola@hsi.org.au

BELGIUM

Dr. Roseline C. Beudels-Jamar de Bolsee
Institut Royal des Sciences Naturelles de Belgique
29, rue Vautier
1000 Bruxelles
BELGIUM/Belgique/Bélgica

Tel.: (+32 2) 627 43 54
Fax: (+32 2) 649 48 25
E-mail: roseline.beudels@naturalsciences.be

Ir. Koenraad De Smet (Head of Delegation)
Head of Division
Nature Division
Ministry of the Flemish Community
Albert II Laan 20, Bus 8
1000 Brussels
BELGIUM/Belgique/Bélgica

Tel.: (+32 2) 553 7684
Fax: (+32 2) 553 7685
E-mail: koen.desmet@lin.vlaanderen.be

Ms. Catherine Debruyne
Ministère de la Région Wallonne
Direction Générale des Ressources Naturelles et de
l'Environnement
7, avenue Prince de Liège
5100 Jambes
BELGIUM/Belgique/Bélgica

Tel.: (+32 81) 33 58 04
Fax: (+32 81) 33 58 22
E-mail: c.debruyne@mrw.wallonie.be

BENIN

M. Mohamed Abdoulaye
Chef du Service
Direction des Forêts et des Ressources Naturelles
Ministère du Développement Rural
B.P. 393
Cotonou
BENIN/Bénin/Benin

Tel.: (+229) 33 06 62 / 30 04 10 / 30 04 96
Fax: (+229) 30 03 26 / 33 04 21 / 33 21 92
E-mail: cenatel@bow.intnet.bj

BULGARIA

Dr. Hristo Bojinov
National Project Director
National Nature Protection Service
Ministry of Environment and Water
ulan W. Gladstone 67
1000 Sofia
BULGARIA/Bulgarie/Bulgaria

Tel.: (+ 359 2) 940 6541
Fax: (+ 359 2) 980 5561
E-mail: bojinov@moew.government.bg

BURKINA FASO

Mme Mariam Douamba
Chef Service Suivi Exploitation
Ministère de l'Environnement et du Cadre de Vie
Direction de la Faune et des Chasses
B.P. 7044
Ouagadougou 03
BURKINA FASO

Tel.: (+226) 363021 / 305437 / 268924
Fax: (+226) 36 74 58
E-mail: dgef@cenatrin.bf

CAMEROON

M. Koutou Denis Koulagna
Directeur de la faune et des aires protégées
Ministère de l'environnement et des forêts
Yaoundé
CAMEROON/Cameroun/Camerún

Tel.: (+237) 223 9228
Fax: (+237) 223 9228
E-mail: dfap.minef@camnet.cm

CHAD

M. Mahamat Hassane Idriss
Chef de Service de Sensibilisation, Information et de
Formation
Direction de protection de la faune et des parcs
nationaux
Ministère de l'Environnement et de l'Eau
B.P. 2115
N'Djamena
CHAD/Tchad/Chad

Tel.: (+235) 52 23 05
Fax: (+235) 523214 / 523839 / 524470
E-mail: mhthassan@hotmail.com

CHILE

Sra. Nancy Céspedes
Analyst
Ministerio de Relaciones Exteriores
Calle Catedral 1143 2° Piso
Santiago
CHILE/Chili/Chile

Tel.: (+56 2) 679 4385
Fax: (+56 2) 673 2152
E-mail: dima6@minrel.cl

CONGO

M. Germain Kombo
Ingénieur des Travaux de Développement Rural
Direction Générale de l'Environnement
Ministère de l'Economie forestière et de
l'Environnement
B.P. 958
Brazzaville
CONGO

Tel.: (+242) 68 93 31 / 94 02 38
Fax: (+242) 94 72 24
E-mail: kombo_g@yahoo.fr

CROATIA

Ms. Ana Strbenac
Expert Associate
Ministry of Environmental Protection and Physical
Planning
Nature Protection Division
Biological and Landscape Diversity Conservation
ul. grada Vukovara 78/III
10000 Zagreb
CROATIA/Croatie/Croacia

Tel.: (+385 1) 610 6522
Fax: (+385 1) 611 8388
E-mail: ana.strbenac@duzo.hinet.hr

CZECH REPUBLIC

Dr. Jirí Flousek
Deputy Director
Krkonose National Park
Vrchlabí-zámek
543 11 Vrchlabí
CZECH REPUBLIC/République Tchèque/República
Checa

Tel.: (+420 438) 45 62 12
Fax: (+420 438) 42 20 95
E-mail: jflousek@krnap.cz

Ms. Libuse Vlasáková
Nature Conservation Department
Ministry of the Environment
Vrsovicá 65
100 10 Praha 10
CZECH REPUBLIC/République Tchèque/República
Checa

Tel.: (+420 2) 6712 2372
Fax: (+420 2) 6731 1096
E-mail: libuse_vlasakova@env.cz

DEMOCRATIC REPUBLIC OF THE CONGO

M. Muembo Kabemba
Directeur des Domaines et Réserves
l'Institut Congolais pour la Conservation de la Nature
ICCN
13, avenue des Cliniques
Gombé Kinshasa 1
DEMOCRATIC REPUBLIC OF THE
CONGO/République démocratique du
Congo/República Democrática del Congo

Tel.: (+243 88) 33401 / 34390 / 6065
Fax: (+243 88) 03208
E-mail: pdg.iccn@ic.cd, iccn-infor@ic.cd,
muembo@hotmail.com

Mme Landu Nina
Directeur de la Recherche Scientifique
l'Institut Congolais pour la Conservation de la Nature
ICCN
13, avenue des Cliniques
Gombé Kinshasa 1
DEMOCRATIC REPUBLIC OF THE
CONGO/République démocratique du
Congo/República Democrática del Congo

Tel.: (+243 88) 33401 / 34390 / 6065
Fax: (+243 88) 03208
E-mail: pdg.iccn@ic.cd, iccn-infor@ic.cd

DENMARK

Dr. Sten Asbirk
Head of Section
Ministry of Environment
National Forest and Nature Agency
Haraldsgade 53
2100 Copenhagen Ø
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 49 29 26
Fax: (+45) 39 27 98 99
E-mail: sta@sns.dk

Ms. Anette Bjerger
Executive Officer
National Forest and Nature Agency
Haraldsgade 53
2100 Copenhagen Ø
DENMARK/Danemark/Dinamarca

Tel.: (+45 39) 27 20 00
Fax: (+45 39) 27 98 99
E-mail: abj@sns.dk

Mr. Palle Uhd Jepsen
Head of Section
Forest and Nature Agency
Ministry of Environment
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 47 24 00
Fax: (+45) 39 27 98 99
E-mail: puj@sns.dk

Mr. Carsten Lund
Head of Section
Forest and Nature Agency
Ministry of Environment
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 47 26 67
Fax: (+45) 39 27 98 99
E-mail: clu@sns.dk

Ms. Pernille Månsson
Head of Section
Forest and Nature Agency
Ministry of Environment
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 47 28 30
Fax: (+45) 39 27 98 99
E-mail: pem@sns.dk

Mr. Frank Marcher
Head of Section
Danish Environmental Protection Agency
Strandgade 29
1401 Copenhagen K
DENMARK/Danemark/Dinamarca

Tel.:
Fax:
E-mail: fm@mst.dk

Ms. Hanne Stadsgaard Jensen
National Forest and Nature Agency
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45 39) 27 20 00
Fax: (+45 39) 27 98 99
E-mail: hsj@sns.dk

EGYPT

Dr. Esam Ahmed Elbadry
Nature Conservation Section
Egyptian Environmental Affairs Agency
42 El Medina El Monawara St. Apt. 6
Cairo, Mohandeseen
EGYPT/Egypte/Egipto

Tel.: (+20 2) 761 5542
Fax: (+20 2) 336 9083
E-mail: medwetcoast@link.net

Mr. Mohamed Ibrahim (Head of Delegation)
Director General
Nature Conservation Sector
Egyptian Environmental Affairs Agency
30 Mas Helwan El Zyrae Road
Cairo, Maadi
EGYPT/Egypte/Egipto

Tel.: (+202) 524 8792 / 527 3191
Fax: (+202) 525 6490
E-mail: eeaa4@idsc.gov.eg

EUROPEAN COMMUNITY

Dr. Pierre Devillers
Institut Royal des Sciences Naturelles de Belgique
29, rue Vautier
1000 Bruxelles
Belgium

Tel.: (+32 2) 627 43 54
Fax: (+32 2) 649 48 25
E-mail: pierre.devillers@naturalsciences.be

Mr. Nicholas Hanley (Head of Delegation)
Head of Nature and Biodiversity Unit
Commission of the European Communities
DG XI Environment
Directorate B: Environmental Quality and Natural Resources
200, rue de la Loi
1049 Bruxelles
Belgium

Tel.: (+32 2) 296 8703 / 295 6133
Fax: (+32 2) 299 0895
E-mail: nicholas.hanley@cec.eu.int

Mr. José Rizo Martin
Administrateur
Commission of the European Communities
DG Environment
Avenue de Beaulieu 5
1160 Bruxelles
Belgium

Tel.: (+32 2) 295 0106
Fax: (+32 2) 296 8824
E-mail: jose.rizo-martin@cec.eu.int

FINLAND

Mr. Sami Niemi (Head of Delegation)
Senior Officer
Ministry of Agriculture and Forestry
Department of Fisheries and Game
Mariankatu 23
P.O. Box 30
00023 Helsinki
FINLAND/Finlande/Finlandia

Tel.: (+358 9) 160 3374
Fax: (+358 9) 160 4285
E-mail: sami.niemi@mmm.fi

Mr. Matti K. Osara
Senior Adviser
Ministry of Environment
P.O. Box 35
Kasarmikatu 25
00023 Helsinki
FINLAND/Finlande/Finlandia

Tel.: (+358 9) 1603 9334
Fax: (+358 9) 1603 9364
E-mail: matti.osara@ymparisto.fi

FRANCE

Mme Martine Bigan (Head of delegation)
Head of Fauna & Flora Section
Ministère de l'Ecologie et du Développement Durable
20, avenue de Ségur
75302 Paris 07 SP
FRANCE/France/Francia

Tel.: (+33 1) 42 19 20 21 / 18 70
Fax: (+33 1) 42 19 19 77/9
E-mail: martine.bigan@environnement.gouv.fr

Mme Véronique Herrenschmidt
Ministère de l'Ecologie et du Développement Durable
Direction de la Nature et des Paysages
20, avenue de Ségur
75302 Paris 07 SP
FRANCE/France/Francia

Tel.: (+33 1) 42 19 19 48
Fax: (+33 1) 42 19 19 79
E-mail:
veronique.herrenschmidt@environnement.gouv.fr

GAMBIA

Mr. Momodou L. Kassama
Gambian Wildlife Service
Dept. of Parks and Wildlife Management
c/o State Dept. for the Presidency
State House
Box 1882
Banjul
GAMBIA/Gambie/Gambie

Tel.: (+220) 375888 / 903511
Fax: (+220) 392179 / 22 89 98
E-mail: wildlife@gantel.gm

GEORGIA

Mr. Zurab Gurielidze
Chairman of the Board
Noah's Ark Centre for the Recovery of
Endangered Species (NACRES)
P.O. Box 20
380079 Tbilissi
GEORGIA/Géorgie/Georgia

Tel.: (+995 32) 53 71 25
Fax: (+995 32) 53 71 24
E-mail: zurab.gurielidze@nacres.org

GERMANY

Ministry for the Environment, Nature Conservation and
Nuclear Safety
Division N I 3
Attn. Mr. Gerhard Adams, CMS Focal Point
P.O. Box 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2631
Fax: (+49 228) 305 2684
E-mail: adams.gerhard@bmu.de

Bundesamt für Naturschutz
z.H. Dr. Rainer Blanke
Konstantinstr. 110
53179 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 8491 115
Fax: (+49 228) 8491 119
E-mail: blanker@bfn.de

Bundesamt für Naturschutz
FG I 1.2
z.H. Hr. Peter Boye
Konstantinstr. 110
53179 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 849 1113
Fax: (+49 228) 849 1119
E-mail: boyep@bfn.de

Federal Office for Building and Regional Planning
Facilities Management Controlling Institution
Attn. Dr. Jörg Damm
Hermann-Ehlers-Str. 29
Entrance V
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 1888) 401 3352
Fax: (+49 1888) 401 3399
E-mail: joerg.damm@bbr.bund.de

Ms. Petra Deimer
Vorsitzende
Gesellschaft zum Schutz der Meeressäuger (GSM)
Kieler Str. 2
25451 Quickborn
GERMANY/Allemagne/Alemania
Tel.: (+49 4106) 62 06 01
Fax: (+49 4106) 62 09 07
E-mail: pdeimer@gsm-ev.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Ms. Astrid Düvelmeyer
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2635
Fax: (+49 228) 305 2684
E-mail: astrid.duevelmeyer@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division AG N I 2
Attn. Mr. Stefan Dombrowsky
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2627
Fax: (+49 228) 305 2697
E-mail:

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Dr. Gerhard Emonds
Postfach 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2630
Fax: (+49 228) 305 2695
E-mail: gerhard.emonds@bmu.bund.de

Interpreter (ORR'n)
Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division Z I 4
Attn. Mrs. Mechthilde Föhr
Postfach 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2272
Fax: (+49 228) 305 2289
E-mail: mechthilde.foehr@bmu.bund.de

Ambassador
Special Representative for the Affairs of the UN
Organisations in Bonn
Außenstelle Protokoll
Auswärtiges Amt Bonn
z.H. Hrn. Harald Ganns
Adenauerallee 86
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 1888) 17 4629
Fax: (+49 1888) 17 5 2637 / 4707
E-mail:

Bundesamt für Naturschutz
z.H. Hrn. Dr. Horst Gruttke
Konstantinstr. 110
53179 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 849 1112
Fax: (+49 228) 849 1119
E-mail: gruttkeh@bfn.de

Bundesamt für Naturschutz
FG I 1.2
z.H. Hrn. Heiko Haupt
Konstantinstr. 110
53179 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 849 1104
Fax: (+49 228) 849 1119
E-mail: haupt@bfn.de

Interpreter (ORR'n)
Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division Z I 4
Attn. Mrs. Simone Irsfeld
Postfach 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2276
Fax: (+49 228) 305 2289
E-mail: simone.irsfeld@bmu.bund.de, sirsfeld@t-online.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Attn. Mr. Jens Kullmer
P.O. Box 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 -
Fax: (+49 228) 305 -
E-mail: -

Ms. Katja Kunz
Research Asst.
Center for Development Research ZEF
Walter-Flex-Str. 3
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 73 18 72 (ZEF)
Fax: (+49 228) 73 18 69
E-mail: katja.kunz@uni-koeln.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Ms. Brigitte Franz-Lohkamp
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2637
Fax: (+49 228) 305 2684
E-mail: brigitte.franz-lohkamp@bmu.bund.de

Ambassador
Environmental and biopolitical issues
Auswärtiges Amt, 4-U
Attn. Hr. Julius Georg Luy (Deputy Head of
Delegation)
Werderscher Markt 1
10117 Berlin
GERMANY/Allemagne/Alemania

Tel.: (+49 1888) 17 2069
Fax: (+49 1888) 17 52069
E-mail: 4-U@auswaertiges-amt.de

Federal Office for Building and Regional Planning
Facilities Management Controlling Institution
Attn. Mr. Max Hermann Maurmann
Hermann-Ehlers-Str. 29
Entrance V
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 1888) 401 3355
Fax: (+49 1888) 401 3399
E-mail: max.maurmann@bbr.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Attn. Ms. Claudia Müller
Postfach 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 3182
Fax: (+49 228) 305 2684
E-mail: claudia.mueller@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Ms. Elisabeth Munzert
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2637
Fax: (+49 228) 305 2684
E-mail: elisabeth.munzert@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Attn. Dr. Hans-Georg Neuhoff
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2526
Fax: (+49 228) 305 2396
E-mail: hans-georg.neuhoff@bmu.bund.de

Prof. Dr. Manfred Niekisch
Erster Vize-Präsident des Deutschen Naturschutzringes
Ernst-Moritz-Arndt-Universität
Grimmer Str. 88
17487 Greifswald
GERMANY/Allemagne/Alemania

Tel.: (+49 3834) 86 41 24
Fax: (+49 3834) 86 41 87
E-mail: niekisch@uni-greifswald.de

Dr. Markus Nipkow
Referent für Ornithologie und Vogelschutz
Naturschutzbund Deutschland (NABU) e.V.
Herbert-Rabius-Str. 26
53225 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 403 6155
Fax: (+49 228) 403 6203
E-mail: markus.nipkow@nabu.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Dr. Tilman Pommeranz
P.O. Box 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 -
Fax: (+49 228) 305 -
E-mail: -

Dr. Klaus Riede
Center for Development Research ZEF
Walter-Flex-Str. 3
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 73 18 72 (ZEF)
Fax: (+49 228) 73 18 69
E-mail: k.riede.zfmk@uni-bonn.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Attn. Prof. Dr. Ulrich Schlottmann
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2637
Fax: (+49 228) 305 2684
E-mail: elisabeth.munzert@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Mr. Erik Schmidt-Wergifosse
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2638
Fax: (+49 228) 305 2684
E-mail: erik.schmidt-wergifosse@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Mr. Joachim Schmitz
P.O. Box 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2634
Fax: (+49 228) 305 2684
E-mail: schmitz.joachim@bmu.de

Mr. Richard Schneider
Naturschutzbund Deutschland (NABU) e.V.
Vogelschutzzentrum
Ziegelhütte 21
72116 Mossingen
GERMANY/Allemagne/Alemania

Tel.: (+49 7473) 1022
Fax: (+49 7473) 21181
E-mail:

Interpreter (ORR'n)
Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division Z I 4
Attn. Ms. Dorothee Schwolgin
Postfach 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2284
Fax: (+49 228) 305 2289
E-mail: dorothee.schwolgin@bmu.bund.de

Director General
Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Directorate General N
Attn. Dr. Barbara Schuster
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2601
Fax: (+49 228) 305 2694
E-mail: barbara.schuster@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Ms. Christel Thomas
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2636
Fax: (+49 228) 305 2684
E-mail: christel.thomas@bmu.bund.de

Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Ms. Edith Völker
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2637
Fax: (+49 228) 305 2684
E-mail: edith.voelker@bmu.bund.de

Personal Secretary to the Parliamentary State Secretary
Federal Ministry for the Environment, Nature
Conservation and Nuclear Safety
Attn. Ms. Bruni Weißen
Postfach 12 06 29
53084 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2042
Fax: (+49 228) 305 2049
E-mail: bruni.weissen@bmu.bund.de

GHANA

Mr. Ernest L. Lamptey
Principal Wildlife Officer
Department of Wildlife
P.O. Box M 239
Accra
GHANA

Tel.: (+233 21) 663155 / 662360 / 664654
Fax: (+233 21) 666 476 / 666 129
E-mail: lamptey@wildlife-gh.com,
ellamptey@yahoo.com

Mr. Charles C. Amankwah
Asst. Wildlife Officer
Wildlife Division
Forestry Commission
P.O. Box M 239
Accra
GHANA

Tel.: (+233 21) 664 654
Fax: (+233 21) 666 476
E-mail: amankwah@wildlife-gh.com,
wildlife@ncs.com.gh

GUINEA

M. Mamadou Dia
Chef de la Section Chasse et Aires protégées
Direction Nationale des Eaux et Forêts
Ministère de l'Agriculture, de l'Elevage et des Forêts
B.P. 624
Conakry
GUINEA/Guinée/Guinea

Tel.: (+224) 43 10 99 / 26 01 13
Fax: (+224) 41 48 73
E-mail: dfpn@sotelgui.net.gn

Mme Christine Sagno Kourouma
Chef Division Faune et Protection de la Nature
Direction Nationale des Eaux et Forêts
Ministère de l'Agriculture, de l'Elevage et des Forêts
B.P. 624
Conakry

GUINEA/Guinée/Guinea

Tel.: (+224) 463248 / 431099
Fax: (+224) 41 48 73
E-mail: dfpn@sotelgui.net.gn

GUINEA-BISSAU

M. Alziro Adriano Da Silva
Directeur Générale de l'Environnement
Ministère des Ressources naturelles et de l'Energie
B.P. 225
Bissau
GUINEA-BISSAU/Guinée-Bissau/Guinea-Bissau

Tel.: (+245) 22 35 78
Fax: (+245) 20 10 19
E-mail: alziroasilva@yahoo.com

HUNGARY

Dr. Attila Bankovics
Hungarian Natural History Museum
Baross u. 13
1088 Budapest
HUNGARY/Hongrie/Hungria

Tel.: (+36 1) 210 1075 ext 5044
Fax: (+36 1) 334 2785
E-mail: bankovic@zool.nhmus.hu

Mr. Zoltán Czirák
Nature Conservation Officer
Ministry for Environment
Költő utca 21
1121 Budapest
HUNGARY/Hongrie/Hungria

Tel.: (+36 1) 175 1093
Fax: (+36 1) 175 7457
E-mail: czirak@mail2.ktm.hu

Ms. Anna Práger
Ministry for Environment
Költő utca 21
1121 Budapest
HUNGARY/Hongrie/Hungria

Tel.: (+36 1) 395 7458/156
Fax: (+36 1) 395 6857
E-mail: prager@mail2.ktm.hu

Ms. Katalin Rodics
Head of Department
Ministry for Environment
Költő utca 21
1121 Budapest
HUNGARY/Hongrie/Hungria

Tel.: (+36 1) 175 1093
Fax: (+36 1) 175 7457
E-mail: rodics@mail2.ktm.hu

INDIA

Mr. Aseem Srivastav
Deputy Inspector General (Wildlife)
Ministry of Environment and Forests
Room 529, Paryavaran Bhavan
CGO Complex,
New Delhi 110003
INDIA/Inde/India

Tel.: (+91 11) 436 2813
Fax: (+91 11) 465 6608
E-mail: aksriv@yahoo.com

IRELAND

Mr. H. John Wilson
Senior Research Scientist
Dúchas the Heritage Service
7 Ely Place
Dublin 2
IRELAND/Irlande/Irlanda

Tel.: (+353 1) 647 2394
Fax: (+353 1) 678 8123
E-mail: jwilson@ealga.ie

ISRAEL

Dr. Eliezer Frankenberg
Deputy Chief Scientist
Nature and National Parks Protection Authority
Division of Science and Conservation
3 Am Ve'Olam St.
Jerusalem 95463
ISRAEL/Israël/Israel

Tel.: (+972 2) 500 54 44
Fax: (+972 2) 65 29 232
E-mail: eliezer.frankenberg@nature-parks.org.il

ITALY

Mr. Gianfranco Colognato
Counsellor
Ministry of Foreign Affairs
c/o Italian Consulate General
Cologne
ITALY/Italie/Italia

Tel.: (+49 221) 400 8712
Fax: (+49 221) 400 877
E-mail:

JORDAN

Mr. Khalaf Al-Oklah
Director
Nature and Lands Conservation Dept.
General Corporation for Environment Protection
(GCEP)
P.O. Box 1408
Amman 11941
JORDAN/Jordanie/Jordania

Tel.: (+962 6) 535 0149
Fax: (+962 6) 535 0084 / 533 2938
E-mail: aloklah@yahoo.com

KENYA

Dr. Richard K. Bagine
Chief Scientist
Kenya Wildlife Service
P.O. Box 40241
Nairobi
KENYA

Tel.: (+254 2) 50 61 69
Fax: (+254 2) 50 41 33
E-mail: kws@kws.org, research@kws.org

H.E. Mr. Nehemiah K. Rotich (Head of Delegation)
Ambassador
Permanent Mission of the Republic of Kenya to UNEP
P.O.Box 41395 Harambee Avenue
Nairobi
KENYA

Tel.: (+254 2) 33 72 90
Fax: (+254 2) 31 51 05
E-mail: kmunep@swiftkenya.com

LATVIA

Mr. Vilnis Bernards
Ministry of the Environment and Regional
Development
Peldu iela 25
1494 Riga
LATVIA/Lettonie/Letonia

Tel.: (+371 7) 02 65 24
Fax: (+371 7) 82 04 42
E-mail: mopsis@varam.gov.lv

Dr. Otars Opermanis
Laboratory of Ornithology
Institute of Biology
Miera Str. 3
2169 Salaspils
LATVIA/Lettonie/Letonia

Tel.: (+371 2) 94 54 37 / (+371 7) 216890 / 212672
Fax: (+371 7) 83 02 91
E-mail: otars@parks.lv

LITHUANIA

Ms. Kristina Klovaite
Chief Officer
Ministry of Environment
Nature Protection Department
A. Jaksto 4/9
2694 Vilnius
LITHUANIA/Lituanie/Lituania

Tel.: (+370 2) 61 75 58
Fax: (+370 2) 22 08 47
E-mail: k.klovaite@aplinkuma.lt

MALI

M. Alfousseini Semega
Direction National de la Conservation de la Nature
Ministère de l'Équipement, de l'Aménagement du
Territoire, de l'Environnement et de l'Urbanisme
B.P. 275
Bamako
MALI/Mali/Mali

Tel.: (+223) 23 36 95/7
Fax: (+223) 233 696
E-mail: conservationnature@datatech.net.ml

MONACO

M. Patrick van Klaveren (Head of Delegation)
Conseiller technique du Ministre Plénipotentiaire
Chargé de la Coopération
Internationale pour l'Environnement et le
Développement
Villa Girasole
16, boulevard de Suisse
98000 Monaco
MONACO/Monaco/Mónaco

Tel.: (+377) 93 15 81 48 / 93 15 89 63
Fax: (+377) 93 15 42 08
E-mail: pvanklaveren@gouv.mc

MONGOLIA

Mr. Tserendash Damdin (Head of Delegation)
Director
Policy Implementation and Coordination
Ministry of Nature & Environment
Government Bldg No. 3
Baga Toiruu 44
Ulaanbaatar 11
MONGOLIA/Mongolie/Mongolia

Tel.: (+976 1) 32 84 68
Fax: (+976 1) 32 14 01
E-mail: epa@magicnet.mn, baigyam@magicnet.mn

Dr. Badamjav Lhagvasuren
901 Redbud Apartments
Bloomington, Indiana 47408
MONGOLIA/Mongolie/Mongolia

Tel.: (+1 812) 857 3255
Fax:
E-mail: lhagvabad@yahoo.com,
lbadamja@indiana.edu

MOROCCO

M. Mohamed Ankouz
Directeur de la Conservation des Ressources
Forestières
Ministère Chargé des Eaux et Forêts
B.P. 605
Rabat-Chellah
MOROCCO/Maroc/Marruecos

Tel.: (+212 37) 76 54 29
Fax: (+212 37) 66 08 26
E-mail:

M. Abdellah El Mastour
Chef du Service de la protection de la nature
Ministère des Eaux et forêts
B.P. 605
Rabat-Chellah
MOROCCO/Maroc/Marruecos

Tel.: (+212 37) 67 11 05
Fax: (+212 37) 76 68 55 / 76 44 46 / 67 00 87
E-mail: elmastour@athena.online.co.ma

M. Mohamed Haffane (Head of Delegation)
Chargé de la Division de la Chasse, de la Pêche et de la
Protection de la Nature
Ministère des Eaux et forêts
B.P. 605
Rabat-Chellah
MOROCCO/Maroc/Marruecos

Tel.: (+212 37) 67 00 87
Fax: (+212 37) 67 00 87
E-mail: haffane@athena.online.co.ma

NETHERLANDS

Mr. Jan G. Sevenster
Ministry of Agriculture, Nature Management
and Fisheries
P.O. Box 20401
2500 EK Den Haag
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 70) 378 4952
Fax: (+31 70) 378 6144
E-mail: j.g.sevenster@n.agro.nl

Dr. Jan-Willem Sneep (Head of delegation)
Ministry of Agriculture, Nature Management
and Fisheries
Directorate for Nature Management
Division of Policy Instruments
P.O. Box 20401
2500 EK Den Haag
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 70) 378 5255
Fax: (+31 70) 378 6144
E-mail: j.w.sneep@n.agro.nl

Prof. Dr. Wim J. Wolff
Department of Marine Biology
Groningen University
Postbus 14
9750 AA Haren
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 50) 363 2260
Fax: (+31 50) 363 2261
E-mail: w.j.wolff@biol.rug.nl

NEW ZEALAND

Ms. Jennifer Macmillan (Head of Delegation)
Deputy Permanent Representative
New Zealand Mission to UNOG
2, chemin des Fins
1218 Grand Saconnex, Geneva
NEW ZEALAND/Nouvelle-Zélande/Nueva Zelandia

Tel.: (+41 22) 929 0355
Fax: (+41 22) 929 0374
E-mail: jennifer.macmillan@mfat.govt.nz

Mr. John Ombler
Department of Conservation
P.O. Box 10420
59 Boulcott Street
Wellington
NEW ZEALAND/Nouvelle-Zélande/Nueva Zelandia

Tel.: (+64 4) 471 3298
Fax: (+64 4) 471 3049
E-mail: jombler@doc.govt.nz

NIGER

M. Abdou Malam Issa
Ingénieur des Eaux et Forêts
Direction de la faune, pêche et pisciculture
Ministère Hydraulique Environnement
B.P. 721
Niamey
NIGER/Niger/Níger

Tel.: (+227) 73 33 29 / 73 40 69
Fax: (+227) 73 27 84 / 73 60 12 / 73 55 91
E-mail: ucnpmdep@intnet.ne

NIGERIA

H.E. Chief (Dr.) Imeh Okopido (Head of Delegation)
Honourable Minister of State for Environment
Federal Ministry of Environment
7th Floor, Federal Secretariat
Shehu Shagari Way, PMB 468
Garki, Abuja
NIGERIA/Nigeria/Nigeria

Tel.: (+234 9) 523 4931
Fax: (+234 9) 523 4931
E-mail: imet.okopido@hyperia.com

Mr. John H. Mshelbwala
Chief Environmental Scientist
Federal Ministry of Environment
Environment House, Rm 321
Independence Way
opp. National Hospital
P.M.B. 265
Garki, Abuja, F.C.T.
NIGERIA/Nigeria/Nigeria

Tel.: (+234 9) 234 2807 / 670 6652
Fax: (+234 9) 523 4014 / 4119 / 4932
E-mail: fmenv@hyperia.com,
johnmshelbwala2@yahoo.com

NORWAY

Mr. Olav Bakken Jensen
Ministry of Environment
Box 8013 Dep.
0030 Oslo
NORWAY/Norvège/Noruega

Tel.: (+47 22) 24 58 72
Fax: (+47 22) 24 27 56
E-mail: olav.bakken.jensen@md.dep.no

Mr. Oystein Storkersen (Head of Delegation)
Senior Advisor
Directorate of Nature Management
Tungasletta 2
7485 Trondheim
NORWAY/Norvège/Noruega

Tel.: (+47) 7358 0500
Fax: (+47) 7358 0501
E-mail: oystein.storkersen@dirnat.no

PAKISTAN

Mr. Sheikh Ghazanfar Hussain
Additional Secretary
Ministry of Environment, Local Govt. & Rural
Development
7th Floor UBL Building
Jinah Avenue
Islamabad
PAKISTAN/Pakistan/Pakistán

Tel.: (+92 51) 922 4581
Fax: (+92 51) 920 2211
E-mail: sheikhghazanfar@hotmail.com

PERU

Sra. Rosario Acero Villanes
Directora de Conservación de Biodiversidad
Instituto Nacional de Recursos Naturales
Calle Diecisiete N 355
Urbanización El Palomar
San Isidro
Lima 27
PERU/Pérou/Perú

Tel.: (+51 1) 225 9809
Fax: (+51 1) 225 9809
E-mail: inrenadcb@viabcp.com, racerov@hotmail.com

PHILIPPINES

Ms. Theresa M.S. Lim
Assistant Director
Protected Areas and Wildlife Bureau (PAWB)
Department of Environment and Natural Resources
Ninoy Aquino Parks & Wildlife Nature Center
Quezon Avenue, Diliman
Quezon City 1100
PHILIPPINES/Philippines/Filipinas

Tel.: (+6 32) 924 6031-35
Fax: (+6 32) 924 0109 / 925 2123
E-mail: pawb-plan@psdn.org.ph

POLAND

Dr. Zygmunt Krzeminski (Head of Delegation)
Adviser to the Minister
Department of Nature Conservation
Ministry of Environment
Wawelska 52/54
00-922 Warszawa
POLAND/Pologne/Polonia

Tel.: (+48 22) 579 2673
Fax: (+48 22) 579 2555
E-mail: zygmunt.krzeminski@mos.gov.pl

Mr. Andrzej Langowski
Specialist
Department of Nature Conservation
Ministry of Environment
Wawelska 52/54
00-922 Warszawa
POLAND/Pologne/Polonia

Tel.: (+48 22) 579 2456
Fax: (+48 22) 579 2555
E-mail: andrzej.langowski@mos.gov.pl

Prof. Bronislaw Wołoszyn
Institute of Animal Systematics and Evolution
Polish Academy of Sciences
ul. Sławkowska 17
31.016 Kraków
POLAND/Pologne/Polonia

Tel.: (+48 12) 422 6410/1901/8000
Fax: (+48 12) 422 4294
E-mail: woloszbr@isez.pan.krakow.pl

PORTUGAL

Dr. Marina Sequeira
Instituto da Conservação da Natureza
Rua Ferreira à Lapa 38-5°
1150-169 Lisboa
PORTUGAL

Tel.: (+351 21) 316 0520
Fax: (+351 21) 352 0474
E-mail: sequeiram@icn.pt

REPUBLIC OF MOLDOVA

Ms. Stela Drucioc
Consultant
Ministry of Ecology, Construction and Territorial
Development
9, Cosmonautilor str.
2005 Chisinau
MOLDOVA, REPUBLIC OF/Moldova, République
de/Moldova, República de

Tel.: (+373 2) 22 62 73
Fax: (+373 2) 50 71 62 / 22 07 48
E-mail: stela.drucioc@mediu.moldova.md,
biodiver@mediu.moldova.md

ROMANIA

Ms. Adriana Baz
Director for the Conservation and Protection of
Biodiversity, Protected Areas and Nature
Ministry of Water and Environmental Protection
Blvd. Libertatii No. 12, Sector 5
76106 Bucharest
ROMANIA/Roumanie/Rumania

Tel.: (+ 40 21) 410 0531
Fax: (+ 40 21) 410 0531
E-mail: biodiv@mappm.ro

SAO TOME AND PRINCIPE

Dr. Carlos Baia Dê
Chef du Service de Suivi-Evaluation
Direction de l'Elevage
Ministère de l'Agriculture, Développement Rural et
Pêche
Avenida Marginal 12 de Julho
Caixa Postal 718
Sao Tomé
SAO TOME AND PRINCIPE/Sao Tomé-et-
Principe/Santo Tomé y Príncipe

Tel.: (+239 12) 22 386
Fax: (+239 12) 24 454 / 22 347
E-mail: pecuaria@cstome.net

SAUDI ARABIA

Prof. Abdulaziz H. Abuzinada
Secretary General
National Commission for Wildlife Conservation and
Development (NCWCD)
P.O. Box 61681
Riyadh 11575
SAUDI ARABIA/Arabie saoudite/Arabia Saudita

Tel.: (+966 1) 441 8413
Fax: (+966 1) 441 0797 / 441 8413
E-mail: tatwany@naseej.com.sa

Dr. Hany M.A. Tatwany
International Cooperation Advisor
Coordinator of Interim Secretariat for the Houbara
Agreement
National Commission for Wildlife Conservation
and Development (NCWCD)
P.O. Box 61681
Riyadh 11575
SAUDI ARABIA/Arabie saoudite/Arabia Saudita

Tel.: (+966 1) 441 8413
Fax: (+966 1) 441 0797 / 441 8413
E-mail: tatwany@naseej.com.sa

SENEGAL

M. Demba Mamadou Ba
Directeur des Parcs nationaux
Ministère de la Jeunesse de l'Environnement et de
l'Hygiène Publique
Direction des Parcs Nationaux
B.P. 5135
Hann Zoological and Forestry Parks
Dakar Fann
SENEGAL/Sénégal/Senegal

Tel.: (+221) 832 2309
Fax: (+221) 832 2311
E-mail: dpn@sentoo.sn

S.E. M. Paul Badji (Head of Delegation)
Ambassadeur
Ambassade de la République du Sénégal
Argelanderstr. 3
53115 Bonn
SENEGAL/Sénégal/Senegal

Tel.: (+49 228) 21 80 08
Fax: (+49 228) 21 78 15
E-mail:

M. Félix Oudiane
Premier Conseiller
Ambassade de la République du Sénégal
Argelanderstr. 3
53115 Bonn
SENEGAL/Sénégal/Senegal

Tel.: (+49 228) 21 80 08
Fax: (+49 228) 21 78 15
E-mail:

SLOVAKIA

Mr. Peter Pilinsky
Ministry for the Environment
Dept. of Nature and Landscape Protection
Nám. L. Stúra 1
812 35 Bratislava 1
SLOVAKIA/Slovaquie/Eslovaquia

Tel.: (+421 2) 59 56 21 89
Fax: (+421 2) 59 56 25 33
E-mail: pilinsky.peter@enviro.gov.sk

Dr. Marcel Uhrín
Director General
National Park Muránska Planina Administration
str. Janka Král'a 12
05001 Revúca
SLOVAKIA/Slovaquie/Eslovaquia

Tel.: (+421 58) 442 2061
Fax: (+421 58) 442 6119
E-mail: uhrin@sopsr.sk

SLOVENIA

Ms. Mateja Blazic
Ministry of the Environment, Spatial Planning and
Energy
Vojkova 1b
1000 Ljubljana
SLOVENIA/Slovénie/Eslovenia

Tel.: (+386 1) 478 4533
Fax: (+386 1) 478 4051/2
E-mail: mateja.blazic@gov.si

Mr. Robert Boljesic (Head of Delegation)
Counsellor to the Director
Ministry of the Environment, Spatial Planning and
Energy
Vojkova 1b
1000 Ljubljana
SLOVENIA/Slovénie/Eslovenia

Tel.: (+386 1) 478 4501
Fax: (+386 1) 478 4051
E-mail: robert.boljesic@gov.si

SPAIN

Dr. Borja Heredia
Head of Wildlife Service
Ministerio de Medio Ambiente
Dirección General de Conservación de la Naturaleza
Gran Vía de San Francisco 4
28005 Madrid
SPAIN/Espagne/España

Tel.: (+34 91) 597 5594
Fax: (+34 91) 597 5566
E-mail: borja.heredia@dgcn.mma.es

SRI LANKA

Mr. Gajadeera A.T. Prasad
Asst. Director of Veterinary Services
Department of Wildlife Conservation
No. 18 Gregory's Road
Colombo 7
SRI LANKA

Tel.: (+94 1) 69 85 57
Fax: (+94 1) 69 85 56
E-mail: tharaka@dwlc.lk, thadwlc@sltnet.lk

SWEDEN

Dr. Anders Bjärvall
Environmental Protection Agency
Blekholtsterrassen 36
10648 Stockholm
SWEDEN/Suède/Suecia

Tel.: (+46 8) 698 1366
Fax: (+46 8) 698 1402
E-mail: anders.bjarvall@naturvardsverket.se

SWITZERLAND

Dr. Olivier Biber
Chef des Questions internationales Nature et Paysage
Office fédéral de l'environnement, des forêts, et du
paysage (OFEFP)
3003 Berne
SWITZERLAND/Suisse/Suiza

Tel.: (+41 31) 323 0663
Fax: (+41 31) 324 7579
E-mail: olivier.biber@buwal.admin.ch

M. Raymond Pierre Lebeau
Office fédéral de l'environnement, des forêts, et du
paysage (OFEFP)
Division Nature et Paysage
3003 Berne
SWITZERLAND/Suisse/Suiza

Tel.: (+41 31) 322 8064 / 322 9389
Fax: (+41 31) 324 7579
E-mail: raymond-pierre.lebeau@buwal.admin.ch

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Mr. Aleksandar Nastov
Environment Protection Service
Ministry of the Environment and Physical Planning
Dresdenska 52
91000 Skopje
MACEDONIA, THE FORMER YUGOSLAV
REPUBLIC OF/l'ex-République yougoslave de
Macédoine/la ex República Yugoslava de Macedonia

Tel.: (+389 2) 36 69 30 ext 122
Fax: (+389 2) 36 69 31
E-mail: infoeko@moe.gov.mk

TOGO

M. Abdou-Kérim Moumouni
Directeur de la Faune et Chasse
Ministère de l'Environnement
B.P. 355
Lomé
TOGO

Tel.: (+228) 260059 / 2214028/29
Fax: (+228) 221 40 29
E-mail: direfaune@caramail.com, direfaune@yahoo.fr,
sokodel@yahoo.fr

M. Kotchikpa Okoumassou
Chef, Protection et Gestion
Direction de la Faune et de la Chasse
Ministère de l'Environnement et des Ressources
Forestière
B.P. 355
Lomé
TOGO

Tel.: (+228) 2214029
Fax: (+228) 2214029
E-mail: direfaune@caramail.com

UGANDA

Mr. Justus Tindigarukayo-Kashagire
Asst. Commissioner Wildlife
Wildlife Division
Ministry of Tourism, Trade & Industry
P.O. Box 4241
Kampala
UGANDA/Ouganda/Uganda

Tel.: (+256 41) 34 39 47 / 25 12 94
Fax: (+256 41) 34 12 47 / 25 12 94
E-mail: wildlife.justus@wildlifeug.org

UKRAINE

Mr. Olexandr Bogachov
Head of Environmental Management Section
Secretariat of the Cabinet of Ministers
12/2, Grushevskogo str.
01008 Kyiv
UKRAINE/Ukraine/Ucrania

Tel.: (+38 044) 293 1651
Fax: (+38 044) 224 2239 / 228 2067
E-mail: vgd@land.freenet.kiev.ua, vladdy@uct.kiev.ua

Dr. Volodymyr Domashlinets
Head of Fauna Division
Ministry of Environment and Natural Resources
ul. Khreshchatyk 5
01601 Kyiv
UKRAINE/Ukraine/Ucrania

Tel.: (+38 044) 224 2239 / 1113
Fax: (+38 044) 224 2239 / 228 2067
E-mail: vgd@land.freenet.kiev.ua

UNITED KINGDOM

Dr. Colin A. Galbraith
Head of Advisory Services
Scottish Natural Heritage
2/5 Anderson Place
Edinburgh EH6 5NP
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 131) 446 2404
Fax: (+44 131) 446 2491 / 2405
E-mail: colin.galbraith@snh.gov.uk

Dr. Steve Gibson
International Advisor
Joint Nature Conservation Committee
Monksone House City Road
Peterborough PE1 1JY
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1733) 866 815
Fax: (+44 1733) 866 855
E-mail: steve.gibson@jncc.gov.uk

Mr. Steve Lee-Bapty (Head of Delegation)
Zoos and International Species Conservation
Department for Environment, Food and Rural Affairs
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6EB
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 117) 372 8295
Fax: (+44 117) 372 8317
E-mail: steve.lee-bapty@defra.gsi.gov.uk

Dr. Diana Mortimer
Habitat Officer
Joint Nature Conservation Committee
Monkstone House, City Road
Peterborough PE1 1JY
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1733) 866 857
Fax: (+44 1733) 555 948
E-mail: diana.mortimer@jncc.gov.uk

Mr. Robert Vagg
International Conservation Policy Adviser
Zoos and International Species Conservation
Department for Environment, Food and Rural Affairs
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6EB
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 117) 372 8110
Fax: (+44 117) 372 8317
E-mail: robert.vagg@defra.gsi.gov.uk

UNITED REPUBLIC OF TANZANIA

Mr. Mzamillu Kaita
Ministry of Natural Resources and Tourism
Wildlife Division
Ivory Room, Nyerere Road
P.O. Box 1994
Dar es Salaam
TANZANIA, UNITED REPUBLIC OF/Tanzanie,
République-Unie de/Tanzanía, República Unida de

Tel.: (+255 22) 286 6408 / 6375
Fax: (+255 22) 2863496 / 2865836
E-mail: wildlife-division@twiga.com

Mr. Charles Mdoe
Asst. Director
Ministry of Natural Resources and Tourism
Wildlife Division
Ivory Room, Nyerere Road
P.O. Box 1994
Dar es Salaam
TANZANIA, UNITED REPUBLIC OF/Tanzanie,
République-Unie de/Tanzanía, República Unida de

Tel.: (+255 22) 286 6408 / 375
Fax: (+255 22) 286 5836
E-mail: wildlife-division@twiga.com

Ms. Nipanema Mdoe
Ministry of Natural Resources and Tourism
Wildlife Division
Ivory Room, Nyerere Road
P.O. Box 1994
Dar es Salaam
TANZANIA, UNITED REPUBLIC OF/Tanzanie,
République-Unie de/Tanzanía, República Unida de

Tel.: (+255 22) 286 6408 / 375
Fax: (+255 22) 286 5836
E-mail: wildlife-division@twiga.com

Mr. Emmanuel L. M. Severre
Director of Wildlife Division
Ministry of Natural Resources and Tourism
P.O. Box 1994
Dar es Salaam

Tel.: (+255 22) 286 6408
Fax: (+255 22) 286 5836 / 286 3496
E-mail: wildlife-division@twiga.com

Ms. Miriam Zacharia
Principle Game Officer
Ministry of Natural Resources and Tourism
Wildlife Division
Ivory Room, Nyerere Road
P.O. Box 1994
Dar es Salaam
TANZANIA, UNITED REPUBLIC OF/Tanzanie,
République-Unie de/Tanzanía, República Unida de

Tel.: (+255 22) 286 6408 / 6375
Fax: (+255 22) 2863496 / 2865836
E-mail: wildlife-division@twiga.com

Mr. Josiah M. Katondo
National Environment Management Council
Lake Victoria Environment Project
P.O. Box 63154
Mwanza
TANZANIA, UNITED REPUBLIC OF/Tanzanie,
République-Unie de/Tanzanía, República Unida de

Tel.: (+255 28) 250 0806
Fax: (+255 28) 250 0806
E-mail: lvemp-wetlands@raha.com,
lakevic.tan@sukumanet.com

URUGUAY

Dr. Marcel Enzo Calvar Agrelo
Asesor Técnico
Departamento de Fauna, Dirección General de
Recursos Naturales Renovables
Ministerio de Ganadería, Agricultura y Pesca
Cerrito 318, Piso 1
11000 Montevideo
URUGUAY

Tel.: (+598 2) 915 6452/53 / 915 6741
Fax: (+598 2) 915 6456
E-mail: mcalvar@mgap.gub.uy, renare@mgap.gub.uy

Dr. Francisco Daniel Rilla Manta
Av. 8 de octubre 2738
C.P. 11600
Montevideo
URUGUAY

Tel.: (+598 2) 481 1121
Fax: (+598 2) 70 95 23
E-mail: pico@internet.com.uy

UZBEKISTAN

Mr. Ilhom Abdulhusejnov
Consul General
Consulate General of the Republic of Uzbekistan
Jahnstr. 15
60318 Frankfurt am Main
UZBEKISTAN/Ouzbékistan/Uzbekistán

Tel.: (+49 69) 74 05 69
Fax: (+49 69) 74 05 41
E-mail:

Dr. A. Djalaliddin Azimov
Director
Zoological Institute
Academy of Sciences
7 Kadiry str.
700095 Tashkent
UZBEKISTAN/Ouzbékistan/Uzbekistán

Tel.: (+998 712) 41 30 80 / 41 04 42
Fax: (+998 712) 413 990 / 415 633
E-mail: halmat@ecoinf.org.uz

Ms. Irina Bekmirzayeva
Senior Specialist
Department of International Cooperation
State Committee for Nature Protection
ul. Abdulla Kadiry 7
700128 Tashkent
UZBEKISTAN/Ouzbékistan/Uzbekistán

Tel.: (+998 712) 413080 / 410442
Fax: (+998 712) 415633 / 413990
E-mail: halmat@ecoinf.org.uz, irina77@online.ru

Mr. Bakhodir Khalilov
Deputy Minister
Ministry of Foreign Affairs
9, Uzbekistan Str.
700029 Tashkent
UZBEKISTAN/Ouzbékistan/Uzbekistán

Tel.: (+998 71) 133 6475
Fax: (+998 71) 139 1517
E-mail:

H.E. Dr. Vladimir Norov
Ambassador
Embassy of the Republic of Uzbekistan
Perleberger Str. 62
10117 Berlin
UZBEKISTAN/Ouzbékistan/Uzbekistán

Tel.: (+49 30) 39 40 980
Fax: (+49 30) 39 40 98 62
E-mail: botschaft@uzbekistan.de

**Other Official Delegations / Autres Delegations Officielles /
Otras Delegaciones Oficiales**

AFGHANISTAN

Mr. Abdul Samea Sakhi
General Director of National Parks
Forestry Department
Ministry of Agriculture
Opp. Cinema Park, Shari Nau
Kabul
Afghanistan/Afghanistan/Afghanistán

Tel.: (+93) 35800
Fax: (+92 51) 221 4379 / 211 450 (c/o UNCO Kabul)
E-mail:

ARMENIA

Mr. Georgi Arzumanyan (Head of Delegation)
Head of the International Cooperation Department
Ministry of the Nature Protection
ul. Moscovyana 35
375002 Yerevan
Armenia/Arménie/Armenia

Tel.: (+374 1) 53 18 61
Fax: (+374 1) 53 18 61 / 53 81 87
E-mail: interdpt@rambler.ru

Mr. Karén Jenderedjian
Leading Specialist
Ministry of Nature Protection
ul. Moscovyana 35
375002 Yerevan
Armenia/Arménie/Armenia

Tel.: (+374 1) 53 18 41
Fax: (+374 1) 53 18 61 / 53 81 87
E-mail: jender@nature.am

AZERBAIJAN

Mr. Farig Farzaliyev
Ministry of Ecology and Natural Resources
B. Aghayev Street 100-A
370073 Baku
Azerbaijan/Azerbaïdjan/Azerbaiyán

Tel.: (+944 12) 38 74 19
Fax: (+997 12) 92 59 07
E-mail: valeh@eko.baku.az

BANGLADESH

Mr. Md. Osman Gani
Conservator
Forest Department
Ministry of Environment and Forests
Building #6, Room #1322
Bangladesh Secretariat
Dhaka 1000
Bangladesh

Tel.: (+880 2) 861 0587 / 861 7916
Fax: (+880 2) 861 0166
E-mail: moefmin@sdnbd.org

H.E. Hon. Mr. Jafrul Islam Chowdhury (Head of
Delegation)
State Minister for Environment and Forest
Building #6, Room #1322
Bangladesh Secretariat
Dhaka 1000
Bangladesh

Tel.: (+880 2) 861 0587 / 861 7916
Fax: (+880 2) 861 0166
E-mail: moefmin@sdnbd.org

BRAZIL

Sr. Benedicto Fonseca Filho
Ministry of Foreign Affairs
Environment Division
Anexo I Sala 439
70.170.900 Brasilia D.F.
Brazil/Brésil/Brasil

Tel.: (+55 61) 411 6674
Fax: (+55 61) 322 5523
E-mail: bfilho@mre.gov.br

BURUNDI

Mr. Jean-Marie Bukuru
Correspondant national de CMS, AEWa et Ramsar
Ministère de l'Amenagement du Territoire et de
l'Environnement
B.P. 241
Gitega
Burundi

Tel.: (+257) 40 23 03
Fax: (+257) 402625/ 402617 / 228902
E-mail: igebu@cbinf.com

CAMBODIA

Dr. Neou Bonheur
Deputy Director
Department of Nature Conservation
Ministry of Environment
48 Samdech Preah Sihanouk
Tonle Bassac, Chamkar Morn
Phnom Penh
Cambodia/Cambodge/Camboya

Tel.: (+855 12) 976383
Fax:
E-mail: lcu@forum.org.kh

CAPE VERDE

Sr. Emilio Gomes Sanches
Regional Director
National Institute for Fisheries Development
P.O. Box 545
Praia
Cape Verde/Cap-Vert/Cabo Verde

Tel.: (+238) 61 28 65
Fax: (+238) 61 25 02
E-mail: esanches@caramail.com,
egsanches@hotmail.com

CENTRAL AFRICAN REPUBLIC

M. Pierre Gaba-Mano (Head of Delegation)
Directeur général des services régionaux
Ministère de l'Environnement des Eaux- Forêts-
Chasse-Pêche
B.P. 830
Bangui
Central African Republic/République
centrafricaine/República Centroafricana

Tel.: (+236) 50 26 73
Fax: (+236) 61 57 41
E-mail: liabastre@intnet.cf, liabastre@ifrance.com

S.E. Le Lt. Colonel Martin-Gérard Tebiro
Ambassadeur de la République centrafricaine
Johanniterstraße 19
53113 Bonn
Germany/Allemagne/Alemania

Tel.: (+49 228) 23 35 64
Fax: (+49 228) 23 35 64
E-mail: liabastre@intnet.cf, liabastre@ifrance.com

M. Dominique Ngongba-Ngouadakpa
Directeur de la Faune
Ministère de l'Environnement des Eaux- Forêts-
Chasse-Pêche
B.P. 830
Bangui
Central African Republic/République
centrafricaine/República Centroafricana

Tel.: (+236) 50 37 49
Fax: (+236) 61 57 41
E-mail: liabastre@intnet.cf, liabastre@ifrance.com

CHINA

Mr. Fawen Qian
Assistant Research Professor
National Bird Banding Center
Chinese Academy of Forestry
P.O. Box 1928, Wan Shou Shan
100091 Beijing
China/Chine/China

Tel.: (+86 10) 62 88 84 54
Fax: (+86 10) 62 88 84 54
E-mail: cranenw@fee.forestry.ac.cn

Mr. Jun Xia
Deputy Director
Department of International Cooperation
State Forestry Administration

No. 18 Hepingli Dongjie
100714 Beijing
China/Chine/China

Tel.: (+86 10) 84 23 87 98
Fax: (+86 10) 84 23 87 49
E-mail: xiaj@forestry.gov.cn

Dr. Dehui Zhang
Deputy Director of Wildlife Management
Department of Wildlife Conservation
State Forestry Administration
No. 18 Hepinglidong Street
Dongcheng District
100714 Beijing
China/Chine/China

Tel.: (+86 10) 84 23 85 77
Fax: (+86 10) 84 23 85 40
E-mail: zhangdehui@forestry.gov.cn

COMOROS

M. Ismael Bachirou
Directeur-Général Adjoint
Direction Générale de l'Environnement
Ministère de la Production et de l'Environnement
B.P. 41
Moroni
Comoros/Comores/Comoras

Tel.: (+269) 73 63 88
Fax: (+269) 73 68 49
E-mail: ismael_269@yahoo.com

COTE D'IVOIRE

S.E. M. Amin Florent Atse
Ambassadeur de la République du Côte d'Ivoire
Königstrasse 93
53115 Bonn
Germany/Allemagne/Alemania

Tel.: (+49 228) 21 20 98/21 20 99
Fax: (+49 228) 21 73 13
E-mail:

M. Eric Beugre
Ministère de l'Environnement et du Cadre de Vie
Direction de la Protection de la Nature
Cite Administrative, Tour C, 7^e E
B.P. V 178
Abidjan
Côte d'Ivoire/Côte d'Ivoire/Côte d'Ivoire

Tel.: (+225 20) 21 91 41 / 21 03 42
Fax: (+225 20) 210342 / 22 53 66
E-mail: ericbeugre@hotmail.com, ahounze@yahoo.fr

M. Tano Sombo (Head of Delegation)
Directeur de la Protection de la Nature
Ministère de l'Environnement et du Cadre de Vie
Cite Administrative, Tour C, 7^e E
B.P. V 178
Abidjan
Côte d'Ivoire/Côte d'Ivoire/Côte d'Ivoire

Tel.: (+225 20) 21 91 41 / 21 03 42
Fax: (+225 20) 210342 / 22 53 66
E-mail:

DJIBOUTI

M. Houssein Abdillahi Rayaleh
Assistant au secrétaire Général / Point focal de Ramsar
et CITES
Ministère de l'Habitat, de l'Urbanisme, de
l'Environnement et de l'Aménagement du Territoire
B.P. 11
Djibouti
Djibouti

Tel.: (+253) 35 00 03 / 35 85 22
Fax: (+235) 35 16 18 / 35 31 78
E-mail: assamo@caramail.com

ECUADOR

Sr. Jimmy Andrade
Asesor de la Ministra del Ambiente y Director del
Distrito Regional del Litoral
Ministerio del Ambiente
Amazonas y Eloy Alfaro, 8vo. piso
Quito
Ecuador/Equateur/Ecuador

Tel.: (+593 4) 256 0402 / 3462
Fax: (+593 4) 256 0402 / 250 0041
E-mail: jandrade@ambiente.gov.ex,
dasint@ambiente.gov.ec

EQUATORIAL GUINEA

Sr. Santiago Francisco Engonga Osona
Punto Focal de CMS
Ministerio de Bosque, Pesca y Medio Ambiente
Malabo
Equatorial Guinea/Guinée équatoriale/Guinea
Ecuatorial

Tel.: (+240 9) 1305
Fax: (+240 9) 2905
E-mail: proegq@intnet.gq

GABON

M. Jean-Hilaire Moudziegou Ibinga
Directeur des Etudes
Ministère de l'Economie Forestière, des Eaux et de la
Pêche
Direction Générale de l'Environnement
B.P. 3903
Libreville
Gabon/Gabon/Gabón

Tel.: (+241) 72 27 00
Fax: (+241) 77 29 94
E-mail: dfc@internetgabon.com

INDONESIA

Dr. Samedi
Head of Sub-Division Conventions
Directorate of Biodiversity Conservation
Directorate General of Nature Conservation
Ministry of Forestry
Manggala Wanabhakti Bldg.
Block VII, 7th Floor
Jalan Gatot Subroto
Jakarta Pusat 10270
Indonesia/Indonésie/Indonesia

Tel.: (+62 21) 572 0227
Fax: (+62 21) 572 0227
E-mail: sam.phpa@dephut.cbn.net.id,
cites@dephut.cbn.net.id

ISLAMIC REPUBLIC OF IRAN

Mr. Jafar Barmaki
2nd Secretary
Department of International Affairs
Foreign Ministry
Koshke Mesri Str.
Teheran
Iran, Islamic Republic of/Iran (République islamique
d')/Irán (República Islámica del)

Tel.: (+98 21) 321 2671
Fax: (+98 21) 670 4176
E-mail: jbarmaki@yahoo.com

Mr. Sadegh Sadeghi Zadegan
Department of Environment
Ostad Nejatollahi Av. 187
P.O. Box 5181
Teheran 15875
Iran, Islamic Republic of/Iran (République islamique
d')/Irán (República Islámica del)

Tel.: (+98 21) 826 9293
Fax: (+98 21) 826 7993
E-mail: sadeghizadegan@abedi.net

KAZAKHSTAN

Dr. Sergey Yerekhov
Senior Research Fellow
Laboratory of Ornithology
Academy of Sciences
Academgorodog
Almaty 480032
Kazakhstan/Kazakhstan/Kazakstán

Tel.: (+7 3272) 481 890 / 481 786
Fax: (+7 3272) 481 958
E-mail: instzoo@nursat.kz

KYRGYZSTAN

Mr. Omurbek Berbayev
Director
Issyk-Kul Environmental Department
Ministry for Environment and Emergencies
2/1 Toktomaliev str.
727055 Bishkek
Kyrgyzstan/Kirghizistan/Kirguistán

Tel.: (+996 312) 54 11 77
Fax: (+996 312) 54 11 77
E-mail: min-eco@elcat.kg

LEBANON

Ms. Lamia Chamas
Chief of Service
Conservation of Nature
Ministry of Environment
B.P. 70-1091
Antelias, Beirut
Lebanon/Liban/Líbano

Tel.: (+961 4) 522 222
Fax: (+961 4) 525 080
E-mail: lchamas@moe.gov.lb

LIBERIA

Hon. Mr. Abraham B. Kroma
Deputy Minister
Ministry of Planning and Economic Affairs
P.O. Box 10/9016
1000 Monrovia 10
Liberia/Libéria/Liberia

Tel.: (+231) 22 77 02
Fax: (+231) 22 74 35
E-mail: akroma@hotmail.com

MAURITIUS

Mr. Yousoof Mungroo
Director
National Parks and Conservation Service
Ministry of Agriculture, Food Technology and Natural
Resources
Reduit
Mauritius/Maurice/Mauricio

Tel.: (+230) 464 2993
Fax: (+230) 465 1184
E-mail: npcagr@intnet.mu

NEPAL

Mr. Narayan Poudel
Deputy Director General
Department of National Parks and Wildlife
Conservation
Babarmahal
G.P.O. Box 860
Kathmandu
Nepal/Népal/Nepal

Tel.: (+977 1) 220912 / 220850
Fax: (+977 1) 22 76 75
E-mail: npoudel@dnppwc.gov.np

RUSSIAN FEDERATION

Dr. Anna Belousova
Head of Department
All-Russian Institute for Nature Conservation &
Reserves
Znamenskoye-Sadki
VNII Priroda
113628 Moscow
Russian Federation/Fédération de Russie/Federación de
Rusia

Tel.: (+7 095) 423 0311
Fax: (+7 095) 423 2322
E-mail: anbelous@online.ru

RWANDA

Ms. Corneille Kagara
Division Politique, Programme et Sensibilisation
Ministère des Terres, de la Réinstallation et de la
Protection de l'Environnement
B.P. 3502
Kigali
Rwanda

Tel.: (+250) 82628 / 517563
Fax: (+250) 82629
E-mail: kagarac2001@yahoo.fr

SAINT LUCIA

Mr. Donald Anthony
Wildlife Officer
Forestry Department
Ministry of Agriculture, Forestry and Fisheries
Stanislaus James Building
Waterfront
Castries
Saint Lucia/Sainte-Lucie/Santa Lucía

Tel.: (+1 758) 450 2078
Fax: (+1 758) 450 2287
E-mail: anthonydonald@hotmail.com

SIERRA LEONE

Mr. Emmanuel Keifala Alieu
Director
Ministry of Forests, Agriculture and Marine Resources
Room M206, Youyi Building, Brookfields
Freetown
Sierra Leone/Sierra Leone/Sierra Leona

Tel.: (+232 22) 242036 / 223445
Fax: (+232 22) 222945 / 241613 / 242128
E-mail: ealieu@hotmail.com, lucy_alieu@yahoo.co.uk

SUDAN

Mr. Khamis Adieng Ding
Wildlife Conservation General Administration
P.O. Box 336
Khartoum
Sudan/Soudan/Sudán

Tel.: (+249 13) 34 46 20
Fax: (+249 13) 34 46 21
E-mail: khamis_adieng@hotmail.com

SYRIAN ARAB REPUBLIC

Dr. Akram Issa Darwish
Director of Biodiversity and Protected Areas
Management
Ministry of State for Environmental Affairs
P.O. Box 3773
Tolyani Str.
Damascus
Syrian Arab Republic/République arabe
syrienne/República Árabe Siria

Tel.: (+963 11) 444 7608 / 223 4309 / 333 0510
Fax: (+963 11) 444 7608 / 333 5645
E-mail: akramisa@scs-net.org

THAILAND

Ms. Nirawan Pipitsombat
Office of Environmental Policy and Planning
Ministry of Science, Technology and Environment
60/1 Soi Phibunwattana 7
Rama VI Rd., Phayathai
Bangkok 10400
Thailand/Thaïlande/Tailandia

Tel.: (+66 2) 271 3251
Fax: (+66 2) 271 3251/279 8088
E-mail: nirawan_p@hotmail.com

TIMOR-LESTE

Mr. Mario Ribeiro Nunes
Director General of Forestry Department
Ministry of Agriculture, Forestry and Fisheries
Fomento Building
Dili
Timor-Leste/Timor Oriental/Timor Oriental

Tel.: (+614) 170 837 24?
Fax: (+670) 390 325 121
E-mail: guterreso@yahoo.com

Dr. Frederic Launay
Head of SPDU
Environmental Research & Wildlife Development
Agency
National Avian Research Center
P.O. Box 45553
Abu Dhabi
United Arab Emirates/Emirats arabes unis/Emiratos
Arabes Unidos

Tel.: (+971 2) 681 7171 Ext 510
Fax: (+971 2) 681 0008 / 7347
E-mail: flaunay@erwda.gov.ae

TURKEY

Ms. Safak Kemaloglu
Chief of Section
Department of Animal Protection
Ministry of Environment
Eskisehir Yolu 8. km
Ankara
Turkey/Turquie/Turquía

Tel.: (+90 312) 287 9963/2416
Fax: (+90 312) 286 2271
E-mail: safakkemaloglu@yahoo.com

Mr. Olivier Combreau
Head of NARC
National Avian Research Center
Environmental Research & Wildlife Development
Agency
P.O. Box 45553
Abu Dhabi Suweihan
United Arab Emirates/Emirats arabes unis/Emiratos
Arabes Unidos

Tel.: (+971 3) 734 7555
Fax: (+971 3) 734 7607
E-mail: ocombreau@erwda.gov.ae

TURKMENISTAN

Prof. Eldar Rustamov
Wetlands Expert
Ministry of Environmental Protection
ul. Kemine 102
744000 Ashgabad
Turkmenistan/Turkménistan/Turkmenistán

Tel.: (+993 12) 39 85 86
Fax: (+993 12) 39 31 84
E-mail: rustamov@ngotm.org,
makhtum@nature.untuk.org, mamedova@ngotm.org

VIET NAM

Mr. Manh Son Dao
Vice Director
Research Institute of Marine Fisheries
Ministry of Fisheries - RIMF
170, Le Lai Street
Haiphong
Viet Nam

Tel.: (+84 31) 83 78 98
Fax: (+84 31) 83 68 12
E-mail: daoson@hn.vnn.vn

UNITED ARAB EMIRATES

Mr. Thabit Al Abdessalaam
Head of MERC
Marine Environment Research Center
Environmental Research & Wildlife Development
Agency
P.O. Box 45553
Abu Dhabi
United Arab Emirates/Emirats arabes unis/Emiratos
Arabes Unidos

Tel.: (+971 2) 693 4658
Fax: (+971 2) 681 7353
E-mail: tabdessalaam@erwda.gov.ae

Mr. Tran Ngoc Cuong
Environmental Manager
National Environmental Agency
Nature Conservation Division
67 Nguyen Du Str.
Hanoi
Viet Nam

Tel.: (+84 4) 942 4557
Fax: (+84 4) 822 3189
E-mail: tcuong@svr1-han.unep.net

Mr. Van Mieu Vu
First Secretary
Department of International Organisations
Ministry of Foreign Affairs
6 Chu Van An
Hanoi
Viet Nam

Tel.: (+84 4) 199 3318
Fax: (+84 4) 843 2344
E-mail: vuvanmien@yahoo.com

YEMEN

Mr. Abdul Hakim A.R. Aulaiah
Director General of Natural Resources and
Biodiversity
Environmental Protection Authority
P.O. Box 19719
Sana'a
Yemen/Yémen/Yemen

Tel.: (+967 1) 206611 / 207817
Fax: (+967 1) 207327
E-mail: epa@y.net.ye

ZAMBIA

Mr. Hopeson Isaac Simwanza
Zambia Wildlife Authority
Private Bag 1
Chilanga
Zambia/Zambie/Zambia

Tel.: (+260 1) 27 83 23
Fax: (+260 1) 27 84 39
E-mail: zawares@coppernet.zm

ZIMBABWE

Dr. Peter J. Mundy
Department of National Parks and Wildlife
Management
P.O. Box 2283
Bulawayo
Zimbabwe

Tel.: (+263 9) 74000
Fax: (+263 9) 74000
E-mail: bfa@gatorzw.com

Intergovernmental Organizations / Organisations Intergouvernementales / Organizaciones Intergubernamentales

ACCOBAMS

Agreement on the Conservation of Cetaceans in the
Black Sea, Mediterranean Sea and Contiguous Atlantic
Area

Dr. Marie-Christine van Klaveren
Executive Secretary
ACCOBAMS Permanent Secretariat
16, boulevard de Suisse
98000 Monaco
MONACO/Monaco/Mónaco

Tel.: (+377) 93 15 80 10 / 20 78
Fax: (+377) 93 05 42 08
E-mail: mcvanklaveren@accobams.mc

AEWA

Agreement on the Conservation of African-Eurasian
Migratory Waterbirds

Mr. Bert Lenten
Executive Secretary
AEWA Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2413/4
Fax: (+49 228) 815 2450
E-mail: aewa@unep.de

ASCOBANS

Agreement on the Conservation of Small Cetaceans of
the Baltic and North Seas

Mr. Rüdiger Stempel
Executive Secretary
ASCOBANS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2416/18
Fax: (+49 228) 815 2440
E-mail: ascobans@ascobans.org

CCAMLR

Commission for the Conservation of Antarctic Marine
Living Resources

Represented by Mr. Barry Baker
137 Harrington Street
Hobart, Tasmania 7000
AUSTRALIA/Australie/Australia

Tel.: (+61 3) 62 31 03 66
Fax: (+61 3) 62 34 99 65
E-mail: ccamlr@ccamlr.org

Council of Europe

Mr. Eladio Fernández-Galiano
Head of Division
Natural Heritage and Biological Diversity Division
Council of Europe
67075 Strasbourg Cedex
FRANCE/France/Francia

Tel.: (+33 3) 88 41 22 59
Fax: (+33 3) 88 41 37 51/55/84
E-mail: eladio.fernandez-galiano@coe.int

CWSS

Trilateral Wadden Sea Cooperation Agreement

Ms. Bettina Reineking
Deputy Secretary
Common Wadden Sea Secretariat
Virchowstr. 1
26382 Wilhelmshaven
GERMANY/Allemagne/Alemania

Tel.: (+49 4421) 910 814
Fax: (+49 4421) 91 08 30
E-mail: reineking@waddensea-secretariat.org

EUROBATS

Agreement on the Conservation of Populations of
European Bats

Mr. Andreas Streit
Executive Secretary
EUROBATS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2420/1
Fax: (+49 228) 815 2445
E-mail: eurobats@eurobats.org

International Council of Environmental Law

Mr. Michael A. Buenker
Asst. to Executive Governor
International Council of Environmental Law
Postfach 120369
53045 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 269 2240
Fax: (+49 228) 269 2251
E-mail:

Dr. Wolfgang E. Burhenne
Executive Governor
International Council of Environmental Law
Postfach 120369
53045 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 269 2240
Fax: (+49 228) 269 2251
E-mail:

Ms. Rosemarie von Hegel
International Council of Environmental Law
Postfach 120369
53045 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 269 2240
Fax: (+49 228) 269 2251
E-mail:

IWC

International Convention for the Regulation of
Whaling

Represented by Dr. William F. Perrin
The Red House
135 Station Road, Histon
Cambridge CB4 9NP
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1223) 23 39 71
Fax: (+44 1223) 23 28 76
E-mail: secretariat@iwcoffice.org

OSPAR Commission

Convention for the Protection of the Marine
Environment of the North-East Atlantic

Represented by Dr. Hans-Georg Neuhoff
New Court 48 Carey Street
London WC2A 2JQ
United Kingdom

Tel.: (+44 20) 7430 5200
Fax: (+44 20) 7430 5225
E-mail: secretariat@ospar.org

Ramsar Convention

Convention on Wetlands of International Importance
especially as Waterfowl Habitat

Dr. Nicholas Davidson
Deputy Secretary General
Ramsar Convention Bureau
28, rue Mauverney
1196 Gland
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 999 0171
Fax: (+41 22) 999 0169
E-mail: davidson@ramsar.org

UNCCD

United Nations Convention to Combat Desertification
in Countries Experiencing Serious Drought and/or
Desertification, Particularly in Africa

Mr. Antonio Rodrigues Pires
Senior Liaison Officer
United Nations Convention to Combat Desertification
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2801
Fax: (+49 228) 815 2899
E-mail: apires@unccd.de

UNEP

United Nations Environment Programme

Mr. Shafqat Kakakhel
Deputy Executive Director
Office of the Deputy Executive Director (ODED)
United Nations Environment Programme (UNEP)
United Nations Avenue, Gigiri
P.O. Box 30552
Nairobi
KENYA/Kenya/Kenya

Tel.: (+254 2) 62 40 20/21/22
Fax: (+254 2) 62 30 70
E-mail: shafqat.kakakhel@unep.org

Mr. Paul Chabeda
Chief, Biodiversity Conventions
Environmental Conventions Division
United Nations Environment Programme (UNEP)
P.O. Box 30552
Nairobi
KENYA/Kenya/Kenya

Tel.: (+254 2) 62 38 77
Fax: (+254 2) 62 42 60
E-mail: paul.chabeda@unep.org

Mr. Robert Hepworth
Deputy Director
Division of Environmental Conventions
United Nations Environment Programme (UNEP)
P.O. Box 30552
Nairobi
KENYA/Kenya/Kenya

Tel.: (+ 254 2) 62 32 60 / 58
Fax: (+ 254 2) 62 39 26
E-mail: robert.hepworth@unep.org

UNEP/CITES

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

Mr. Willem Wijnstekers
Secretary General
Convention on International Trade in Endangered
Species of Wild Fauna and Flora
UNEP/CITES Secretariat
International Environment House
15, chemin des Anémones
Case Postale 456
1219 Châtelaine, Geneva
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 917 8149
Fax: (+41 22) 797 3417
E-mail: willem.wijnstekers@unep.ch

UNEP Mediterranean Action Plan

Convention for the Protection of the Mediterranean Sea
against Pollution and its related Protocols

Mr. Lucien Chabason
Co-ordinator
Secretariat to the Barcelona Convention
UNEP Mediterranean Action Plan
48, Vassileos Konstantinou Avenue
11635 Athens
GREECE/Grèce/Grecia

Tel.: (+30 1) 0727 3100
Fax: (+30 1) 0725 3196/7
E-mail: unepmedu@unepmap.gr

Regional Activity Centre for Specially Protected Areas

Mr. Mohamed Adel Hentati
 Directeur
 Centre d'Activités Régionales pour les Aires
 Spécialement Protégées (CAR/ASP)

Boulevard de l'environnement
 B.P. 337
 1080 Cedex Tunis
 TUNISIA/Tunisie/Túnez

Tel.: (+216 1) 795 760
 Fax: (+216 1) 797 349
 E-mail: car-asp@rac-spa.org.tn

UNEP-WCMC

World Conservation Monitoring Centre

Mr. Neville J. Ash
 Condition Working Group Coordinator
 Millennium Ecosystem Assessment
 UNEP World Conservation Monitoring Centre
 219 Huntingdon Road
 Cambridge CB3 0DL
 UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1223) 27 73 14
 Fax: (+44 1223) 27 71 36
 E-mail: ash@millenniumassessment.org

Mr. Gerardo Fragoso
 Head - Species Programme
 UNEP World Conservation Monitoring Centre
 219c Huntingdon Road
 Cambridge CB3 0DL
 UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1223) 277 314
 Fax: (+44 1223) 277 136 / 365
 E-mail: gerardo.fragoso@unep-wcmc.org

Ms. Karen Simpson
 UNEP World Conservation Monitoring Centre
 219c Huntingdon Road
 Cambridge CB3 0DL
 UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1223) 277 314
 Fax: (+44 1223) 277 136 / 365
 E-mail: karen.simpson@unep-wcmc.org

Dr. Mark Collins
 Director
 UNEP World Conservation Monitoring Centre
 (UNEP/WCMC)
 219c Huntingdon Road
 Cambridge CB3 0DL
 UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1223) 277 314
 Fax: (+44 1223) 277 136 / 365
 E-mail: mark.collins@unep-wcmc.org

UNESCO

United Nations Educational, Scientific and Cultural
 Organization

Dr. Peter Bridgewater
 Director
 Division of Ecological Sciences
 UNESCO
 1, rue Miollis
 75732 Paris Cedex 15
 FRANCE/France/Francia

Tel.: (+33 1) 45 68 40 67
 Fax: (+33 1) 45 68 58 04 / 32
 E-mail: p.bridgewater@unesco.org

**International Non-Governmental Organizations / Organisations Internationales Non-Gouvernementales /
 Organizaciones Internacionales No Gubernamentales**

BirdLife International

Dr. Robert P. Clay
 Guyra Paraguay/BirdLife International
 Coronel Rafael Franco 381
 C.C. 1132
 Asunción
 PARAGUAY/Paraguay/Paraguay
 Tel.: (+595 21) 22 77 77
 Fax: (+595 21) 22 77 77
 E-mail: rob@guyra.org.py

Dr. John Cooper
 Coordinator
 BirdLife International
 Seabird Conservation Programme
 c/o Avian Demography Unit
 University of Cape Town
 Rondebosch 7701
 SOUTH AFRICA/Afrique du Sud/Sudáfrica

Tel.: (+27 21) 650 34 26
 Fax: (+27 21) 650 34 34
 E-mail: jcooper@botzoo.uct.ac.za

Mr. Steven W. Evans
Important Bird Areas Programme Manager
BirdLife South Africa
P.O. Box 515
Randburg 2125
SOUTH AFRICA/Afrique du Sud/Sudáfrica

Tel.: (+27 11) 789 1122
Fax: (+27 11) 789 5188
E-mail: iba@birdlife.org.za

Dr. Umberto Gallo-Orsi
Conservation Project Officer
BirdLife International
European Division Office
Droevendaalsesteeg 3a,
P.O. Box 127
6700 AC Wageningen
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 317) 47 88 31/3
Fax: (+31 317) 47 88 44
E-mail: u.galloorsi@birdlife.agro.nl

Dr. Dieter Hoffmann
Head of Global Programmes
Royal Society for the Protection of Birds
The Lodge
Sandy, Bedfordshire SG19 2DL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 767) 68 05 51
Fax: (+44 1 767) 68 32 11
E-mail: dieter.hoffmann@rspb.org.uk

Mr. John O'Sullivan
International Treaties Adviser
BirdLife International
c/o RSPB The Lodge
Sandy, Bedfordshire SG19 2DL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 767) 680 551
Fax: (+44 1 767) 683 211
E-mail: john.osullivan@rspb.org.uk

Mr. David E. Pritchard
International Treaties Adviser
BirdLife International
c/o RSPB The Lodge
Sandy, Bedfordshire SG19 2DL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 767) 68 05 51
Fax: (+44 1 767) 68 32 11
E-mail: dave.pritchard@rspb.org.uk

CIC

International Council for Game and Wildlife
Conservation

Mr. Kai-Uwe Wollscheid
CEO Director General
International Council for Game and Wildlife
Conservation (CIC)
Budapest Executive Office
P.O. Box 82
2092 Budakeszi
HUNGARY/Hongrie/Hongria

Tel.: (+36 23) 453 830
Fax: (+36 23) 453 832
E-mail: k.wollscheid@cic-wildlife.org

CIC Migratory Bird Commission

Prof. Dr. Herby Kalchreuter
CIC - Migratory Bird Commission
c/o European Wildlife Research Institute (EWI)
79848 Bonndorf-Glashütte
GERMANY/Allemagne/Alemania

Tel.: (+49 7653) 1891
Fax: (+49 7653) 9269
E-mail:

EURONATUR

European Nature Heritage Fund

Mr. Armin Schopp-Guth
Project Coordinator
EURONATUR
Grabenstr. 29
53359 Rheinbach
GERMANY/Allemagne/Alemania

Tel.: (+49 2226) 2045
Fax: (+49 2226) 171 00
E-mail: armin.schopp-guth@euronatur.org, schopp-guth@t-online.de

FACE

Federation of Associations for Hunting and
Conservation of the E.U.

Dr. Yves Lecocq
Secrétaire Général
Federation of Associations for Hunting and
Conservation of the E.U.
82, rue F. Pelletier
1030 Bruxelles
BELGIUM/Belgique/Bélgica

Tel.: (+32 2) 732 6900
Fax: (+32 2) 732 7072
E-mail: ylecocq@face-europe.org

Greenpeace

Mr. Johannes Albers
Greenpeace Germany
Antoniushang 32
45359 Essen
GERMANY/Allemagne/Alemania

Tel.: (+49 201) 67 89 59
Fax:
E-mail: johannes.albers@epost.de

HSI Australia

Humane Society International

Ms. Kitty Block
Humane Society International
P.O. Box 439
Avalon NSW 2107
AUSTRALIA/Australie/Australia

Tel.: (+61 2) 99 73 17 28
Fax: (+61 2) 99 73 17 29
E-mail: admin@hsi.org.au

IFAW Germany

International Fund for Animal Welfare

Dr. Stefan Bräger
International Fund for Animal Welfare IFAW
Postfach 10 46 23
20032 Hamburg
GERMANY/Allemagne/Alemania
Tel.: (+49 40) 866 500 28
Fax: (+49 40) 866 500 26
E-mail: info-de@ifaw.org, sbraeger@ifaw.org

Dr. Markus Risch
International Fund for Animal Welfare IFAW
Postfach 10 46 23
20032 Hamburg
GERMANY/Allemagne/Alemania

Tel.: (+49 40) 866 500 28
Fax: (+49 40) 866 500 26
E-mail: info-de@ifaw.org, mrisch@ifaw.org

IUCN

World Conservation Union

Mr. Mariano Gimenez-Dixon
Programme Officer - Species
World Conservation Union IUCN
28, rue Mauverney
1196 Gland
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 999 0155
Fax: (+41 22) 999 0015
E-mail: mgd@iucn.org

Mr. John Scanlon
Director
IUCN Environmental Law Centre
Godesberger Allee 108-112
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 269 2231
Fax: (+49 228) 269 2250
E-mail: secretariat@elc.iucn.org

M. Jean-Christophe Vié
Deputy Head, Species Programme
IUCN World Conservation Union
28, rue Mauverney
1196 Gland
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 99 92 08
Fax: (+41 22) 999 0015
E-mail: jcv@iucn.org

IUCN Viet Nam

Ms. Thi Thu Hien Bui
Marine and Coastal Programme Officer
IUCN Viet Nam Country Office
13A Tran Hung Dao Street
I.P.O. Box 60
Hanoi
Viet Nam/Viet Nam/Viet Nam

Tel.: (+84 4) 933 0012 / 3
Fax: (+84 4) 825 8794
E-mail: hien@iucn.org.vn

WDCS Australia

Whale and Dolphin Conservation Society

Ms. Margi Prideaux
Australian Campaign Coordinator
Whale and Dolphin Conservation Society - Australia
P.O. Box 720
Port Adelaide Business Centre
Port Adelaide SA 5015
AUSTRALIA/Australie/Australia

Tel.: (+61 8) 82 42 58 42
Fax: (+61 8) 82 42 15 95
E-mail: margi@wdcs.org

WDCS Germany

Ms. Christine Diemling
Project Management
Whale and Dolphin Conservation Society - Germany
Goerdelerstr. 41
82008 Unterhaching
GERMANY/Allemagne/Alemania

Tel.: (+49 511) 458 3549
Fax: (+49 511) 458 3459
E-mail: cdiemling@wdcs.org

Mr. Nicolas Entrup
Managing Director
Whale and Dolphin Conservation Society - Germany
Goerdelerstr. 41
82008 Unterhaching
GERMANY/Allemagne/Alemania

Tel.: (+49 89) 61 00 23 93/5
Fax: (+49 89) 61 00 23 94
E-mail: nentrup@wdcs.org

WDCS UK

Mr. Mark Peter Simmonds
Director of Science
Whale and Dolphin Conservation Society
Brookfield House
38 St. Paul St.
Chippenham, Wiltshire SN15 1LY
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 249) 44 95 00
Fax: (+44 1 249) 44 95 01
E-mail: marks@wdcs.org.uk

Wetlands International

Dr. Gerard C. Boere
International Programme Co-ordinator
Wetlands International
Postbus 471
6700 AL Wageningen
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 317) 47 88 87
Fax: (+31 317) 47 88 50
E-mail: boere@wetlands.agro.nl

Dr. E.J.M. Hagemeijer
Senior Species Conservation Officer
Wetlands International
Postbus 471
6700 AL Wageningen
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 317) 47 88 87
Fax: (+31 317) 47 88 50
E-mail: hagemeijer@wetlands.agro.nl

Wetlands International Asia Pacific

Dr. Taej Mundkur
Interim Executive Director
Wetlands International Asia Pacific
3A39, Kelana Centre Point, Block A
Jalan SS7/19
47301 Petaling Jaya, Selangor
Malaysia/Malaisie/Malasia

Tel.: (+60 3) 704 6770
Fax: (+60 3) 704 6772
E-mail: taej@wiap.nasionet.net

Wild Camel Foundation

Mr. John Hare
Director
Wild Camel Protection Foundation
School Farm
Benenden, Kent TN17 4EU
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1580) 24 11 32
Fax: (+44 1580) 24 09 60
E-mail: john@wildcamels.com

Dr. Kathryn Rae
Wild Camel Protection Foundation
School Farm
Benenden, Kent TN17 4EU
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1580) 241132 / (+44 20) 8748 4882
Fax: (+44 1580) 240960 / (+44 20) 8846 9059
E-mail: krae77777@aol.com

Hr. Horst Dintelmann
Carl-Justi-Str. 18
53121 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 62 62 82
Fax:
E-mail:

WWF International

World Wide Fund for Nature

Dr. Claude Martin
Director General
World Wide Fund for Nature (International)
Avenue du Mont-Blanc
1196 Gland
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 364 9111
Fax: (+41 22) 364 53 58
E-mail: mhartop@wwfint.org

Mr. John Newby
Senior Adviser, Species Programme
World Wide Fund for Nature (International)
Avenue du Mont-Blanc
1196 Gland
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 364 9543
Fax: (+41 22) 364 5829
E-mail: jnewby@wwfint.org

**National Non-Governmental Organizations / Organisations Nationales Non-Gouvernementales /
Organizaciones Nacionales No Gubernamentales**

BASC UK

Mr. John Swift
The British Association for Shooting and Conservation
Marford Mill
Rossett
Wrexham, LL12 0HL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1244) 57 30 00
Fax: (+44 1244) 573 013
E-mail: john.swift@basc.org.uk

Frankfurt Zoological Society

Mr. Wolfgang Fremuth
Leiter Referat Europa
Zoologische Gesellschaft Frankfurt
Alfred-Brehm-Platz 16
60316 Frankfurt
GERMANY/Allemagne/Alemania

Tel.: (+49 69) 94 34 46 00/33
Fax: (+49 69) 43 93 48
E-mail: fremuth@zgf.de

DJV Germany

Prof. Dr. Herby Kalchreuter
German Hunters' Association (DJV)
c/o European Wildlife Research Institute (EWI)
79848 Bonndorf-Glashütte
GERMANY/Allemagne/Alemania

Tel.: (+49 7653) 1891
Fax: (+49 7653) 9269
E-mail: wildlife.ewi@t-online.de

Global Nature Fund

Mr. Karsten Dax
Global Nature Fund
Güttinger Str. 19
78315 Radolfzell
GERMANY/Allemagne/Alemania

Tel.: (+49 7732) 99 95 80
Fax: (+49 7732) 99 95 77
E-mail: info@globalnature.org

GRD Germany

Mr. Ulrich Karlowski
Executive Director
Gesellschaft zur Rettung der Delphine, GRD
Kornweger Straße 37
81375 München
GERMANY/Allemagne/Alemania

Tel.: (+49 89) 741 604 10
Fax: (+49 89) 741 604 11
E-mail: info@delphinschutz.org

Ms. Ulrike Kirsch
Project Coordinator
Gesellschaft zur Rettung der Delphine, GRD
Kornweger Straße 37
81375 München
GERMANY/Allemagne/Alemania

Tel.: (+49 89) 741 604 10
Fax: (+49 89) 741 604 11
E-mail: info@delphinschutz.org

GSM

Ms. Petra Deimer
Vorsitzende
Gesellschaft zum Schutz der Meeressäuger
Kieler Str. 2
25451 Quickborn
GERMANY/Allemagne/Alemania

Tel.: (+49 4106) 62 06 01
Fax: (+49 4106) 62 09 07
E-mail: pdeimer@gsm-ev.de

IDEE-Europe

Ms. Ursula Engelhardt
IDEE-Europe
Rheinweg 12
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 238 748
Fax: (+49 228) 238 749
E-mail: ideeeurope@hotmail.com

NABU Germany

Mr. Michael Brombacher
Country Programmes Officer for Azerbaijan and
Kazakhstan
NABU International Project Office
Invalidenstr. 112
11015 Berlin
GERMANY/Allemagne/Alemania

Tel.: (+49 30) 284 984 50
Fax: (+49 30) 284 984 84
E-mail: michael.brombacher@nabu.de

Ms. Birga Dixel
Project Coordinator Snow Leopard
NABU International Project Office
Invalidenstr. 112
11015 Berlin
GERMANY/Allemagne/Alemania

Tel.: (+49 30) 284 984 42
Fax: (+49 30) 284 984 84
E-mail: birga.dixel@nabu.de

Dr.med. Dieter Haas
Naturschutzbund Deutschland NABU
Zillhauserstr. 36
72459 Albstadt
GERMANY/Allemagne/Alemania

Tel.: (+49 7432) 3021 / 8761
Fax: (+49 7432) 14312
E-mail: dghaas@web.de

Mr. Claus Mayr
Naturschutzbund Deutschland (NABU) e.V.
Herbert-Rabius-Str. 26
53225 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 403 6166
Fax: (+49 228) 403 6203
E-mail: claus.mayr@nabu.de

Snow Leopard Trust

Mr. McCarthy
Snow Leopard Trust
46-49 Sunnyside Ave. N.
Seattle WA 98103
United States of America/Etats-Unis
d'Amérique/Estados Unidos de América

Tel.: (+ 206) 632 2421
Fax: (+1 206)
E-mail: info@snowleopard.org

Society for the Lesser White-fronted Goose

Dr. Johan H. Mooij
ZWFD, c/o Biological Station Wesel
Diersfordter Straße 9
46483 Wesel
GERMANY/Allemagne/Alemania

Tel.: (+49 281) 96252-0
Fax: (+49 281) 96252-22
E-mail: biologische.station.wesel@t-online.de

Mag. Stefan Schindler
Technisches Büro für Biologie
Anton Brucknergasse 2
2232 Deutsch-Wagram
Austria/Autriche/Austria

Tel.: (+43 2247) 4947
Fax:
E-mail:

Technical Office for Biology

Mag. Rainer Raab
Technisches Büro für Biologie
Anton Brucknergasse 2
2232 Deutsch-Wagram
Austria/Autriche/Austria

Tel.: (+43 2247) 4947
Fax:
E-mail: rainer.raab@gmx.at

Conference-Appointed Scientific Councillor / Conseiller Scientifique Nommé par la Conference / Consejero Científico Nombrado por la Conferencia

Dr. Colin J. Limpus
Senior Principal Conservation Officer
Queensland Parks and Wildlife Service
P. O. Box 541
Capalaba QLD 4157
AUSTRALIA/Australie/Australia

Tel.: (+61 7) 3227 7718
Fax: (+61 7) 3247 5966
E-mail: col.limpus@env.qld.gov.au

Mr. Noritaka Ichida
Director
BirdLife Asia Division
Toyo Sinjuku Building 2F
Shinjuku 1-12-15, Shinjuku-ku
Tokyo 160-0022
Japan/Japon/Japón

Tel.: (+81 3) 3351 9981
Fax: (+81 3) 3351 9980
E-mail: ichida.birdlife@an.wakwak.com

Dr. Roberto P. Schlatter
Instituto de Zoología
Universidad Austral de Chile
Casilla 567
Valdivia
CHILE/Chili/Chile

Tel.: (+56 63) 21 13 15 / 22 14 08
Fax: (+56 63) 21 29 53 / 22 13 15
E-mail: rschlatt@uach.cl

Dr. William F. Perrin
Senior Scientist
Southwest Fisheries Science Center
P.O. Box 271
La Jolla CA 92038
United States of America/Etats-Unis
d'Amérique/Estados Unidos de América

Tel.: (+1 858) 546 7096
Fax: (+1 858) 546 7003
E-mail: william.perrin@noaa.gov

Dr. Pierre Pfeffer
Directeur de Recherche
CNRS Muséum de Paris
55, rue de Buffon
75005 Paris
FRANCE/France/Francia

Tel.: (+33 1) 40 79 38 74
Fax: (+33 1) 40 79 30 63 / 47 07 04 34
E-mail: pierre.pfeffer@wanadoo.fr

UNEP/CMS Secretariat / Secretariat PNUE/CMS / Secretaría PNUMA/CMS

Dr. Marco Barbieri
Technical Officer
UNEP/CMS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2424
Fax: (+49 228) 815 2449
E-mail: mbarbieri@cms.unep.de

Mr. Lyle Glowka
Agreements Officer
UNEP/CMS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2422
Fax: (+49 228) 815 2449
E-mail: lglowka@cms.unep.de

Mr. Douglas J. Hykle
Deputy Executive Secretary
UNEP/CMS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2407
Fax: (+49 228) 815 2449
E-mail: dhykle@unep.de

Ms. Jasmin Kanza
Fund Management and Administrative Officer
UNEP/CMS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2404
Fax: (+49 228) 815 2449
E-mail: jkanza@cms.unep.de

Mr. Arnulf Müller-Helmbrecht
Executive Secretary
UNEP/CMS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2410
Fax: (+49 228) 815 2449
E-mail: ulfm-h@cms.unep.de

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Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex II

RULES OF PROCEDURE FOR THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES

Part I

Delegates, Observers, Secretariat

Rule 1 – Delegates

- (1) A Party to the Convention (hereafter referred to as a “Party”) ¹ shall be entitled to be represented at the meeting by a delegation consisting of a Representative and such Alternative Representatives and Advisers as the Party may deem necessary.
- (2) Without prejudice to the provisions of Rule 14, paragraph 2, the Representative of a Party shall exercise the voting rights of that Party. In their absence, an Alternative Representative of that Party shall act in their place over the full range of their functions.
- (3) Logistic and other limitations may require that no more than four delegates of any Party be present at a plenary session and sessions of the Committee of the Whole established under Rule 23. The Secretariat shall notify Parties, observers and other participants of any such limitations in advance of the meeting.

Rule 2 – Observers

- (1) The United Nations, its Specialized Agencies, the International Atomic Energy Agency and any State not a Party to the Convention may be represented at the meeting by observers who shall have the right to participate but not to vote. ²
- (2) Any body or agency technically qualified in protection, conservation and management of migratory species which is either
 - (1) an international agency or body, either governmental or non-governmental, or a national governmental agency or body; or
 - (2) a national non-governmental agency or body which has been approved for this purpose by the State in which it is located;

and which has informed the Secretariat of the Convention of its desire to be represented at the meeting by observers, shall be permitted to be represented unless at least one-third of the Parties present object. Once admitted, these observers shall have the right to participate but not to vote. ³

¹ See Articles I, paragraph 1 (k), and XVIII of the Convention. A Party is a State which has deposited with the Government of the Federal Republic of Germany its instrument of ratification, acceptance, approval or accession by 30 June 2002.

² See Convention, Article VII, paragraph 8.

³ See Convention, Article VII, paragraph 9.

- (3) Bodies and agencies desiring to be represented at the meeting by observers shall submit the names of their representatives (and in the case of bodies and agencies referred to in paragraph (2) (b) of this Rule, evidence of the approval of the State in which they are located) to the Secretariat of the Convention prior to the opening of the meeting.
- (4) Logistic and other limitations may require that no more than two observers from any non-Party State, body or agency be present at a plenary session or a session of the Committee of the Whole of the meeting. The Secretariat shall notify Parties, observers and other participants of any such limitations in advance of the meeting.
- (5) The standard participation fee for all non-governmental organisations is fixed by the Standing Committee and announced in the letter of invitation. Greater contributions are appreciated.

Rule 3 – Credentials

- (1) The Representative or any Alternative Representative of a Party shall, before exercising the voting rights of the Party, have been granted powers by, or on behalf of, a proper authority, such as the Head of State, the Head of Government or the Minister of Foreign Affairs or the head of an executive body of any regional economic organisation or as mentioned in footnote 1, enabling them to represent the Party at the meeting and to vote.
- (2) Such credentials shall be submitted to the Secretariat of the Convention.
- (3) A Credentials Committee of not more than five Representatives shall examine the credentials and shall report thereon to the meeting. Pending a decision on their credentials, delegates may participate provisionally in the meeting.

Rule 4 – Secretariat

The Secretariat of the Convention shall service and act as secretariat for the meeting.⁴

Part II

Officers

Rule 5 – Chairpersons

- (1) The Chairperson of the Standing Committee shall act as temporary Chairperson of the meeting until the meeting elects a Chairperson in accordance with Rule 5, paragraph 2.
- (2) The Conference in its inaugural session shall elect from among the representatives of the Parties a Chairperson and a Chairperson of the Committee of the Whole. The latter shall also serve as Vice-Chairperson of the Conference.
- (3) The Conference shall also elect, from among the representatives of the Parties, a Vice-Chairperson of the Committee of the Whole. If the Chairperson of the Committee of the Whole is absent or is unable to discharge the duties of Chairperson, the Vice-Chairperson shall deputize.

⁴ See Convention, Article IX, paragraph 4 (a).

Rule 6 – Presiding Officer

- (1) The Chairperson shall preside at all plenary sessions of the meeting.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Chairperson of the Committee of the Whole shall deputize.
- (3) The Presiding Officer shall not vote but may designate an Alternative Representative from the same delegation.

Rule 7 – Bureau

- (1) The Presiding Officer, the Chairperson and Vice-Chairperson of the Committee of the Whole, and the Chairpersons of the Scientific Council and the Standing Committee, and the Secretariat shall constitute the Bureau of the Conference with the general duty of forwarding the business of the meeting including, where appropriate, altering the timetable and structure of the meeting and specifying time limits for debates.
- (2) The Presiding Officer shall preside over the Bureau.

Part III

Rules of Order and DebateRule 8 – Powers of Presiding Officer

- (1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at plenary sessions of the meeting:
 - (a) open and close the session;
 - (b) direct the discussions;
 - (c) ensure the observance of these Rules;
 - (d) accord the right to speak;
 - (e) put questions to the vote and announce decisions;
 - (f) rule on points of order; and
 - (g) subject to these Rules, have complete control of the proceedings of the meeting and the maintenance of order.
- (2) The Presiding Officer may, in the course of discussion at a plenary session of the meeting, propose to the Conference:
 - (a) time limits for speakers;
limitation of the number of times the members of a delegation or the observers from a State not a Party, body or agency may speak on any question;
 - (b) the closure of the list of speakers;
 - (c) the adjournment or the closure of the debate on the particular subject or question under discussion;
and
 - (d) the suspensions or adjournment of the session.

Rule 9 – Seating, Quorum

- (1) Delegations shall be seated in accordance with the alphabetical order of the names of the Parties in the English language.
- (2) A quorum for plenary sessions and sessions of the Committee of the Whole of the meeting shall consist of one-half of the Parties having delegations at the meeting. No plenary session or session of the Committee of the Whole shall take place in the absence of a quorum.

Rule 10 – Right to Speak

- (1) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the delegates.
- (2) A delegate or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (3) A speaker shall not be interrupted except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during their speech to allow any delegate or observer to request elucidation on a particular point in that speech.
- (4) The Chairperson of a committee or working group may be accorded precedence for the purpose of explaining the conclusions arrived at by that committee or working group.

Rule 11 – Submission of Proposals for Amendment of the Convention and its Appendices

- (1) As a general rule proposals shall, subject to any provisions of the Convention itself, have been communicated at least 150 days before the meeting to the Secretariat, which shall have circulated them to all Parties in the working languages of the meeting. Proposals arising out of discussion of the foregoing may be discussed at any plenary session of the meeting provided copies of them have been circulated to all delegations not later than the day preceding the session. The Presiding Officer may also permit the discussion and consideration of urgent proposals arising after the period prescribed above in the first sentence of this Rule provided that they relate to proposed amendments which have been circulated in accordance with the second sentence of this Rule and that their consideration will not unduly inhibit the proceedings of the Conference. The Presiding Officer may, in addition, permit the discussion of motions as to procedures, even though such motions have not been circulated previously.
- (2) After a proposal has been adopted or rejected by the Conference it shall not be reconsidered unless a two-thirds majority of the Representatives participating in the meeting so decide. Permission to speak on a motion to reconsider a proposal shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote.

Rule 12 – Procedural Motions

- (1) During the discussion of any matter, a delegate may rise to a point of order, and the point of order shall be immediately decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Representatives present and voting otherwise decide. A delegate rising to a point of order may not speak on the substance of the matter under discussion.

(2) The following motions shall have precedence in the following order over all other proposals or motions before the Conference:

- (a) to suspend the session;
- (b) to adjourn the session;
- (c) to adjourn the debate on the particular subject or question under discussion;
- (d) to close the debate on the particular subject or question under discussion.

Rule 13 – Arrangements for Debate

(1) The Conference may, on a proposal by the Presiding Officer or by a delegate, limit the time to be allowed to each speaker and the number of times delegates or observers may speak on any question. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.

(2) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the meeting, declare the list closed. The Presiding Officer may, however, accord the right of reply to any delegate if a speech delivered after the list has been declared closed makes this desirable.

(3) During the discussion of any matter, a delegate may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a delegate may speak in favour of, and a delegate of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.

(4) A delegate may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other delegate has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.

(5) During the discussion of any matter a delegate may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

(6) Whenever the Conference considers a recommendation originating from the Committee of the Whole, where the discussion of the recommendation has been conducted with interpretation in the three working languages of the session, there shall be no further discussion on the recommendation, and it shall immediately be decided upon, subject to the second paragraph.

However, any delegate, if seconded by another delegate of another Party, may present a motion for the opening of debate on any recommendation. Permission to speak on the motion for opening the debate shall be granted only to the delegate presenting the motion and the seconder, and to a delegate of each of two Parties wishing to speak against, after which the motion shall immediately be put to the vote. A motion to open the debate shall be granted if, on a show of hands, one third of the voting Representatives support the motion. While speaking on a motion to open the debate a delegate may not speak on the substance of the recommendation itself.

Part IV

VotingRule 14 – Methods of Voting

(1) Without prejudice to the provisions of Rule 1, 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.⁵

(2) Representatives of Parties which are three or more years behind in paying their subscriptions on the date of the opening session of the meeting of the Conference of the Parties shall not be eligible to vote. However, the Conference of the Parties may allow such Parties to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances, and shall receive advice in this regard from the Standing Committee.

(3) The Conference shall normally vote by show of hands, but any Representative may request a roll-call vote. The roll-call vote shall be taken in the seating order of the delegations. The Presiding Officer may require a roll-call vote on the advice of the tellers where they are in doubt as to the actual number of votes cast and this is likely to be critical to the outcome.

(4) All votes in respect of the election of officers or of prospective host countries shall be by secret ballot and, although it shall not normally be used, any Representative may request a secret ballot for other matters. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.

(5) Voting by roll-call or by secret ballot shall be expressed by “Yes”, “No” or “Abstain”. Only affirmative and negative votes shall be counted in calculating the number of votes cast.

(6) If votes are equal, the motion or amendment shall not be carried.

(7) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by tellers appointed by the Secretariat.

(8) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 15 – Majority

Except where otherwise provided for under the provisions of the Convention, these Rules or the Terms of Reference for the Administration of the Trust Fund, all votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of votes cast, while all other decisions shall be taken by a two-thirds majority of votes cast.

⁵ See Convention, Article 1, paragraph 2.

Rule 16 – Procedure for Voting on Motions and Amendments

(1) A delegate may move that parts of a proposal or of an amendment be voted on separately. If objection is made to the request for such division, the motion for division shall be voted upon first. Permission to speak on the motion for division shall be accorded only to a delegate from each of two Parties wishing to speak in favour of and a delegate from each of two Parties wishing to speak against the motion. If the motion for division is carried, those parts of the proposal or amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

(2) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. When, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes or revises part of that proposal.

(3) If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Conference may, after voting on a proposal, decide whether to vote on the next proposal.

Rule 17 – Elections

(1) If in an election to fill one place no candidate obtains the required majority in the first ballot, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.

(2) If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them to reduce the number of candidates to two.

(3) In the case of tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them to reduce the number of candidates to two. If a tie then results amongst two or more candidates, the Presiding Officer shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with paragraph 1 of this Rule.

Part V

Languages and RecordsRule 18 – Official and Working Languages

- (1) English, French and Spanish shall be the official and working languages of the meeting.
- (2) Speeches made in any of the working languages shall be interpreted into the other working languages.
- (3) The official documents of the meeting shall be distributed in the working languages.

Rule 19 – Other Languages

- (1) A delegate may speak in a language other than a working language. They shall be responsible for providing interpretation into a working language, and interpretation by the Secretariat into the other working languages may be based upon that interpretation.
- (2) Any document submitted to the Secretariat in any language other than a working language shall be accompanied by a translation into one of the working languages.

Rule 20 – Summary Records

- (1) Summary records of the meeting shall be circulated to all Parties in the official languages of the meeting.
- (2) Committees and working groups shall decide upon the form in which their records shall be prepared.

Part VI

Publicity of DebatesRule 21 – Plenary Sessions

All plenary sessions of the meeting shall be open to the public, except that in exceptional circumstances the Conference may decide, by a two-thirds majority of Representatives present and voting, that any single session be closed to the public.

Rule 22 – Sessions of Committees and Working Groups

As a general rule, sessions of committees and working groups other than the Committee of the Whole shall be limited to the delegates and to observers invited by the Chairpersons of the committees or working groups.

Part VII

Committees and Working GroupsRule 23 – Establishment of Committees and Working Groups

- (1) In addition to the Credentials Committee, the Conference of the Parties shall establish a committee to forward the business of the meeting. This committee shall be called the Committee of the Whole. It shall be responsible for making recommendations to the Conference on any matter of a scientific or technical nature, including proposals to amend the Appendices of the Convention, as well as recommendations concerning financial, administrative and any other matter to be decided upon by the Conference.
- (2) The Conference and the Committee of the Whole may establish such working groups as may be necessary to enable them to carry out their functions. They shall define the terms of reference and composition of each working group, the size of which shall be limited according to the number of places available in assembly rooms.
- (3) The Credentials Committee and each working group shall elect their own officers.

Rule 24 – Procedure

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of committees and working groups; however, with the exception of the Committee of the Whole, interpretation may not be provided in sessions of the committees and working groups.

Part VIII

AmendmentRule 25

These rules may be amended as required by decision of the Conference.

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Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex III

AGENDA OF THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES

1. Opening of the meeting.
2. Welcoming addresses.
3. Adoption of Rules of Procedure.
4. Election of officers.
5. Adoption of agenda and work schedule.
6. Establishment of Credentials Committee and sessional committees.
7. Admission of observers.
8. Opening statements.
9. Reports:
 - (a) Secretariat;
 - (b) Standing Committee;
 - (c) Scientific Council;
 - (d) Depositary.
10. Report of the Credentials Committee.
11. Review of implementation of the Convention:
 - (a) CMS Information Management Plan;
 - (i) Synthesis of Party reports;
 - (ii) Format for national reports;
 - (iii) Global Register of Migratory Species (GROMS);
 - (b) Measures to improve the conservation status of Appendix I and II species;

- (c) Review of Article IV Agreements;
 - (i) Agreements already concluded;
 - (ii) Development of future Agreements;
 - (iii) Guidelines on the harmonization of future Agreements;
 - (d) Review of implementation of the Strategic Plan for 2000-2005;
 - (e) Cooperation with other bodies.
12. Consideration of proposals for amendments to Appendices I and II of the Convention.
 13. Financial and administrative arrangements.
 14. Institutional arrangements:
 - (a) Headquarters agreement and juridical personality;
 - (b) Co-location of Agreement Secretariats;
 - (c) Standing Committee;
 - (d) Scientific Council.
 15. Reports of sessional committees.
 16. Adoption of resolutions and recommendations and amendments to Appendix I and II.
 17. Date and venue of the Eighth Meeting of the Conference of the Parties.
 18. Other matters.
 19. Adoption of report of the meeting.
 20. Closure of the meeting.

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Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex IV

LIST OF DOCUMENTS CONSIDERED BY THE MEETING

Document No.	Post-session Document No.	Agenda Item	Title
Conference Papers			
Conf. 7.1		5	Provisional Agenda
Conf. 7.1 (Rev.1)		5	Provisional Agenda
Conf. 7.1.1		5	Annotated Provisional Agenda
Conf. 7.2		5	List of Documents
Conf. 7.2 (Rev.1-3)		5	List of Documents
Conf. 7.3		5	Provisional Schedule
Conf. 7.3 (Rev.1)		5	Provisional Schedule
Conf. 7.4		3	Rules of Procedure for the Seventh Meeting of the Conference of the Parties
Conf. 7.4 (Rev.1)		3	Rules of Procedure for the Seventh Meeting of the Conference of the Parties
Conf. 7.5.1		9a	Report of the Secretariat
Conf. 7.5.2		9b	Report of the Standing Committee (Chairman) – <i>delivered orally (no document)</i>
Conf. 7.5.3		9c	Report to the Conference of the Parties on the Activities of the Scientific Council (Chairman)
Conf. 7.5.4		9d	Report of the Depositary
Conf. 7.6		11a	Implementation of the CMS Information Management Plan
Conf. 7.6.1		11a	Synthesis of Party Reports
Conf. 7.6.2		11a	Proposed Format for National Reports
Conf. 7.7		11a	Future of the Global Register of Migratory Species (GROMS)
Conf. 7.8		11b	Measures to Improve the Conservation Status of Appendix I and II Species
Conf. 7.9		11c	Review of Article IV Agreements Concluded or Under Development

Document No.	Post-session Document No.	Agenda Item	Title
Conf. 7.9.1		11c	Review of Article IV Agreements Already Concluded
Conf. 7.9.2		11c	Review of Article IV Agreements Under Development
Conf. 7.9.3		11c	Guidelines for the Harmonisation of Future Agreements
Conf. 7.10		11d	Review of Implementation of the Strategic Plan 2000-2005
Conf. 7.11		11	Cooperation with other Bodies
Conf. 7.12		12	Proposals for Amendment of Appendices I and II of the Convention
Conf. 7.12 (Rev.1-7)		12	Proposals for Amendment of Appendices I and II of the Convention
Conf. 7.12 Add.		12	Comments from the Parties to the Proposals for Amendment of Appendices I and II of the Convention (Addendum)
Conf. 7.12 Annex		12	Summary of the Proposals for Amendment of Appendices I and II of the Convention (Annex)
Conf. 7.12 Annex (Rev.1)		12	Summary of the Proposals for Amendment of Appendices I and II of the Convention (Annex)
Conf. 7.13.1		13	Financial and Administrative Arrangements + Addendum
Conf. 7.13.1 Corrigendum		13	Financial and Administrative Arrangements + Addendum
Conf. 7.13.1 Addendum		13	Financial and Administrative Arrangements Addendum
Conf. 7.13.1 Addendum (Rev.1)		13	Financial and Administrative Arrangements Addendum
Conf. 7.14.1		14a	Institutional Arrangements: Headquarters Agreement and Juridical Personality
Conf. 7.14.2		14b	Institutional Arrangements: Co-location of Agreement Secretariats
Conf. 7.14.3		14c	Institutional Arrangements: Standing Committee
Conf. 7.15		17	Date, Venue and Funding of the Eighth Meeting of the Conference of the Parties
Conf. 7.16		11b	Impact Assessment and Migratory Species
Conf. 7.17		9	Report of the Scientific Council at its 11 th Meeting
Conf. 7/L.1			Draft Report of the Seventh Meeting of the Parties
Conf. 7/L.1/ Add.1			Draft Report of the Seventh Meeting of the Parties (Addendum)
Conf. 7/L.1/ Add.2			Draft Report of the Seventh Meeting of the Parties (Addendum)

Document No.	Post-session Document No.	Agenda Item	Title
Conf. 7/CRP.1			Summary of Scientific Council Recommendations on Proposals for Amendment of CMS Appendices to be Considered by COP7
Conf. 7/CRP.2			Final Report from the Working Group on the Strategic Plan 2000-2005
Resolutions			
Res. 7.1			Concerted Actions for Appendix I Species
Res. 7.2	Res. 7.7		Implementation of Existing Agreements and Development of Future Agreements
Res. 7.3	Res. 7.6		Implementation of the CMS Strategic Plan
Res. 7.4			Implementation of the CMS Information Management Plan
Res. 7.4 (Rev.1)	Res. 7.8		Implementation of the CMS Information Management Plan
Res. 7.5	Res. 7.9		Cooperation with other Bodies and Processes
Res. 7.6			Institutional Arrangements: Scientific Council
Res. 7.6 (Rev.1)	Res. 7.12		Institutional Arrangements: Scientific Council
Res. 7.7	Res. 7.11		Financial and Administrative matters
Res. 7.8			Headquarters Agreement for, and Juridical Personality of, the Convention Secretariat
Res. 7.8 (Rev.1)	Res. 7.13		Headquarters Agreement for, and Juridical Personality of, the Convention Secretariat
Res. 7.9			Date, Venue and Funding of the Eighth Meeting of the Conference of the Parties
Res. 7.9 (Rev.1)	Res. 7.14		Date, Venue and Funding of the Eighth Meeting of the Conference of the Parties
Res. 7.10			Impact Assessment and Migratory Species
Res. 7.10 (Rev.1)	Res. 7.2		Impact Assessment and Migratory Species
Res. 7.11			Offshore oil Pollution and Migratory Species
Res. 7.11 (Rev.1)	Res. 7.3		Oil Pollution and Migratory Species
Res. 7.12			Electrocution of Migratory Birds Species
Res. 7.12 (Rev.1)	Res. 7.4		Electrocution of Migratory Birds
Res. 7.13			Wind Turbines and Migratory Species
Res. 7.13 (Rev.1)	Res. 7.5		Wind Turbines and Migratory Species
Res. 7.14			Implications of the World Summit on Sustainable Development for CMS
Res. 7.14 (Rev.1)	Res. 7.10		Implications of the World Summit on Sustainable Development for CMS

Document No.	Post-session Document No.	Agenda Item	Title
Res. 7.15			Future Action on the Antarctic Minke, Bryde's and Pygmy Right Whales Under the Convention on Migratory Species
Res. 7.15 (Rev.1)			Future Action on the Antarctic Minke, Bryde's and Pygmy Right Whales Under the Convention on Migratory Species
Recommendations			
Rec. 7.1			Cooperative Actions for Appendix II Species
Rec. 7.1 (Rev.1)			Cooperative Actions for Appendix II Species
Rec. 7.2			Implementation of Resolution 6.2 on By-catch
Rec. 7.3			Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa
Rec. 7.3 (Rev.1)			Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa
Rec. 7.4			America Pacific Flyway Programme
Rec. 7.4 (Rev.1)	Rec. 7.7		America Pacific Flyway Programme
Rec. 7.5 ¹			Central Asian-Indian Waterbird Flyway Initiative ¹
Rec. 7.5 (Rev.1) ¹			Central Asian-Indian Waterbird Flyway Initiative ¹
Rec. 7.6			Improving the Conservation Status of the Leatherback Turtle, <i>Dermochelys coriacea</i>
Rec. 7.6 (Rev.1)			Improving the Conservation Status of the Leatherback Turtle, <i>Dermochelys coriacea</i>
Rec. 7.7	Rec. 7.5		A Range State Agreement for Dugong (<i>Dugong dugon</i>) Conservation
Rec. 7.8	Rec. 7.4		Regional Coordination for Small Cetaceans of Southeast Asia and Adjacent Waters
Information Documents			
Inf. 7.1			List of CMS Parties as at 1 September 2002
Inf. 7.2			List of Range States of Migratory Species Included in the CMS Appendices
Inf. 7.2 (Rev.1)			List of Range States of Migratory Species Included in the CMS Appendices
Inf. 7.3			List of CMS National Focal Points
Inf. 7.4			List of CMS Scientific Councillors

¹ Subsequently withdrawn by the proponents.

Document No.	Post-session Document No.	Agenda Item	Title
Inf. 7.5			Report of the 11 th Meeting of the Scientific Council (issued as Conf. 7.17)
Inf. 7.62			Report of the 24th Meeting of the Standing Committee (Bonn, 17 September 2002) ²
Inf. 7.7			Text of the Convention
Inf. 7.8			Appendices I and II of the Convention
Inf. 7.9			List of Common Names of Species included in Appendices I and II
Inf. 7.10			<i>no document</i>
Inf. 7.11			Agreement Summary Sheets
Inf. 7.12			CMS Bulletin 15 (July 2002)
Inf. 7.13			Cooperation with Other Bodies: CBD/CMS Joint Work Programme (2002-2005)
Inf. 7.14.x			National reports - as submitted by CMS Parties
Inf. 7.15.x			Opening Statements
Inf. 7.16			Report of Working Group on the Development of CMS Regional Agreements
Inf. 7.17.1			Review of Article IV Agreements Already Concluded: Agreement on the Conservation of Seals in the Wadden Sea (<i>English only</i>)
Inf. 7.17.2			Review of Article IV Agreements Already Concluded: (ASCOBANS) (<i>English only</i>)
Inf. 7.17.3			Review of Article IV Agreements Already Concluded: (ACCOBAMS) (<i>French only</i>)
Inf. 7.18			Global Register of Migratory Species (GROMS)
Inf. 7.19			Performance Indicators for the Convention on Migratory Species (CMS)
Inf. 7.20			UNEP Support for the Harmonization of National Reporting and Information Management for Biodiversity-related Treaties (<i>English only</i>)
Inf. 7.21			Electrocution: Suggested Practices for Bird Protection on Power Lines (submitted by NABU)
Inf. 7.22			Millennium Ecosystem Assessment (<i>English only</i>)
Inf. 7.23			WSSD - Convention on Migratory Species (<i>English only</i>)
Inf. 7.24			Draft CMS-AEWA-Ramsar Joint Work Programme (<i>English only</i>)

² Available as document UNEP/CMS/StC24/Doc. 2 17, numbering corrected by UNEP/CMS/StC24/Doc. 2 17/Corr.1 to: UNEP/CMS/StC24/Doc.2.

Document No.	Post-session Document No.	Agenda Item	Title
Inf. 7.25			Submission by Wildlife and Countryside Link (<i>English only</i>)
Inf. 7.26			Inclusion of the European Turtle-dove in Appendix II
Inf. 7.27			Institutional Arrangements: Headquarters Agreement and Juridical Personality
Inf. 7.28			List of Participants
Inf. 7.28 (Rev.1)			List of Participants
Inf. 7.29 ³			Note by the Secretariat: Inclusion of the Ganges River Dolphin on Appendix I

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³ Issued in-session as UNEP/CMS/Conf.7.Inf.29.



Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex V

REPORT OF THE 24TH MEETING OF THE STANDING COMMITTEE

Introduction

1. The 24th Meeting of the Standing Committee of the Convention on the Conservation of Migratory Species of Wild Animals was held at the International Congress Centre, Bonn, Germany, on 17 September 2002. The meeting was opened at 3 pm by the Chair (Philippines, representing Oceania), who welcomed all participants.

2. The meeting was attended by:

(a) Representatives of the following members of the Committee:

Belgium (Europe), Germany (Depositary), Philippines (Oceania), Poland (Europe), South Africa (Africa) and Uruguay (Latin America);

(b) The following alternate members:

Ukraine (Europe);

(c) The following observers:

Denmark; Switzerland; United Kingdom; Chair of the Scientific Council; UNON; UNEP; African-Eurasian Migratory Waterbirds Agreement (AEWA), Birdlife International; and

(d) The Executive Secretary and Deputy Executive Secretary who provided Secretariat services.

I. COP7 LOGISTICAL ARRANGEMENTS AND PROCEDURAL MATTERS

(a) Meeting Structure: Committees, Working Groups, Chairs

3. The Executive Secretary outlined the requirements concerning the nomination of the Chair of the Conference and the establishment of sessional committees. He stressed the role of the regional group meetings in deciding on nominations for Officers of the Conference.

(b) Programme/Timetable

4. The Executive Secretary drew attention to the provisional schedule of work of the meeting (UNEP/CMS/Conf.7.3 (Rev.1) and enumerated the issues raised in the annotated agenda (UNEP/CMS/Conf.7.1.1).

(c) COP Rules of Procedure (Voting eligibility issue)

5. The Standing Committee deliberated on the issue of the right of Parties whose contributions were in arrears to vote during the Seventh Meeting of the Conference of the Parties. In its deliberations, the Committee had before it document UNEP/CMS/Conf.7.4, on the Rules of Procedure for the Seventh Meeting of the Conference of the Parties, and document UNEP/CMS/Conf.7.13.1, on administrative arrangements.

6. Introducing the item, the Deputy Executive Secretary referred to Rule 14 (2) of the provisional Rules of Procedure, which stated:

“Representatives of Parties which are three or more years behind in paying their subscriptions on the date of the opening session of the meeting of the Conference of the Parties shall not be eligible to vote. However, the Conference of the Parties may allow such Parties to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances, and shall receive advice in this regard from the Standing Committee”.

7. In Resolution 6.8 (Cape Town, 1999), paragraph 13, the Conference of the Parties served notice “to Parties with contributions in arrears that rule 14 (2) on withholding of voting rights will be strictly adhered to at the Seventh Meeting of the Conference of the Parties”.

8. The Committee noted that, of the 17 Parties whose contributions were three or more years in arrears, only one (Argentina) had provided an explanation for the exceptional and unavoidable circumstances which had prevented it from paying its contributions in a timely manner. In this regard, a letter to the Executive Secretary from the Government of Argentina, outlining the difficult economic situation of the country, was circulated to the members of the Standing Committee.

9. The Standing Committee decided unanimously to accept this explanation for the current meeting, enabling Argentina to retain its eligibility to vote, but with the expectation that Argentina would make a partial payment during the course of 2003 as a sign of good will. The Standing Committee decided that it was not within its remit to offer advice on any of the other Parties in arrears which had provided no such explanation. The Committee noted that the terms of Resolution 6.8 adopted by the Conference of the Parties were unambiguous inasmuch as they served notice that Rule 14.2 on withholding of voting rights would be strictly adhered to. It noted further that several Parties had benefited from a special write-off of unpaid contributions, which in most cases had not had the desired effect of encouraging those Parties to bring their remaining contributions up to date.

10. The Standing Committee strongly advised on re-opening a debate on this matter during the plenary session of the Conference of the Parties, as it considered that all Parties with arrears had been given sufficient reminders and opportunities either to pay their arrears or to offer an explanation of the mitigating circumstances. In that connection, the Committee agreed that any declaration of mitigating circumstances made by a Party in arrears after 17 September 2002 would not be taken into account, since it was explicitly stated in document UNEP/CMS/Conf.7.4, paragraph 6, that “Parties concerned are invited to bring their contributions up to date in advance of COP7 or to communicate to the Secretariat the nature of any mitigating circumstances, before the Standing Committee deliberates on this matter at its meeting on 17 September 2002 in Bonn”.

11. The Standing Committee also requested the Secretariat to review the table of Parties ineligible to vote and to re-issue it before the seventh meeting of the Conference of the Parties.

II. INSTITUTIONAL MATTERS

(a) Headquarters Agreement

(b) MoU Signing Ceremony

12. The Executive Secretary outlined the procedure to be followed on 18 September 2002 for the signing of the Memorandum of Understanding between CMS and the Government of Germany on the Headquarters Agreement, as well as the signing of a Memorandum of Understanding between the Government of Germany and UNEP, and encouraged wide participation in the event. In addition institutional Memoranda of Cooperation were scheduled to be signed with UNESCO and CITES in the evening of 18 September 2002.

(c) Standing Committee: New members and alternates

13. The Deputy Executive Secretary drew attention to the required changes in the membership of the Standing Committee, in line with its Rules of Procedure, and the need for the regional groups to decide on the nomination of their respective candidates for the positions.

III. MATTERS RELATING TO THE SCIENTIFIC COUNCIL

(a) Report on outcome of the election of Chair, Vice-Chair

14. The Chair of the Scientific Council, Professor Colin Galbraith (United Kingdom), reported that he had accepted the nomination of the Council to serve a further term as Chair. Mr. John Mshelbwala (Nigeria) had also been elected to serve a further term as Vice-Chair.

15. Dr. Galbraith also reported on the activities of the Scientific Council at its last two meetings, and noted that, in addition to the report of the proceedings of the meetings of the Council, the Conference of the Parties would also have before it a report prepared by him on the proposed developments and changes in the processes of the Scientific Council.

(b) COP-appointed Councillors (new appointments/re-appointments)

16. The Chair of the Scientific Council reported that Mr. Noritaka Ichida had been appointed Councillor for Asiatic Fauna; Mr. John O'Sullivan, from BirdLife International, had been nominated as appointed Councillor for birds (replacing Mr. Mike Moser), subject to endorsement by the Conference of the Parties.

IV. ROLE FOR STANDING COMMITTEE MEMBERS DURING COP8

Organization of regional consultations

17. The Deputy Executive Secretary enumerated a list of possible agenda points for the regional consultations: explaining the Standing Committee's position on the Rules of Procedure; nomination of Standing Committee regional members; appointment of Scientific Councillors; facilitation of the preparation and sponsorship of resolutions/recommendations; sponsoring of recommendations/decisions; and canvassing of a possible host country for the eighth meeting of the Conference of the Parties.

18. After expressing thanks to the Government of Germany for the excellent facilities provided for the meeting of the Standing Committee and for the Conference of the Parties, the Chair declared the meeting closed at 5.30 p.m. on Tuesday, 17 September 2002.

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Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex VI

REPORT OF THE 25TH MEETING OF THE STANDING COMMITTEE

Introduction

1. The 25th Meeting of the Standing Committee of the Convention on the Conservation of Migratory Species of Wild Animals was held at the International Congress Centre, Bonn, Germany, on 24 September 2002. The Deputy Executive Secretary of the Convention called the meeting to order.
2. The meeting was attended by:
 - (a) Representatives of the following members of the Committee:

Australia (Oceania), Chile (America and Caribbean), Germany (Depositary), Kenya (Africa), Morocco (Africa), Sri Lanka (Asia), Ukraine (Europe) and United Kingdom (Europe);
 - (b) Representatives of the following alternate members of the Committee:

Chad (Africa), Monaco (Europe), New Zealand (Oceania), Peru (America and Caribbean), Saudi Arabia (Asia); United Republic of Tanzania (Africa);
 - (c) The following observer: Chair of the Scientific Council; and
 - (d) The Deputy Executive Secretary.
3. The Deputy Executive Secretary called for nominations for a Chair for the Committee to serve until the Eighth Meeting of the Conference of the Parties. Chile nominated the United Kingdom, which accepted and was elected. Mr. Steve Lee-Bapty presided over the remainder of the meeting.
4. The Chair called for suggestions about the date and venue of the Committee's next meeting. The Deputy Executive Secretary said the committee normally met about once a year, usually in Bonn because of the benefit of interpretation services provided by the Government of Germany.
5. The Committee asked the Secretariat to correspond with members and to seek a date in the first four months of 2003, if possible one which was close to those of other similar meetings and would fall in with the plans of members who would need to travel long distances.
6. The Chair called for nominations for a Deputy Chair. Kenya nominated Morocco, which accepted and was elected.

There being no other business, the meeting adjourned.

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Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex VII

REPORT TO THE CONFERENCE OF THE PARTIES ON THE ACTIVITIES OF THE SCIENTIFIC COUNCIL

Professor C.A. Galbraith – Chair of the Scientific Council

1. The Council has met twice in the past triennium, once in Edinburgh in May 2001 and once in Bonn immediately prior this Conference of the Parties. Overall it has been encouraging to note the increase in the numbers of Scientific Councillors attending these meetings and to note their enthusiastic engagement and active participation in the work of the Council. Notwithstanding the good work of the Council, we have to report here that the situation relating to many migratory species remains precarious and that many species are in need of active assistance through the activities of CMS.

2. The work of the Council over the triennium has been wide-ranging and has contributed to the overall activity of the Convention. The following notes some key developments and highlights some important issues for consideration by the COP which are not reported by other means. A record of the most recent meeting of the Scientific Council (14-17 September 2002) will be circulated separately.

1. Membership of the Council

3. Doctor Ichida joined as Councillor for Asiatic Fauna and Doctor Moser retired as Councillor for Birds after many years productive input in this role. Dr. Moser was replaced by Mr. O'Sullivan as Councillor for birds. Professor Galbraith was re-elected as Chair of the Scientific Council and Doctor Mshelbwala was re-elected Deputy Chair.

2. Proposals for listings on Appendix I or II of CMS

4. The Scientific Council considered a range of proposals for listing species on Appendices I or II. These proposals concerned a range of taxa and emanated from a number of regions of the world.

5. There have been a number of taxonomic changes occurring to species which will be reflected in the presentation of listings on the Appendices. These are not changes of substance.

6. The results of the deliberation of the Scientific Council in relation to proposed listings will be presented separately. In taking forward the assessment of these proposals, the Council has adhered strictly to scientific principles and has utilized the best available knowledge to help inform its decisions.

7. These proposals were mainly non-contentious and were well-formed, based on effective data and information. It was therefore relatively straightforward for the Scientific Council to reach a clear view on each. In relation to a few proposals, notably those relating to some of the whale species, the proposals appeared to contain some key data and information gaps as well as a number of technical inaccuracies. The Council formed a working group to consider these proposals, chaired by the Appointed Councillor for Cetaceans. This working group was, however, unable to reach a consensus view on how to proceed. The Council was therefore guided in particular by the appointed Councillor and by the Chairman of the Council,

who considered that where there were clear information gaps and technical inaccuracies that the Council could not advise the expanded Conference of the Parties to support these particular proposals at this time. It should be noted that this was a majority view of the Scientific Council. The Council is, however, aware of the conservation needs of the species concerned and is keen that their view on this matter is not seen by the Conference of the Parties or indeed by others as downplaying in any sense the conservation needs of the species concerned. It should be noted that the species remain proposed for listing on Appendix II, which leaves the way open for regional cooperative action. In addition, the Council has supported listing on appendix I and on appendix II for a number of whale species and remains receptive to receiving further, scientifically accurate, proposals for the species concerned in future, if deemed appropriate by any Party to the Convention. The Council would encourage further information-gathering and collaboration to allow any further action on this issue.

3. Criteria for concerted action for Appendix I species/ cooperative actions for Appendix II

8. The Council reviewed the criteria for concerted action in relation to Appendix I species and considered cooperative action overall. In relation to the matter, we noted that in some cases action had been limited. Equally, in other situations action had been dynamic and had led to significant conservation actions to help species. The Council noted the need to be clear on priorities for action overall as resources for such activity will always be limited.

9. The Council made significant input to the development of new Agreements over the course of the triennium.

4. Project submissions

10. The Council agreed a revised format and submission procedure for projects seeking funding from CMS. A number of projects were reviewed and Council recommendations in relation to funding can be found in a separate paper. The Council was concerned, however, about the apparent ad hoc nature of project submissions and suggested that the Scientific Council develop a proactive approach, indicating clearly priority areas for future project funding which, in its opinion, target key issues for the conservation of species under the Convention.

5. Links to other bodies

11. The Council approved a paper coordinating the criteria for listing species on the appendices of CMS with the IUCN system of species status assessment. Throughout the meeting it was stressed that working with other bodies has to be a key issue for the Scientific Council. The Council noted especially the relevance of working with, *inter alia*, the Ramsar Convention, CITES, CBD and IWC.

12. Input was made to the CMS presence at the World Summit on sustainable Development.

6. Issues of concern affecting migratory species

13. The Council considered issues of concern, where interactions with migratory species may be damaging. The issue of by-catch was agreed by the Council to be of key concern. This has led to the production of a draft recommendation for consideration by the Conference of the Parties.

14. The important issue of barriers to migration was discussed in relation to electrocution, oil pollution and to issues relating to wind farms. Consideration was given to the relationship between climate change and

migratory species. This resulted in a request from the Scientific Council that a review be undertaken of this issue, for presentation and discussion at the next meeting of the Council.

7. Modus operandi

15. With the continued healthy growth in the number of parties joining the Convention, and with the increasing number and complexity of issues being considered, it is necessary and important that the Council consider its modus operandi. The need to clarify procedures and to develop better working practice has led to the development of draft indicators, to help measure the effectiveness of the Scientific Council. This need related also to Council's consideration of project submissions, where clear guidelines were agreed and to concerted actions (Appendix I) and coordinated actions (Appendix II) where criteria were agreed for consideration of species in these categories.

16. There was considerable discussion of the fundamental workings of the Scientific Council, where it is necessary to consider issues from a taxonomic view, a regional view and from a perspective to consider threats and other issues affecting migratory species. This discussion and enthusiasm for change, to create a more dynamic, proactive working style is hugely encouraging for the Convention. In particular, the Council agreed the need to improve the overall efficiency of Council meetings and to increase the effort and momentum of the Council intersessionally. This will be actioned by several means, including regional preparatory meetings (already costed in core budget proposals), regular contact by teleconference between the Chair, Deputy Chair, Secretariat and the Appointed specialist Councillors, in coordination with regional representatives. In addition, it was agreed, as necessary, that the above teleconference grouping may need to meet before the next meeting of the Scientific Council to develop a strategy document, identifying clear priority actions for each species group under the work of the Convention. It was agreed that the various papers dealing with the modus operandi of the Council and with the related processes be combined to produce a pack of information presenting, simply, the work of the Council and how it functions. This should be available, along with a draft scientific strategy document, for the next meeting of the Scientific Council.

17. The Council is acutely aware of the potential costs of these changes, but urges that change is essential and that greater efficiencies will result in due course. If the costs of these changes cannot be accommodated within the core budget for CMS for the coming triennium, then voluntary contributions to help the change process should be urgently sought. In particular, funds will be required to facilitate the process involving increased levels of expense to support Councillors, appointed Councillors and the office bearers of the Council.

8. Presentations

18. The Scientific Council meeting from 14 to 17 September 2002 received a number of short presentations, including on: GROMS; WCMC information systems; possible Agreements on bats; Lesser white-fronted geese; and on the Millennium Ecosystem Assessment System.

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Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex VIII

REPORT OF THE SCIENTIFIC COUNCIL AT ITS 11TH MEETING

Bonn, Germany, 14-17 September 2002

Introduction

1. The 11th Meeting of the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held at the International Congress Centre, Bonn, Germany, from 14 to 17 September 2002.

I. OPENING REMARKS

2. The Chair, Dr. Colin Galbraith (United Kingdom), called the meeting to order at 9.30 a.m. on Saturday, 14 September 2002, and welcomed the participants, especially new Councillors and alternate Councillors, including Mr. Noritaka Ichida, the new Appointed Councillor for Asiatic Fauna. A list of participants is contained in Annex I to the present report (ScC Report Annex I). He welcomed the increase in the number of Parties to the Convention and noted that the increasing complexity of its work would call for greater professionalism. He said that key tasks facing the meeting included the clarification of the means of cooperation between Parties and how they could form partnerships to help each other. The meeting also faced the issues of climate change taking place on a global scale, plus specific problems of species in crisis, such as the elephants of West Africa and the antelopes of the Sahara, the problem of by-catch on the high seas and of non-sustainable exploitation of marine turtles. He said CMS needed to buildup its capacity and increase its flow of information. A key challenge facing the Council was to maintain scientific objectivity. Action plans, he said, were an excellent mechanism for the work of the Convention and the Council's responsibility was to provide a coherent rationale for that work.
3. Mr. Gerhard Adams of the German Federal Ministry of the Environment, welcomed participants to Bonn on behalf of the Federal Government. He recalled that Bonn had played an important role in the history of the Convention and also that the building in which the meeting was taking place had been the scene of historic events. Pointing to the conclusion of a new headquarters agreement between the Federal Government and CMS, he invited delegates to attend the signing of the agreement, which would take place on the morning of Wednesday, 18 September 2002, prior to the opening of the meeting of the Conference of the Parties.
4. Mr. Arnulf Müller-Helmbrecht, Executive Secretary, welcomed participants and thanked the German Government for the excellent facilities and organizational support provided for the meeting. He also acknowledged those who had worked with CMS over a number of years and thanked staff members for their extra efforts in assisting with the organization of the current meeting.
5. The Chair reminded the Council that two members were retiring, Dr. Mike Moser (Appointed Councillor) and Dr. Raul Vaz Ferreira (Councillor for Uruguay) and paid tribute to their valuable service to the Council over the years. The meeting agreed that he should write to them, expressing the thanks of the Council for their past work.

II. ADOPTION OF THE AGENDA

6. The meeting adopted its agenda on the basis of the provisional agenda circulated as document ScC11/Doc.1(Rev.1). The agenda is contained in Annex II to the present report (ScC Report Annex II).

7. The meeting also adopted a schedule for its work on the basis of the provisional schedule prepared by the Secretariat (ScC11/Doc.2.2 (Rev.1)).

8. Regional Working Groups for Africa, Europe, Latin America and the Caribbean, and Asia/Oceania were established. The Chair directed them to appoint their own Chairs and Rapporteurs and requested them to consider, inter alia, and report, from the regional point of view, on the review of the modus operandi of the CMS Scientific Council; on regional priorities on taxa; on maintaining the momentum of the CMS process in their regions; on any regional issues which they wished to highlight; and on new CMS agreements or other actions which they wished to see agreed.

9. The following taxonomic Working Groups were also established for: birds; terrestrial mammals; marine turtles; and marine mammals and large fishes; a working group on indicators was re-convened from the 10th Scientific Council Meeting.

III. REPORT ON INTERSESSIONAL ACTIVITIES

(a) Chair

10. Dr. Galbraith pointed briefly to the important issues to be considered at the current meeting and noted that he would be drafting a summary report setting out the points raised by the Scientific Council on the subject, for the consideration of the Seventh Meeting of the Conference of the Parties. In outlining the major activities in the intersessional period, he drew particular attention to the conclusion of the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the steps forward in the preparation and conclusion of memoranda of understanding, and the progress made in the implementation of a number of projects, although he stressed that much still remained to be done in all those fields.

(b) Secretariat

11. The Deputy Executive Secretary drew attention to the report prepared by the Secretariat for the Seventh Meeting of the Conference of the Parties (UNEP/CMS/Conf.7.5.1), outlining its work since 1 December 1999 and covering certain aspects of the implementation of the Convention not dealt with in other papers for the Conference.

12. Concerning the membership of the Convention, there were 15 new Parties, which brought the total number to 80. In addition, a further 18 countries not Party to the Convention were participating in its activities by way of the Agreements concluded under CMS. A number of workshops and meetings had been held during the period under review, and he expressed gratitude to those Parties that had hosted or provided assistance in the organization of such activities.

13. He drew attention to various instruments developed since the Sixth Meeting of the Conference of the Parties, notably those benefiting albatrosses and petrels, marine turtles of the Atlantic coast of Africa and of the Indian Ocean and South-East Asia, as well as the Bukhara deer. Together, the two turtle memoranda of understanding covered a wide geographical area, and had a potential membership of around 65 countries.

14. The Secretariat had undergone dynamic development since the Sixth Meeting of the Conference of the Parties and had attained a new level of stability. The recruitment of new and additional staff, as well as co-location of staff of the Agreements based in Bonn, meant that the Secretariat was near to being fully staffed.

15. Further improvements had been made in the field of information management and positive feedback had been received on the new reporting system. The CMS web site had also been greatly improved, with only a modest outlay of resources, and a new information management system was being developed in cooperation with the UNEP/World Conservation Monitoring Centre (WCMC). All that work was being coordinated within the CMS Strategic Plan. In addition, there had been increased and improved collaboration with other organizations, including the development of new institutional agreements with such organizations and intergovernmental bodies.

(c) Councillors (on the work of other Conventions that they were requested to follow on behalf of CMS, and the tasks allocated to them during the 10th Meeting of the Scientific Council)

16. Dr. Beudels-Jamar de Bolsee (Councillor for Belgium), who served as Council Focal Point for the Convention on Biological Diversity (CBD), reported that she had been unable to attend the latest meeting of that Convention's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) due to prior professional commitments. She drew the attention of the meeting to the report of the Secretariat on cooperation with other bodies (UNEP/CMS/Conf.7.11) and the information paper prepared on the CBD/CMS joint work programme (2002-2005) (UNEP/CMS/Inf.7.13).

17. The Deputy Executive Secretary noted that the CBD/CMS joint work programme had been formally endorsed by the Sixth Meeting of the Conference of the Parties to the Convention on Biological Diversity, and would also be before the current meeting of the Conference of the Parties to CMS for endorsement. The joint programme contained references to the Scientific Council and the Council's input was required in terms of its implementation.

18. Dr. Perrin (Appointed Councillor) reported on the International Whaling Commission (IWC), drawing attention to the observer's report on meetings of the IWC Scientific Committee (2001, 2002), contained in document ScC11/Doc.18.

19. At the IWC meeting held in London in July 2001, it had been recommended that *Pontoporia blainvillei* be classified as "vulnerable" in the IUCN Red List. Concerning North Atlantic humpbacks, the abundance of the West Indies feeding stock was estimated to have grown by about one-third since the late 1970s. With regard to *Eubalaena glacialis*, given that there were only about 300 North Atlantic right whales remaining, the Committee had urged, as a matter of absolute urgency, that every effort should be made to reduce anthropogenic mortality to zero. Concerning *Eubalaena japonica*, in aerial surveys conducted in 2000 only five sightings had been made of a total of 13 whales.

20. As regards CMS Appendix II species, the IWC/Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) Working Group had reported on advice offered to ASCOBANS on methodology for its programme of assessment of status of stocks of *Phocoena phocoena* in the Baltic and North Seas. The Small Cetaceans Subcommittee had conducted a review of the status of stocks of *Phocoenoides dalli* exploited by Japan. However, Japan had refused to cooperate, on the grounds that small cetaceans were outside the remit of IWC. The Subcommittee had thus been unable to complete a full assessment of the status of the stocks.

21. At the IWC meeting held in Shimonoseki, Japan, in April-May 2002, the comprehensive assessment of North Atlantic humpbacks had been completed and a population increase at a rate of 3 per cent per annum or more was reported for the Gulf of Maine, Icelandic waters and the West Indies. Concerning *Balaena mysticetus*, catches and catch limits had been reviewed for the Bering-Chukchi-Beaufort Seas stock, which was estimated to be larger than at any time in the last century. The previously recommended annual catch limit of 102 whales was considered consistent with the requirements of the IWC Schedule. Regarding *Eubalaena glacialis*, the Committee had repeated its expression of concern and the recommendation that all attempts should be made to reduce anthropogenic kills to zero as a matter of absolute urgency.

22. Concerning CMS Appendix II species, a permit for a catch quota of 1,000 Beluga whales (*Delphinapterus leucas*) had been issued by the Russian Commission for Fisheries. The Committee had expressed concern over such takes of small cetaceans when there was insufficient information to adequately assess the impact, and recommended an assessment of the size of the affected populations and the impacts of the removals. Concerning *Sousa* spp. the Committee had concluded that Humpback dolphins were not abundant in any part of their range. Degradation of the limited coastal habitat was thought to be a serious danger in many areas; incidental takes were reported in almost all areas of the range; and the high levels of contaminants in the animals' tissues were thought to pose a conservation threat. The Committee had therefore made a number of recommendations for conservation research and action.

23. A mini-symposium on effects of climate change on cetaceans was planned for the 2003 meeting of the IWC in Berlin. In 2003, the Small Cetaceans Subcommittee would concentrate its efforts on a review of the status of Black Sea dolphins and porpoises (*Tursiops*, *Delphinus* and *Phocoena*).

24. Dr. Davidson (Bureau of the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat) reported on the development of a range of joint collaborative approaches with CMS, in order to move from global-scale cooperation to positive joint action at ground level for the benefit of wetland-dependent species. Recalling the areas of cooperation established under the 1997 memorandum of cooperation between the two Conventions, he said that the Ramsar Scientific and Technical Review Panel (STRP) had been developing guidance on topics, many of which were relevant to CMS and its Agreements. Those included the impact of climate change on wetlands; alien invasive species; issues linked to the joint CBD/CMS work programme; and guidance on water allocation and management. A unique joint Ramsar/CMS and Ramsar/Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) work programme to operationalize the memorandum of understanding was nearly finalised. It was hoped that that would serve as a model for further joint activities. He asked the Council to convey to the Conference of the Parties the Ramsar Bureau's desire to have further progress on that subject. Several members of the Council were also closely involved in the work of Ramsar, and understood the issues faced by each Convention.

25. The Chair remarked that good and close cooperation with Ramsar also provided an opportunity for exchange of experience on the modus operandi of their respective scientific bodies.

26. Dr. Schlatter (Appointed Councillor), pointing to the need to fine-tune the administration of joint projects and activities, proposed that regional workshops should be held. That would improve the efficiency of such projects and activities with Ramsar.

27. Mr. Moumouni (Councillor for Togo) underlined the need to improve the system for provision of finances to developing countries for the undertaking of field projects. The holding of subregional meetings, as was the practice under Ramsar, helped to focus on the problems and find solutions.

28. Mr. Baker (Councillor for Australia) said that the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) had expressed a desire to learn of the results of the deliberations of the Scientific Council. He thus sought the Council's agreement for him to report back to CCAMLR on the Council's work. The Scientific Council agreed to that procedure.

29. On the question of selection of members to represent the Scientific Council at the meetings of the World Conservation Union (IUCN), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Ramsar and other bodies, Dr. Devillers (Councillor for the European Community) underlined the need for sufficient funding to ensure the participation of liaison Councillors in meetings of other bodies, rather than relying on the goodwill of Parties to fund their councillors in that role. He considered that a formal recommendation from the Scientific Council was needed to ensure that provisions were in place in the CMS budget to cover the costs of attendance at such meetings. Dr. Davidson (Ramsar Bureau) underlined the desirability of having terms of reference for representatives of the Scientific Council attending meetings of other bodies.

30. The Chair observed that, as concerned the requisite funding for such an activity, it was necessary to examine the financial position of the Convention and to clarify the question of funding with the Secretariat. It was also necessary to draw up a list of candidates to represent the Council at other bodies.

Summary

31. The Council agreed that focal point Councillors for cooperation with Ramsar and UNESCO's Man and Biosphere Programme would be designated intersessionally.

32. On cooperation with CITES, Dr. Pfeffer (Appointed Councillor) cautioned the Council against any commitment at this stage. The Council agreed that the Chair should act as focal point Councillor for contact with CITES.

IV. SCIENTIFIC COUNCIL TASKS ARISING INTER ALIA FROM RESOLUTIONS, RECOMMENDATIONS AND OTHER DECISIONS OF THE CONFERENCE OF THE PARTIES

4.1 Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1 and 6.1 refer)

33. In introducing the work on concerted actions, the Chair noted the value of work under this heading to the overall success of the Convention. He noted also that some works were becoming classic examples of effective conservation action.

34. The Deputy Executive Secretary introduced a report by the Secretariat on Identification and Implementation of Concerted Actions for Selected Appendix I Species/Groups (ScC11/Doc.3). He said that the number of species and groups designated for Concerted Actions currently totalled 27 and the Secretariat was concerned that the list was becoming a shadow of Appendix I, weakening the notion of concerted action. The report suggested a new procedure whereby candidate species could be proposed at intersessional meetings of the Scientific Council and would be the subject of a comprehensive review report, which would be prepared and considered by the Council ahead of the meeting of the Conference of the Parties. The proposal also provided for periodic revision of the Concerted Action List, at which time species might be removed from the list if certain conditions were met, such as adequate coverage in other instruments.

35. Dr. Devillers (Councillor for the European Community), while expressing his general agreement with the proposed procedure, urged that some flexibility should be retained in its application notably for cases where concerted action was urgently needed. He and Dr. Pfeffer (Appointed Councillor) were both concerned that removal of a species from the list could be misunderstood as signalling that the danger was past. He proposed for this reason that, when removing a species from the Concerted Action List, the rationale should be explained and indications on the further action to be taken for the conservation of the species should be given.

36. Dr. Biber (Councillor for Switzerland) asked whether concerted action was possible with respect to species not on Appendix I or II, such as cormorants, which damaged fisheries. The Chair said it would be better to leave such questions aside from the context of discussions on concerted actions to protect endangered species.

37. Dr. Moser (Appointed Councillor) questioned whether the preparation of the suggested review reports would qualify for funding. It was confirmed that a special budget allocation had been made for that purpose.

38. The Council established a working group to discuss the procedures for concerted action and report back to the Council.

39. Dr. Devillers (Councillor for the European Community) later reported that the Working Group on Concerted Actions had completed its work and had prepared and circulated a conference room paper outlining a number of agreed amendments to the Secretariat's paper. He recommended the report of the group to the Scientific Council for adoption.

Summary

40. The Scientific Council adopted the report of the Working Group on Concerted Actions. The report of the Group, together with a revised paper on concerted action species, is contained in Annex III to the present report (ScC Report Annex III).

41. On behalf of the Council, the Chair expressed thanks to all members of the Group for their constructive efforts, and to the convener Dr. Devillers.

42. Reporting on progress in the implementation of Concerted Actions, recommendations of the Council for ongoing Concerted Actions and possible identification of other Appendix I species to be recommended to the Seventh Meeting of the Conference of the Parties for Concerted Actions were discussed within the following taxonomic working groups: Terrestrial Mammals; Marine Mammals and Large Fishes; Birds; Marine Turtles. Each group later reported to the whole Council on its deliberations. The reports of the Working Groups are attached to the present report as Annexes IV-VII (ScC Reports Annex IV-VII).

Terrestrial mammals

43. Dr. Pfeffer (Appointed Councillor), speaking for the Working Group on Terrestrial Mammals, said the group was recommending that the Snow leopard (*Uncia uncia*), of which only 7,000 remained, be recommended as suitable for concerted action. The Scientific Council approved the recommendation.

44. He confirmed that, while considerable progress had been made over the past three years in the conservation of Sahelo-Saharan antelopes, concerted action should be actively pursued for this group as well. The Group recommended the additional sum of \$100,000 as matching funds as a counterpart contribution to the French GEF funding, of which \$25,000 would be a contribution to the French funding for coordination; \$25,000 would be to establish and maintain a web database for Sahelo-Saharan antelopes and, for 2003-2004, a web site; \$20,000 for the reintroduction and conservation project in Senegal; \$20,000 for the development of a GEF project in Chad, Libyan Arab Jamahiriya and Niger in 2003-2004 for implementing the CMS Action Plan; and \$10,000 for the development of a project in Egypt, to be disbursed when the appropriate structures had been set up.

45. The Councillor for Chad pointed out that \$20,000 for a project involving three countries was not a large sum. The Chairman explained that funds were being proposed under a different budget heading to facilitate meetings.

46. Dr. Devillers (Councillor for the European Community) said that the demonstrated value of concerted action on the Sahelo-Saharan antelopes pointed toward a similar strategy for the migratory mammals of Central Asia, of which a number now put forward for listing in Appendix II might soon be upgraded to Appendix I. The Council agreed to note this as a point for future action.

47. On the Mountain gorilla (*Gorilla gorilla beringei*), Dr. Pfeffer said the Working Group was aware of the threat but also of the conditions of instability in the Range States. It recommended keeping the Mountain gorilla on the list of species for which concerted action was justified, and that CMS continue to look for ways in which this could be achieved.

48. Dr. Devillers also welcomed the construction of an observatory in Argentina for the South Andean deer and said the fact that it was being named for the late Pablo Canevari was a fitting tribute to his contributions to conservation and to CMS.

Summary

49. The Chair, in thanking the Working Group on Terrestrial Mammals, commented that progress on Sahelo-Saharan antelopes had been a classic demonstration of the value of concerted action. The Scientific Council took note of the report and agreed to the recommendations it contained.

Marine mammals and large fishes

50. Dr. Perrin (Appointed Councillor), reporting on the work of the Working Group on Marine Mammals and Large Fishes, noted that field work on the abundance, habitat use and stock identity of the Franciscana dolphin (*Pontoporia blainvillei*) which had been supposed to begin in March 2002, had not been carried out because funding had not been received, and he called on the Secretariat to expedite matters.

51. For the Mediterranean monk seal (*Monachus monachus*), development of a recovery plan was not yet complete but a population viability and habitat assessment had been carried out. For the Marine otter (*Lontra marina*), plans were almost complete for an abundance survey to be started in October 2002 and a Chile/Peru workshop.

52. Mr. Baker (Councillor for Australia) had stated that, subject to the approval of their listing under CMS, the Government of Australia intended to begin efforts to develop a regional cooperative agreement covering the great whales of the South Pacific region - the Antarctic minke whale (*Balaenoptera bonaerensis*); Bryde's whale (*Balaenoptera edeni*); Fin whale (*Balaenoptera physalus*); Sei whale (*Balaenoptera borealis*); Pygmy right whale (*Caperea marginata*); and Sperm whale (*Physeter macrocephalus [catodon]*).

53. In that light, the Working Group recommended that, in the event that any of the Appendix I proposals were approved by the Conference of the Parties, those species should be added to the list of species for concerted action. In addition, the Group recommended that the great whales already on Appendix I which also occurred in the region should also be added to the list. Those included the Southern Right whale (*Eubalaena australis*), Blue whale (*Balaenoptera musculus*), and Humpback whale (*Megaptera novaeangliae*).

54. Mr. Baker observed that, once a species had been nominated for inclusion in CMS Appendices on its proposal, it was the practice for Australia to develop and undertake follow-up actions for its conservation. In that context, the Chair noted with gratitude Australia's valuable leadership of the Agreement on the Conservation of Albatrosses and Petrels and its follow through in the form of a plan of action for the species.

Summary

55. The Scientific Council took note of the report and agreed to its recommendations.

Birds

56. Dr. Moser, reporting on the Birds Working Group, summarised the situation concerning concerted action on individual species.

57. Cooperation for *Chloephaga rubidiceps* conservation continued between Argentina and Chile on research and other matters. A framework agreement between the two countries had already been signed. For *Anser erythropus*, the existing CMS-supported project on the species needed to be pursued. Either the project should be implemented urgently, or it should be removed from the list. Concerning the Asian population of *Chlamydotis undulata*, progress had been made in producing a final draft of an Agreement. A meeting of the Range States was proposed for September 2003. Funding, in particular to cover the attendance of delegates, would be needed. On the Central European population of *Otis tarda*, a memorandum of understanding came into force on 1 June 2001, and 10 Parties had signed it. A workshop was planned for April 2003 and a fully developed project proposal had been submitted for funding.

58. A report of the Slender-billed Curlew (*Numenius tenuirostris*) Working Group had been circulated to the Scientific Council. It was proposed that existing efforts should continue to be supported, including support for the Secretariat (provided by BirdLife International). For *Grus leucogeranus*, there was little reported change in population levels. More activities and better coordination was reported, the latter thanks to a CMS-funded coordinator. Nothing substantially new was reported on *Falco naumanni*. A draft memorandum of understanding on *Acrocephalus paludicola* had been circulated to Range States towards the end of 2001, and replies were received from about a dozen of them. A project on *Aythya nyroca* was under way, implemented by BirdLife and its partner organization in Bulgaria. A study project on *Oxyura leucocephala*, was ongoing.

59. Focal points for *Sarothrura ayresi* and *Hirundo atrocaerulea* were not present at the meeting; it was proposed to ask the South African delegation for more information upon arrival. A project for *Spheniscus humboldti* was approved at the last Scientific Council meeting, but funding had not yet been provided; it was agreed that this needed to be resolved as a matter of priority. Information on Andean flamingos had been difficult to gather for the current meeting, but the populations were believed to be stable. The outline memorandum of understanding between Range States was still pending.

60. Dr. Moser said with respect to the Ferruginous duck (*Aythya nyroca*) that Dr. Opermanis (Councillor for Latvia) had offered to act as focal point, and that his offer had been strongly endorsed by the Working Group. For the Lesser White-fronted Goose (*Anser erythropus*), a focal point was being sought to replace Dr. Madsen, who had resigned from the Council. The Group had asked the Appointed Councillor for birds to maintain oversight of those two species in the interim.

Summary

61. The Scientific Council took note of the report and agreed to its recommendations.

4.2 Cooperative actions for Appendix II species (Recommendations 5.2 and 6.2 refer)

62. The Deputy Executive Secretary introduced the discussion on the subject of cooperative action.

63. Dr. Devillers (Councillor for the European Community) explained that cooperative action had been intended to be a lighter instrument for species on Appendix II, corresponding to concerted action for those on Appendix I, in order to avoid a multiplication of agreements related to single species. Parties proposing cooperative action should indicate specific plans to be carried out and take responsibility in leading the proposed initiatives, which had not in principle happened.

64. The Council asked that the working group previously established to discuss the criteria for concerted actions should include cooperative action in their discussion and report back to the Council. The Working Group subsequently recommended the development of a similar document addressing cooperative action species as had been prepared for concerted action species, for discussion by the Scientific Council at its 12th Meeting. This was agreed by the Council.

65. The same taxonomic working groups already mentioned in relation to Concerted Actions (see para. 42) considered Cooperative Actions for individual species or groups, and reported later to plenary.

Terrestrial mammals

66. Dr. Pfeffer, recalling that the last meeting of the Scientific Council had called for a memorandum of understanding on the West and Central African populations of the African elephant and that the Council had appointed a focal point Councillor, said that no progress had been made because the focal point Councillor had been unable to attend the last two meetings of the Council. The Working Group had thus decided to recommend the convening of a meeting to prepare the memorandum of understanding. The meeting would

bring together two individuals from each of the concerned Range States (Burkina Faso, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Gabon, Ghana, Guinea-Bissau, Nigeria, Senegal and Togo), one CMS Councillor and one government official. In that way, each country would be able to make a commitment to the proposals made. In addition, it proposed the nomination of a new focal point Councillor for the species, Mr. Namory Traoré (Councillor for Mali).

67. Dr. Pfeffer noted a lack of progress and stressed the need for cooperative action, and for Range States to reach a joint position on the ivory trade, which would be an important issue at the next meeting of CITES. He said that all Councillors who spoke in the working group had been opposed to resumption of the ivory trade. Mr. Ba (Councillor for Senegal) drew attention to the threat of the ivory trade to the West African elephant and said that while two Range States, Senegal and Burkina Faso, had taken some technical measures, there was a great need for support if action was to be effective. The Chair thanked Dr. Pfeffer for the update and suggested the matter of the ivory trade was best dealt within other forums.

Summary

68. The Scientific Council thus endorsed the preparation of a memorandum of understanding on the West and Central African populations of the African elephant. Noting that funds were required for the different projects on the species, it was proposed that a sum of \$15,000 should be requested, to complement matching funds from the Government of France.

69. A discussion ensued involving Councillors from the region; it was felt that CMS Councillors should attend such a meeting wherever possible, together with an elephant conservation specialist as appropriate. The opinion was expressed that some, if not all, States were unlikely to be able to sign any agreements during the course of such meetings. While the attendance of CMS Councillors would be desirable, it would be up to the States concerned to appoint appropriate representatives to attend a meeting, which would be of great importance.

Marine mammals and large fishes

70. It was reported that a CMS Workshop on the Conservation Status and Research Priorities of Aquatic Mammals in Latin America, to be held in Chile in October 2002, might give rise to proposals in respect of six Southern South American dolphins and porpoises. The Working Group had expressed the hope that it would lead to specific proposals for listing and for cooperative action.

71. The Philippines had announced that it intended to seek a regional memorandum of understanding involving the Appendix II listing of the Whale shark (*Rhincodon typus*), while India planned to host a workshop on Whale shark fisheries and trade in Whale shark products. No further information had been available concerning either the memorandum of understanding or the proposed workshop.

72. Dr. Perrin reported that, in line with the ongoing and planned activities in the South-East Asia region aimed at promoting a potential regional agreement (ScC11/Doc.8), the group recommended that the following species should be added to the list of species for cooperative actions: the porpoise *Neophocaena phocaenoides*; the dolphins *Sousa chinensis*, *Tursiops aduncus*, *Stenella attenuata*, *S. longirostris*, *Lagenodelphis hosei* and *Orcaella brevirostris*; and the Dugong *Dugong dugon*.

73. Dr. Blanke reported that the dramatic decline in 18 sturgeon species had not stopped, particularly around the Caspian Sea. Despite strict controls and a CITES listing in 1997, the illicit trade exceeded the licit by ten- or even twelve-fold. The ban on trade in sturgeon products by all Caspian littoral States except the Islamic Republic of Iran had been lifted earlier in 2002. Without trade in the products of this endangered but immensely valuable species, there would be no money for conservation work to mitigate the effects of threats such as habitat degradation, by-catch, over-fishing, pollution and the introduction of exotic sturgeon species. The Working Group felt that the CITES efforts should be given another three or four years and that the need

for further regional, cooperative action should be considered by the Council at that point. Dr. Perrin pointed out that most sturgeon Range States were not Parties to CMS.

Summary

74. The Council took note of the report and supported the suggested listing of species for cooperative actions.

Marine Turtles

75. Dr. Limpus (Appointed Councillor) reported that the Working Group on Marine Turtles had not proposed any new species for concerted or for cooperative action.

Summary

76. The Scientific Council took note of the report.

Birds

77. Progress had been made in achieving action in support of *Crex crex*. For this species and *Coturnix coturnix coturnix*, it was decided to retain them on the list for cooperative action, but to put down a marker for the Eighth Meeting of the Conference of the Parties, where the matter of their continued listing could be discussed, in the context of the proposed review of the methodology of how species are designated for cooperative actions, or eventually removed from the list of cooperative action species.

78. *Cygnus melanocorypha* was still declining in Uruguay and Chile, despite evidence of an increase in breeding numbers in the latter. The Chair urged delegates from the Southern Cone countries, whilst they were present at the Scientific Council, to consider what could realistically be done for this species.

79. With regard to southern albatrosses and petrels, there had been considerable progress, particularly in the conclusion of the Agreement on the Conservation of Albatrosses and Petrels.

80. For *Spheniscus demersus*, in the absence of the Focal Point, Dr. Boere noted that the species was one of the coastal birds proposed by South Africa for inclusion in the AEWA, a matter that would be dealt with at the forthcoming second Meeting of the Parties. It should remain on the list of species for cooperative action for the time being.

81. The group had finally recommended that the three grassland passerines proposed by the Government of Paraguay for listing in Appendix II (*Polystictus pectoralis pectoralis*, *Sporophila ruficollis*, *Pseudocolopteryx dinellianus*) be added to the list of species for cooperative actions, in case their inclusion in Appendix II was confirmed by the COP.

Summary

82. The Council took note of the report and supported the suggested listing of species for cooperative actions.

4.3 Other resolutions and recommendations (not already covered under previous agenda items)

(a) Resolution 6.2: By-catch

83. Under agenda item 4.3 (a) the Chair recalled that the previous meeting of the Conference of the Parties had adopted a resolution on by-catch, which was one of the important problems confronted by migratory species.

84. The Deputy Executive Secretary commented that by-catch was a cross-cutting issue that affected a wide range of species, including seabirds, marine turtles and cetaceans. Resolution 6.2 (Cape Town, 1999) had given prominence to the issue, but not as much progress had been achieved as could have been wished for. The Convention had an important role to play in addressing by-catch, and it was also an issue that was important for many other organizations and fora, for example the Food and Agriculture Organization of the United Nations (FAO). It would figure prominently also in the International Fisheries Forum taking place in Hawaii in 2002, where CMS would be represented. The review of fishery-related bodies, prepared with funding from the Department for Environment, Food and Rural Affairs of the Government of the United Kingdom, and which was before the Council in document ScC11/Inf.6, was a useful study that could help the Council to pinpoint gaps and identify a niche for the Convention.

85. Mr. Tasker (observer for ASCOBANS) said that the review of fishery-related bodies had originated following the Tenth Meeting of the Scientific Council in an effort to understand what other bodies were doing in relation to the issue of by-catch. The study, which was based exclusively on research through the World Wide Web, had been quite a challenge and it was recognized that there would be missing information. All comments and additions were therefore welcome. He said that by-catch was the most important marine-human interaction. It was of primary importance to work alongside not only fishermen but also the bodies that were responsible for fishery regulation, in the case of ASCOBANS, the European Commission.

86. Dr. van Klaveren, speaking as the observer for ACCOBAMS, informed the Council that among the international implementation priorities adopted at the first Meeting of the Parties to ACCOBAMS were measures to combat the by-catch problem.

87. The Chair invited Appointed Councillors to express their opinion. Dr. Limpus (Appointed Councillor) agreed that by-catch was one of the main threats facing marine turtles, especially in the high-seas area, which was difficult to regulate. By-catch could signal the demise of some species and was undermining the conservation efforts of some countries. He raised the issue of lost and discarded nets, which continued to result in by-catch (known as ghost fishing) and was often not addressed. Dr. Perrin (Appointed Councillor) commented that WWF had recently held an expert consultation that had concluded that by-catch was the primary conservation threat to small cetaceans, and this had also been the conclusion of a workshop recently organized with funding from CMS in South-East Asia. Mr. Ichida (Appointed Councillor) informed the meeting that modest progress had been made in developing relations with certain countries practicing long line fishing in South-East Asia, with a view to devising a strategy to resolve the problem of by-catch. Dr. Perrin raised the unnerving aspect to the problem that by-catch was evolving into directed catch, and a main source of protein in some areas, as a result of food insecurity.

88. Mr. Baker (Councillor for Australia) said that by-catch was not restricted to long-line fishing but affected other fishing also, including trawl fishing. By-catch resulting from long-line fishing was the greatest threat faced by albatrosses and petrels. Mr. Ba (Councillor for Senegal) commented that by-catch in Senegal resulted in a catch of some 50 turtles a day. He felt that the use of turtle excluder devices should be fostered, and that there was a need for greater capacity to measure the extent of the problem. Mr. Moumouni (Councillor for Togo) informed the meeting that his Government was providing financial compensation to fishermen to mend nets damaged as a result of turtle by-catch, providing they brought in a live turtle. However, the programme would soon cease for lack of funding.

89. Dr. Wolff (Councillor for the Netherlands) considered that addressing by-catch as a general phenomenon would not be sufficient to tackle the problem with the needed efficiency. It existed in many different forms, affecting different species, resulting from different types of fishing, and arising in different geographical areas. While CMS addressed migratory species, other bodies dealt with other species. The problem therefore needed to be divided into areas, for example by species or type of fishing.

90. The Chair, noting that by-catch was a serious problem affecting many areas, considered that the focus should remain on species listed in Appendices I and II. A working group was established, chaired by the representative of ASCOBANS, to consider document /ScC11/Inf.6, the possible roles of the Scientific

Council and the Convention on Migratory Species, progress in implementation of Resolution 6.2, and a possible recommendation of the Scientific Council to the Conference of the Parties.

91. Reporting later on progress in the work of the group, Mr. Tasker (observer for ASCOBANS) introduced a draft paper containing, inter alia, points which the Council might wish to recommend to the Conference of the Parties. The Group had identified the following areas as ones in which significant problems were suspected but reliable information was lacking: the impact of artisanal fisheries generally; cetaceans in West Africa and South, South-East and East Asia; the impact of long-line fisheries on marine turtles in the Pacific and on Olive ridley turtles in South Asia; birds in South America and the impact on them of gillnet fisheries in the northern hemisphere; and the impact of all fisheries on sharks and rays. However, he noted that Resolution 6.2 (Cape Town, 1999) had seen little implementation and a new resolution would contain much that simply reaffirmed that resolution. Hence, a more focused recommendation might be more appropriate.

92. The Chair expressed the Council's gratitude to Mr. Tasker for the work he had accomplished and requested that the Working Group should continue and should appoint a rapporteur to continue that work in Mr. Tasker's absence.

93. At the 7th plenary session, on 17 September, Mr. Baker (Councillor for Australia) introduced on behalf of the Working Group a revised paper, reflecting the final version of the discussion in the Group. A draft recommendation, on ways to reduce by-catch, for the attention of the Conference of the Parties was appended to the report.

94. Dr. Schlatter expressed hope that the recommendation could be instrumental in bringing about a change in fishing practices. Mr. Ba stressed the importance of the recommendation, particularly in light of the problems faced by marine turtles. Mr. Pritchard (observer from BirdLife International) welcomed the recommendation as an example of positive follow-up to a previous decision by the Conference of the Parties.

Summary

95. The Scientific Council approved the draft recommendation, on the understanding that there might be further drafting amendments to the recommendation, which would not impact on its substance, prior to its submission to the Seventh Meeting of the Conference of the Parties.

96. On behalf of the Council, the Chair expressed thanks to the members of the Working Group, whose report is contained in Annex VIII to the present report (ScC Report Annex VIII).

(b) Resolution 6.4: Strategic Plan for 2000-2005

(c) Performance indicators (in relation to Resolution 6.4)

97. The meeting decided to combine the consideration of the above two subitems of the agenda. Under agenda item 4.3 (b), the Deputy Executive Secretary introduced document UNEP/CMS/Conf.7.10 on the review of implementation of the Strategic Plan for the period 2000-2005. The performance indicators in that document had been modified following the 10th Meeting of the Scientific Council and had also benefited from the work of the Standing Committee's Performance Working Group. He emphasized that it was not enough to report on activities and it was more pertinent to look at the outcomes and results of those activities.

98. Concerning agenda item 4.3 (c), the Chair of the Performance Indicators Working Group established at the Tenth Meeting of the Scientific Council stated that the Group had identified two levels of indicators: effective conservation of migratory species, and functioning of the Scientific Council. Dr. Devillers (Councillor for the European Community) urged that only direct indicators were of any importance, and that

indirect indicators should be set aside. The issue was to identify objectives and to agree on the way to measure the success in achieving them.

99. Dr. van Klaveren (Councillor for Monaco) pointed to the need to develop mid-term performance indicators and to establish links with relevant Agreements.

100. Dr. Moser added that, as in the taxonomic Working Group on Birds, there was a feeling of frustration with using the Strategic Plan to measure the success of the Convention in attaining its objectives. The Scientific Council required clear objectives and targets with which to measure progress, and it had become apparent that there was a gap in the tools available, since the Strategic Plan adopted by the Conference of the Parties in Cape Town was largely operational rather than strategic. The huge number of species, and also the vast areas that must be covered, required the Scientific Council to move towards a much more strategic approach by taxon, by region and by threat, a thought which should be reflected in the discussions concerning structure and modus operandi of the Council. The Chair endorsed this approach.

101. The Chair suggested that greater use might be made of the appointed Councillors in carrying out the detailed, operational work and in developing a forward strategy so as to enable the Council to make the best possible use of its time.

Summary

102. The Performance Indicators Working Group was re-established under the chair of Dr. Bagine (Councillor for Kenya) to review the performance indicators contained in the Strategic Plan and revise them as necessary, bearing in mind the need to base the indicators on reality and to take into account the medium- as well as the long-term view.

Report of the Indicators Working Group

103. Dr. Bagine (Councillor for Kenya) introduced the report of the Working Group, recalling that the Group had been asked to review and comment on the Strategic Plan 2000-2005 in relation to the performance indicators identified in the Plan. The Group had focused also on the existing indicators and strategy for each taxonomic group. Also, it had addressed CMS-funded projects.

104. The Working Group had concluded that document UNEP/CMS/Conf.7.10, "Review of implementation of the Strategic Plan 2000-2005", did not provide an adequate evaluation of the conservation and scientific work under the Convention because, first, a large amount of information available from projects and activities in document form had not been included in the summary table; second, the outcomes of many proposed actions had not been, or could not be, determined; third, some of the indicators which had been identified in document UNEP/CMS/Conf.7.19, "Performance Indicators for the Convention on Migratory Species (CMS)", had not been used; and fourth, deadlines for actions to be taken had not been specified.

105. The Working Group had found that the existing indicators could be divided into two categories: those which related to the functioning of the Convention, and which should be primarily the responsibility of the Standing Committee; and those relating to the changing conservation status of migratory species, which were those of prime concern to the Scientific Council.

106. In that connection, the Working Group recommended that the new Information Management System discussed under agenda item 4.3 (d) should be used to provide the Council with necessary and up-to-date information.

107. The Working Group recommended also that a series of indicators should be developed concerning pressures and threats on migratory species. In that connection, the Chair recalled that at its 10th meeting the Scientific Council had requested the taxonomic working groups to develop lists of pressures and threats. There, the Birds Working Group had identified habitat loss and fragmentation; habitat degradation; climate

change; human-induced mortality; alien species; and disease as major threat categories, which could be further refined depending on the cause of pressure, on the stage of the annual cycle and on biotope.

108. The Working Group had identified the lack of a clearly defined strategy which identified goals, priorities, milestones and targets for the taxa of interest as a major constraint in the use of indicators and recommended that such a strategy should be developed, through a workshop, and presented to the Council at its 12th meeting. The strategy should be based primarily on taxonomic groups but would need to be integrated with regard to regional priorities and threats/pressures.

109. The Working Group had further concluded that improvements needed to be made in the management of CMS-funded projects: the projects funded must address priorities; those priorities must be identified within a defined strategy; projects should be prepared and managed according to a well-defined procedure; and that procedure must provide a clear definition of expected outcomes and short- and long-term targets against which to measure performance.

110. Given the substantive issues to be addressed, particularly the development of the strategy, the Working Group's final recommendation was that it itself should be continued throughout the coming triennium and work intersessionally also.

111. The Deputy Executive Secretary explained that document UNEP/CMS/Conf.7.10 had in fact been developed some time previously in consultation with the Standing Committee and the Council itself. The Secretariat had highlighted the need for input to the document, which it had now received as a result of its first real scrutiny, by the Working Group. That input had shown that the Strategic Plan would benefit from a thorough reworking prior to the Eighth Meeting of the Conference of the Parties, in particular "Sub-strategies" for each taxonomic group should be developed, perhaps by specialist consultants.

Summary

112. The Chair took it that the Council wanted a workshop to be organized as the Working Group had recommended to carry forward the work of developing a scientific strategy and also other matters to do with the *modus operandi* of the Council. The Indicators Working Group would thus continue through to the workshop and beyond to the 12th Meeting of the Council.

(d) Resolution 6.5: Information Management Plan and National Reporting

113. The Deputy Executive Secretary, introducing documents UNEP/CMS/Conf.7.6, 7.6.1 and 7.6.2, explained that the revised format for national reports had been introduced, initially on a trial basis, with a view to lightening the reporting burden on States and increasing the response rate, currently only around 50 per cent. That poor response rate made the process of synthesizing national reports difficult. The new format was to be put forward for adoption by the Seventh Meeting of the Conference of the Parties.

114. He described the work being done by WCMC to develop a web-based information system, noting that it was a very positive development to be able to pull in information not only from Party reports but also from the WCMC and linked databases. However, he expressed concern in relation to accessibility for those with no, difficult or slow Internet access.

115. Two Councillors representing African countries urged that the question of Internet access should be included within the context of CMS capacity-building activities and wondered if the prototype CMS information system (available through URL <http://www.unep-wcmc.org/cms/ims.htm>) could be made available on CD-ROM.

116. Mr. Fragoso (UNEP-WCMC) gave a detailed Powerpoint presentation on the prototype system and explained that, as it was a node of linked databases and of links to databases rather than a stand-alone database, there were practical problems and copyright issues which precluded its being published in the form of a CD-ROM at this stage.

117. Within the CMS information system database were included, *inter alia*, the compiled and synthesized Party reports from 1988 on. In that regard, reports produced using the new format were designed to be easier to integrate into the information system. He pointed also to the linked electronic library which included “grey” literature, such as action plans, which had been provided by focal points and by other multilateral environmental agreements. He demonstrated many of the system’s capabilities, including a function which provided the number of countries and the number of CMS Member States in the range of a particular species, and their names in up to 30 languages. He confirmed that a feedback mechanism existed for correcting errors and omissions.

Summary

118. The presentation and the system were warmly welcomed and WCMC was commended on its initiative. It was pointed out that the system would have relevance for the *modus operandi* of the Council and the Secretariat was requested to look into ways and means of making it directly available to Councillors at future sessions in order to assist them in their work. It was agreed that the system would be even more useful if it was also made available with its interface in the other CMS official languages.

V. REVIEW OF THE MODUS OPERANDI OF THE CMS SCIENTIFIC COUNCIL

119. The Chair introduced document ScC11/Doc.5, “The Scientific Council of CMS: Future Working Practice”, emphasizing that in his view the Council must retain a taxonomic focus without losing its holistic approach. The Council should also maximize its effectiveness and efficiency within its budget. In preparing the document, the Chair had looked at models provided by similar bodies under other conventions, and had looked at clarifying the respective roles and responsibilities of the delegates, the Chair and the Vice-Chair. He had come to the conclusion that no structural change per se was desirable or even practical, though there was a need to consider what could be accomplished in the meetings of the Council and what might be done intersessionally.

120. Positive changes in ways of working and in the allocation of roles and responsibilities among the Councillors and the Specialist Advisor Councillors might be made. The Chair singled out the lack of awareness and appreciation of the collective expertise available within and to the Council as a particular problem. With the increase in the number of Parties and in the number of species, the work of the Council had become more demanding and complex, leading to greater pressure of work on the Chair and the Councillors. The problem of funding specialist advisors’ travel also created a limitation on the capacity of individuals to fulfil their responsibilities.

121. Mr. Tasker (observer for ASCOBANS) commented that greater links between the Scientific Council and the daughter Agreements would be desirable. Mr. Mungroo (observer for AEWA) thanked the CMS Secretariat for having invited the Technical Committee of AEWA to attend the meeting of the Council and said that he would encourage greater cooperation between the two bodies. Dr. Davidson (observer for the Ramsar Bureau) noted that the structure of the equivalent body under that Convention was very different. The model under CMS had the potential to provide a greater source of scientific expertise. The Chair agreed that the Council and the daughter Agreements under CMS shared common scientific issues, and that the daughter Agreements should be closely involved in the discussions of the Council. Dr. Limpus (Appointed Councillor) also supported strengthened links between the Council and the memoranda of understanding under the Convention. Dr. van Klaveren, speaking as the observer for ACCOBAMS, emphasized the need to strengthen the links between Scientific Councillors and CMS Focal Points and their equivalents in the CMS daughter Agreements.

Summary

122. The Chair asked the Secretariat to consider how greater links might be created so as to encourage such cooperative action and opportunities for synergy.

123. The meeting agreed that certain non-governmental organizations possessed valuable expertise and expert networks on which the Council should draw when and as appropriate and to a greater extent in the future. However, the Council must state its requirements clearly.

124. The meeting agreed that the item would be considered by both the taxonomic Working Groups and the regional Working Groups, and that a working group on the *modus operandi* of the Council would subsequently be set up if deemed necessary.

Reports of the Regional Working Groups

125. The convenors or rapporteurs of the regional working groups reported to the plenary meeting of the Scientific Council on the results of the deliberations in their groups to address the following five issues:

1. Review of the *modus operandi* of the CMS Scientific Council;
2. How to combine regional and taxonomical priorities;
3. How to maintain the momentum of the CMS process in each region;
4. Regional issues/activities to be highlighted for the Council;
5. Possible new agreements/memoranda of understanding.

Regional Working Group for Asia/Oceania

126. Mr. Ichida (Appointed Councillor), convenor, reported on the work of the group, which had comprised Councillors from Australia, Mongolia, Sri Lanka, Uzbekistan, and from a non-governmental organization, BirdLife International.

127. Concerning point 1, the group had stressed the importance of increasing the public awareness in the region and encouraging involvement in CMS activities. Many countries of the region were not party to CMS, and it was considered that a regional meeting should be organized by CMS, to invite those countries to discuss the conservation of migratory species of wild animals. Regional agreements on conservation of dugongs and small cetaceans, as well as migratory bird species could be included in the discussion. The issue of by-catch was also important.

128. With regard to point 2, communication among Council members and exchange of information were considered to be very important. On point 3, the Workshop on the Biology and Conservation of Small Cetaceans and Dugongs of South-East Asia, held in the Philippines in 2002 and a draft Regional Agreement on the Small Cetaceans and Dugongs of South-East Asia, both described in document ScC11/Doc.17 constituted a key initiative to maintain the momentum of CMS in the region. Several flyway programmes had also been developed by Wetlands International, and it was important for CMS to work more closely with those activities.

129. Concerning point 4, the promotion of awareness and understanding of CMS was considered important, and a start should be made by launching some conservation projects, choosing appropriate flagship species.

130. On point 5, in addition to the proposed agreement on cetaceans and dugongs, there was a need for a regional agreement on the Snow leopard (*Uncia uncia*), and for a memorandum of understanding on the Central Asia and India Flyway. Because of the great decline in the breeding population of the Great bustard (*Otis tarda*), particularly in China, there was a need for cooperation on the conservation of the species.

131. The Deputy Executive Secretary said that the Secretariat had been in contact with the regional office of Wetlands International, as well as the ASEAN Secretariat, with a view to organizing a regional workshop in Indonesia, focusing on the migratory species of the region and encouraging the involvement of the countries of the region that were not yet party to CMS.

132. On behalf of the Council, the Chair expressed thanks to the members of the working group.

Regional Working Group for Africa

133. Mr. Ba (Councillor for Senegal), rapporteur of the working group, which was chaired by Mr. John Mshelbwala (Councillor for Nigeria), reported on the work of the group. Concerning point 1 of the suggested considerations, discussions had shown that a regional meeting at least once a year was needed, and one should be held before the Eighth Meeting of the Conference of the Parties. It was necessary to set up a coordination mechanism to facilitate the regional meeting. In that respect, the Secretariat should look at the practical modalities and the financial implications which had to be taken into account.

134. Concerning point 2, it was considered that each Councillor, in coordination with other competent partners, should draw up an inventory of activities, taking account of the regional priorities. Members of the group had reiterated the need for regional strategies and interests for the conservation of migratory species in the region to guide all scientific projects to be considered for implementation. There should be proper coordination between the appointed Councillors and national Councillors in the pursuance of the convention objectives with regard to taxonomic issues. The group had mandated each Councillor to submit priority projects and to elaborate strategies and programmes relevant for the conservation of identified species.

135. Concerning point 3, members of the group were unanimous in their commitment to maintain the momentum and to implement the decisions taken, and were prepared to encourage neighbouring non-Party States to join the Convention to enhance the conservation of migratory species. The group emphasized the need for in-country capacity-building and means to help the Councillors perform their role effectively. Councillors were also encouraged to promote the Convention in their respective countries through policy makers and government agents. That could be done through the inclusion of high-level government agents (Members of Parliament, Senators etc.) in the country's delegation to the Conference of the Parties. Councillors were urged to develop project proposals for implementation in the region. The group considered that the presence of other agencies such as Wetlands International should be exploited to enhance the effectiveness of project implementation for the conservation of migratory species.

136. With regard to point 4, one of the constraints of the region was the lack of a regional officer in the Secretariat and members of the group stressed the need for that position to be funded and filled immediately, even if that meant an additional financial responsibility for the Parties. The Chair of the working group, Mr. Mshelbwala, underscored the need for the funding of an officer to coordinate activities in the region.

137. Also concerning point 4, the group had pointed to the low level of implementation and follow-up of projects in the region and the lack of political will. It was thus necessary to enhance the awareness of decision makers.

138. Concerning point 5, the members of the group were unanimous in supporting the decision of the 10th Meeting of the Scientific Council on the need for West and Central African Range States of the African elephant to develop a memorandum of agreement on the conservation of the species. Moreover, the African region needed to identify a common position on the species for the next meeting of CITES, in November 2002. Dr. Mshelbwala considered that the lack of progress in developing a memorandum of understanding on the species was a result of the fact that the regional officer post had not been filled.

139. The Deputy Executive Secretary recalled that several CMS workshops and meetings had been held in the region, and a number of Agreements were operational. As Ramsar and AEWA were also very active in the region, it might be possible to convene joint workshops of relevance to CMS and those instruments. He

pointed out that, additionally, the core budget of CMS currently provided for the convening of one intersessional meeting in each region. On the question of a liaison officer for the region, he recalled that the Secretariat had been trying for a number of years to have a Junior Professional Officer (JPO) post filled within the Secretariat through voluntary contributions. He stressed that the Secretariat was trying again, through the proposed budget for 2003-2005, to bring this to fruition or, failing that, to fill the post through the CMS Trust Fund.

140. On behalf of the Council, the Chair expressed thanks to the members of the Working Group.

Regional Working Group for Latin America and the Caribbean

141. Dr. Schlatter (Appointed Councillor), convenor, reported on the work of the group. Concerning point 1, the group believed that it was necessary to support the functions of the regional Scientific Councillor, who was the active link to CMS. It was necessary to improve and promote the communications between scientific and administrative focal points and the designated Councillor, so that projects and reports for CMS could be previewed by the designated regional Councillor. An organigram was needed, showing the institutional set-up in each country. CMS National Committees should be set up, involving institutions that have potential links to CMS subjects. Starting from the National Committees, it was necessary to draw up a national strategy for CMS.

142. Concerning point 2, the group had underlined the need for improved communication between the Parties of the region and CMS. A good way of improving links was the presentation and development of projects, concerted actions and memoranda of understanding on migratory species which involved more than one country. That process was not being fully developed. The flamingo project between four countries had become a model of integration for a group of Appendix I species and a memorandum of understanding was being developed. Recently, with support from the Netherlands, a project on aquatic birds of the Pacific Flyway showed important potential for involving many countries of North, Central and South America.

143. With regard to point 3, technical meetings in the region were crucial and needed to be held at least every two years. Such meetings had been held in Chile (1997), Uruguay (1999) and Peru (2001), bringing together representatives of Governments and various international organizations of relevance to the CMS. The meetings were not costly, and funds existed for such technical meetings. There was also a possibility of sharing the costs with other relevant conventions.

144. Concerning point 4, it was necessary to analyse the current problems of the region in its communications with CMS and to promote appropriate coordination to improve the efficiency of CMS in both Parties and non-Parties. Information was needed on what CMS proposed to do in the region. And there should be increased cooperation with other international organizations of relevance to CMS, including Ramsar, BirdLife International, Wetlands International, and WWF, which could strengthen activities for migratory species.

145. With regard to point 5, although questions of political will still needed to be resolved, draft agreements could be prepared for small cetaceans; marine otters and sealions; and the South Andean deer (Heumul). Grassland birds and freshwater birds, including swans, geese, ducks, flamingos, coots and herons, could all benefit from studies and research. In addition, the America Pacific Flyway "Wetlands and Birds of the Americas" could be the subject of an AEWA-type agreement.

146. Mr. Woloszyn (Councillor for Poland) asked whether steps had been undertaken to approach Cuba, which was not a Party, but which was important for many migratory species of the region, with a view to cooperation with CMS. The Deputy Executive Secretary explained that the Secretariat had already contacted Cuba in connection with its possible participation in CMS activities.

147. On the question of lack of progress in some of the CMS activities for the region, the Deputy Executive Secretary pointed to the fact that the post of Information Officer, with regional responsibilities, had been vacant since early 2002. The Secretariat currently attached high priority to the filling of that post and to rebuilding its links with the region. The induction of new members for the region on the Standing Committee of CMS also offered a chance to explore new ideas on CMS activities.

148. On behalf of the Council, the Chair expressed thanks to the members of the Working Group.

Regional Working Group for Europe

149. Dr. Wolff (Councillor for the Netherlands), convenor, reported on the work of the group. Concerning point 1, the group had considered that National Committees for CMS gave important input into the work of CMS and thus had to be promoted. However, it had been found that they sometimes lacked Government input. In this connection, one country had identified problems of poor contact between its focal point and its National Committee. The group believed that the scientific independence of Councillors was of key importance.

150. With regard to point 2, the group considered that working groups were a sound idea and the only way to tackle both regional and taxonomic issues, but in that respect there was a need to be flexible to enable Councillors to engage with a range of issues.

151. Concerning point 3, the group believed that CMS momentum could be maintained by promoting and undertaking actions, and demonstrating their success through appropriate indicators, as well as by encouraging Range States to be members of Agreements by showing the added value of such Agreements.

152. Concerning point 4, the group pointed to the need to promote membership of Agreements and CMS in Europe; to consider the extension of ASCOBANS to the rest of the United Kingdom and to Irish waters, and to the Atlantic coast of France and Spain; to consider the extension of ACCOBAMS to Portuguese waters; to promote the Europe-Iceland-Greenland-Canada flyway (with the Greenland white-fronted goose) through AEWA; to take substantive action to reduce small cetacean by-catch by inclusion within the European Union Common Fisheries Policy; to avoid having memoranda of understanding that overlapped with existing agreements; to assist European Union candidate countries, which were investing time and effort in accession to the Union and which needed to be made aware of the importance of CMS conservation activities in the region; and to finalise and operationalize the CMS-CITES memorandum of understanding.

153. Dr. van Klaveren (observer from ACCOBAMS) commented that the report of the regional working group for Europe highlighted the need for better circulation of information at national level, to foster awareness of obligations under the Convention. She also informed the Council that Portugal might consider extending the scope of ACCOBAMS to its Atlantic coast.

154. Mr. Wołoszyn (Councillor for Poland) noted the importance of Central and Eastern Europe for many species and informed the Council that experts of six countries were developing the ABC Programme to produce an atlas of bats of the Carpathians.

155. On behalf of the Council, the Chair expressed thanks to the members of the Working Group.

Summary

156. The Chair, commenting on the reports of all the regional working groups, said it was clear that the overall profile of the Scientific Council had to rise in all regions, that new Parties must be encouraged to join and that staffing levels needed to be examined. He said there was great value in the integrity of the Council, as giving each region the opportunity to learn from the experiences of others. The reports had also pointed up the need for continuing contact among members, for intersessional activity and for the active efforts of the Chair, Councillors and the Secretariat to make sure things happened on time. As CMS matured, the Council needed to develop its ways of working with a view to greater clarity, and to become less ad hoc in its work

within the regions and more strategic in its approach. The meeting agreed to this and re-iterated the need for a strategy document and for a pack of information outlining how the Council functions.

Report of the Working Group on the Modus Operandi of the CMS Scientific Council

157. The Councillor for Nigeria, Chair of the Working Group on the modus operandi of the Council, reported that the Group had achieved consensus.

158. The Councillor for the Netherlands, Rapporteur of the Working Group, reported that all the Regional Groups – Africa, Asia/Oceania, Latin America and Europe – had tacitly accepted the concept of thematic working groups and had welcomed the concept of regional working groups. Asia/Oceania and Latin America had welcomed them as a means to attract new Parties to CMS and to agreements through regionally organized, intersessional meetings. All regions had welcomed the concept of regional working groups as a means to exchange regional information. However, the European group at one end of the scale would be satisfied with a meeting of its Regional Working Group during the period when the Council itself was meeting, while the African group felt a much greater need for meetings. It had advocated a regional structure with intersessional meetings to be held in the region in order to overcome any communications difficulties. The Latin American group already had experience with regional meetings and found them very useful.

159. It had been suggested in connection with the regional working groups that the number of Vice-Chairs of the Council might be increased to four, selected from the different regions.

160. A comment had been received that Appointed Councillors, whose role was in general highly appreciated, should ensure clear communications with the national Councillors on regional and thematic matters. *Mutatis mutandis*, the reverse was also true.

161. Dr. Perrin emphasized that the principle of the independent scientist is key to the work of the Council. The Chair took it that in elaborating the functions of national Councillors, the Working Group would ensure that scientific independence of Councillors was preserved.

162. Dr. Perrin said that in addition to regional and taxonomic working groups there could be clear consideration of cross-cutting issues such as by-catch and barriers to migration; it should be part of the strategy to have clear, limited and easy-to-monitor mandates. Such an approach would have the advantage that from an outsider's point of view they would offer a clear illustration of the relationship between CMS activities and the human and development impact on species.

163. Dr. Perrin noted that the participation of ASCOBANS had been very helpful and called for it to be continued in the future, including intersessionally, and called upon the Secretariat to facilitate such intersessional participation and cooperation.

164. He noted that members of the Working Group on Marine Mammals and Large Fishes had expressed dissatisfaction with the timeliness of some document production before the current session of the Council and suggested that deadlines should be imposed for submissions from Councillors and others, and for those deadlines to be observed. The Working Group believed that a taxonomically oriented strategy focussing also on cross-cutting themes would be helpful and could lead to better indicators of success than the current, operationally oriented approach, which it felt was rather unfocused.

Summary

165. The Council adopted the Chair's suggestion that the Secretariat should develop an information pack on the work of the Council concerning its modus operandi and setting out project listings, terms for concerted and cooperative actions, what it expected of its councillors, what it expected of its officers and what it expected of the Secretariat. Such an information pack would be particularly useful to new Council members.

166. The Chair thanked the Working Group and others involved in the work on the *modus operandi* of the Council. He concluded that the Council wished to establish regional, taxonomic and cross-cutting working groups with simple, clear and focused mandates. Towards that end, a workshop on strategy would be required before the 12th Meeting to develop a draft strategy, indicators and other matters of relevance to the *modus operandi* of the Council.

VI. REVIEW OF PROPOSALS FOR AMENDMENTS TO APPENDICES I AND II OF THE CONVENTION

(a) Implications for CMS of the New IUCN Red List Categories and Criteria

167. Mr. Baker (Councillor for Australia) introduced a report on the Implications of the IUCN Listing Criteria for CMS (ScC11/Doc.6). The IUCN Red List, a global standard for conservation assessment reports, had been the subject of an extensive review of its categories and criteria. The report proposed that CMS regard the IUCN listings as guidance for decisions on which species should be placed in Appendix I, and as providing some guidance for listings in Appendix II.

168. The Chair drew attention to the recommendation, which would align the IUCN categories “Critically Endangered” and “Endangered” with CMS Appendix I and IUCN categories “Near Threatened” and “Vulnerable” with Appendix II.

169. Dr. Devillers (Councillor for the European Community) said it should be made clear that guidelines were only guidelines and that listings in the CMS Appendices were a matter for sovereign decisions.

170. Dr. Wolff (Councillor for the Netherlands) questioned a proposal that species in the IUCN “Data Deficient” assessment group might be brought under an international agreement. If there were no data it was not possible to draw any conclusions, he said. Mr. Baker said that such a listing might happen when the data were not quite enough for a definite conclusion. Dr. Perrin (Appointed Councillor) stressed that “Data Deficient” was not a category of threat.

171. The Council established a working group to consider issues raised in the discussion and to report back to the Council.

172. At the third plenary session, on 15 September 2002, Dr. Moser (Appointed Councillor) asked for clarification that during the present meeting taxonomic working groups would continue to follow the Council’s established procedures, unaffected by proposals with respect to the IUCN Red List.

173. The Chair concurred and noted that there were two schools of thought about the procedure needed with respect to the IUCN Red List. One view was that it was an internal matter for the Scientific Council what use it made of the IUCN list, and there was no need to bring the matter before the Conference of the Parties. The other view was that the matter was of such importance that the Council ought to make sure the Conference of the Parties was fully informed. His view was that the latter was necessary and he would raise this in his report to the Conference of the Parties.

174. Mr. Baker (Councillor for Australia), convenor of the Working Group, subsequently reported that, as a result of its discussions, the group had produced a revised version of the report on the implications of the IUCN listing criteria for CMS, which was available as document ScC11/Doc.6 (Rev.2). He briefly described the main changes to the document, explaining that in a number of cases the changes had been made in order to reinforce the Scientific Council’s flexibility in determining the most appropriate listing for species. He thanked all members of the working group for their constructive work and commended the paper for adoption by the Scientific Council.

Summary

175. The Scientific Council approved the revised report on the implications of the IUCN listing criteria for CMS, as contained in document ScC11/Doc.6 (Rev.2), for transmission to the Seventh Meeting of the Conference of the Parties. The report is contained in Annex IX to the present report (ScC Report Annex IX).

176. On behalf of the Council, the Chair expressed thanks to all members of the group for their constructive efforts, and to the convener Mr. Baker.

(b) Discussion and evaluation of amendment proposals

(c) Conclusions and recommendations to the Conference of the Parties

177. The meeting considered the above subitems together.

178. The Chair introduced the item on the review of proposals for amendments to Appendices I and II of the Convention, and noted that a summary of the proposals was contained in document UNEP/CMS/Conf.7.12. He suggested that the review by the Council should be conducted taxon by taxon.

Marine mammals and large fishes

179. Dr. Perrin summarised the deliberations of the Working Group on six proposals submitted by Australia for additions to Appendices I and II for great whales.

180. The proposal for listing the Antarctic minke whale (*Balaenoptera bonaerensis*) on Appendices I and II contained a number of technical errors resulting from confounding of the two species of Minke whale (*B. bonaerensis* and *B. acutorostrata*), which had largely been corrected in a revised document that Australia submitted to the Secretariat and which had been reproduced on Australia's request for the purposes of the Working Group. The species was considered to be migratory and subject to a range of threats. The Group therefore endorsed the proposal that it should be added to Appendix II.

181. In respect of the proposal to list the species on Appendix I of the Convention, the Working Group had held an extensive discussion, but had been unable to reach consensus. Most of the Councillors believed that, although no figures were available on the population size, it was in the order of magnitude of half a million, and exploitation amounting to a few hundred per year was not unsustainable. In addition, the species was protected under IWC and listed in Appendix I of CITES. If future exploitation was allowed, quotas would be in accordance with the IWC Revised Management Procedure. A lack of confidence in the effectiveness of that procedure had been expressed noting that there were considerable uncertainties about populations trends and the species was subject to a range of threats owing to its aquatic habitat. A view was expressed that the species should be listed on Appendix I as a precautionary measure. No consensus was reached on this point.

182. In considering the proposal to include Bryde's whale (*Balaenoptera edeni*) on Appendices I and II, Dr. Perrin said that the Working Group had considered that the proposal did not sufficiently cover the complicated taxonomic position of the "species", which was now considered to consist of two species. However, the Group had concluded that all units embraced by the name *B. edeni* were migratory and would benefit from cooperative conservation measures. It endorsed the proposal to list the species on Appendix II.

183. With regard to the proposed listing on Appendix I, the Working Group had faced a similar situation as during its consideration of the proposal for the Minke whale. While the species was data-deficient, there was no indication that it was either depleted or endangered. The exploitation of a few animals per year was not likely to be unsustainable, and IWC and CITES offered protection. Other Councillors had felt that the species was subject to a range of threats as a result of its marine habitat and that listing should be recommended as a precautionary measure. No consensus was attained in the working group.

184. In response to a question from the Chair, Dr. Perrin confirmed that he agreed with the majority view from the working group.

185. In respect of the Fin whale (*Balaenoptera physalus*), the Working Group considered that the species was migratory, highly depleted and classified as endangered by IUCN and could be endorsed for listing on both Appendix I and Appendix II. The Group noted that the proposal by Australia did not include complete lists of existing international protection instruments and Range States.

186. The case of the Sei whale (*Balaenoptera borealis*) was considered to be very similar to that of the Fin Whale and was also endorsed for listing on Appendices I and II.

187. The Working Group noted that it had no information on migratory movements of the Pygmy right whale (*Caperea marginata*). However, seasonal strandings in Australia and South Africa and occurrence in the Antarctic in the austral summer indicated that it was likely to be a migratory species. There was no information regarding population size. The species faced indirect threats because of living in the ocean and could profit from regional protective measures; it was therefore endorsed for listing on Appendix II.

188. Some Councillors felt that, while the species was classified by IUCN as data deficient, there was no compelling reason for listing it on Appendix I as the species had never been hunted commercially. Others considered its rarity and its habitat to be sufficient reason to include it on Appendix I. There was therefore no consensus on this point.

189. In response to a question from the Chair, Dr. Perrin confirmed that he agreed with the majority view of the Working Group.

190. In respect of the proposal for listing of the Sperm whale (*Physeter macrocephalus*), Dr. Perrin recalled the agreement of the Sixth Meeting of the Conference of the Parties that the names *Physeter catodon* and *P. macrocephalus* concerned the same species and the latter name should be used. The Working Group had noted that the species was migratory and was classified as vulnerable rather than endangered by IUCN. A view was expressed noting concerns that the species was endangered. Despite major efforts by IWC, there were no reliable indications of population size. Given this particular case, the Working Group endorsed the proposal to list the species on Appendices I and II.

191. The proposal to list on Appendix II all populations of the Killer whale (*Orcinus orca*), some populations of which were already listed, was endorsed by the Working Group as all the populations were migratory and could profit from cooperative protective measures.

192. The Chair raised concern over the lack of consensus and expressed the view that the Scientific Council was under an obligation to render advice to the Conference of the Parties, even if note was made that the position of the Council had not been unanimous. This view was supported by Dr. Devillers (Councillor for the European Community). The meeting therefore agreed by majority that the proposals endorsed by the majority of the Working Group, as reported to the Council by Dr. Perrin, would be transmitted to the Conference of the Parties.

Summary

193. The Chair summarised the deliberations as follows:

In relation to a few proposals, relating to some of the whale species, the proposals appeared to contain some key data and information gaps as well as a number of technical inaccuracies. The Council formed a working group to consider these proposals, chaired by the Appointed Councillor for Marine Mammals. This working group was however unable to reach a consensus view on how to proceed. The Council was therefore guided in particular by the Appointed Councillor and by the Chairman of the Council, who considered that where there were clear information gaps and technical inaccuracies. The Council could not advise the Conference of the Parties to support these particular proposals at this

time. This was a majority view of the Scientific Council. The Council was, however, aware of the conservation needs of the species concerned and was keen that their view on this matter was not seen by the Conference of the Parties or indeed by others as downplaying in any sense the conservation needs of the species concerned. The species remain proposed for listing on Appendix II which left the way open for regional cooperative action. In addition the Council had supported listing on Appendix I and on Appendix II for a number of whale species and remained receptive to receiving further, scientifically accurate, proposals for the species concerned in future if deemed appropriate by any Party to the Convention. The Council would encourage further information gathering and collaboration to allow any further action on this issue.

194. Further to the proposal to list the Great white shark (*Carcharodon carcharias*) on Appendices I and II, the Working Group concluded that it was a migratory species crossing international borders. It was the subject of directed fisheries both commercially and by sport fishermen and was classified by IUCN as vulnerable. However, it was near endangerment. The Working Group considered that world wide there was a clear decline and that local populations had been extirpated or ran that risk in the near future with potential consequences for populations on an ocean-basin scale. Hence, the Working Group had concluded that the species met the criteria to be listed on Appendices I and II.

195. For the proposal to list the South American sea lion (*Otaria flavescens*) on Appendix II, the Working Group concluded that the species was migratory, significantly reduced in abundance and facing numerous conservation threats and that it would benefit from cooperative regional protective measures. The Working Group agreed to endorse the proposal.

196. As regards the proposal to list the Southern fur seal (*Arctocephalus australis*) on Appendix II, the Working Group discussed whether the listing should concern the entire species or only one of the two subspecies (*Arctocephalus australis australis* on the Falkland Islands (Malvinas) and *A.a. gracilis* on the South American mainland). It was considered that both subspecies were migratory, the mainland populations were greatly reduced in abundance and that the species would profit from regional cooperative protective measures. The Working Group had endorsed the proposal to list the entire species on Appendix II.

197. On the proposal to list the Amazonian manatee (*Trichechus inunguis*) on Appendix II, the Working Group had concluded that the species was migratory and crossed international borders. It had shown a clear decline in the recent past and would profit from cooperative regional protective measures. The Working Group agreed to endorse the proposal.

198. A draft of the proposal to list the West African manatee (*Trichechus senegalensis*) had been reviewed and endorsed at the 10th Meeting of the Scientific Council. The Working Group had concluded that the species was migratory in part, greatly reduced in abundance and faced with numerous severe conservation threats. The Working Group endorsed the proposal.

199. Mr. Moksia (Councillor for Chad), who had not been a member of the Working Group on Marine Mammals, said that Chad had two or three large lakes containing manatees. He noted that the species was highly threatened and called on the Council to support measures to protect the species in landlocked countries. Dr. Perrin agreed that the species could well be considered for listing under Appendix I in the relatively near future.

200. The Chair thanked Dr. Perrin and the members of the Working Group on Marine Mammals and Large Fishes for their work.

Birds

201. Dr. Moser (Appointed Councillor), introducing the report of the Working Group on Birds (ScC11/CRP.8), said that the Group had reviewed proposals for the addition of 14 species to Appendix I and

5 species for addition to Appendix II. For waterfowl species, the Group had had the benefit of the latest population estimates, to be published in the near future by Wetlands International.

202. The 14 species proposed for listing under Appendix I were as follows: *Puffinus creatopus*; *Pelecanoides garnotii*; *Gorsachius goisagi*; *Platalea minor*; *Anser cygnoides*; *Anas formosa*; *Haliaeetus leucorypha*; *Grus vipio*; *Grus monacha*; *Tringa guttifer*; *Eurynorhynchus pygmeus*; *Sterna bernsteini*; *Sporophila palustris*; and *Alectrurus tricolor*. The Group had unanimously endorsed all 14 species, with the following comments.

203. The Working Group had noted in particular in respect of *Pelecanoides garnotii* that the species moved cyclically and predictably across borders in response to the El Niño and La Niña effects and therefore qualified for the attention of the Convention. It was agreed that Chile and Peru would harmonise their separate listing proposals for the species, prior to the deliberations of the Conference of the Parties.

204. For *Anas formosa*, it was noted that the species had recently been found in the Republic of Korea in substantial numbers, although in very localised areas. It was agreed that a cautious approach should be pursued and the Working Group supported its listing under Appendix I.

205. For *Sterna bernsteini*, it was noted that the species had recently been rediscovered; it had previously been thought to be extinct. The proposal for Appendix I listing was endorsed and it was hoped that it would be followed by concerted action.

206. The five bird species/sub-species proposed for addition to Appendix II were *Brotogeris pyrrhopterus*, *Polystictus pectoralis pectoralis*, *Sporophila ruficollis*, *Pseudocolaptes diuelli*, and *Streptopelia turtur turtur*. The group considered that all five birds met the criteria for listing on Appendix II, and supported the proposals with the following comments.

207. *Brotogeris pyrrhopterus* was an endangered species and should therefore have been proposed for listing on Appendix I rather than Appendix II, as intended by Peru, the proposer. The proposal for listing on Appendix I was supported in a written statement from Hungary and was strongly endorsed by the Working Group.

208. In respect of *Polystictus pectoralis pectoralis*, the Working Group questioned whether the entire species and not just the subspecies should be listed on Appendix II. However, in the absence of the Party making the proposal, it was agreed that only the subspecies should be recommended for listing. The matter could be reviewed on the basis of additional information at a later stage.

209. Dr. Gibson (observer for the United Kingdom) drew the attention of the meeting to the common threats to four species, (*Anas formosa*, *Platalea minor*, *Tringa guttifer*, and *Eurynorhynchus pygmeus*). The four species, were all to be found in the non-breeding season in the same coastal habitat along the East Asian coast from the Korean peninsula and China in the north, and Indonesia and Australia to the south. There was habitat loss and degradation in those areas, and considerable, and probably increasing, taking of birds for food and trade. Reclamation of estuarine habitat for development made habitat loss particularly intense. It would be useful to note the co-occurrence of the four species proposed for addition to Appendix I in the same areas and habitats, and draw the link to measures needed to address the common factors that were strongly affecting current conservation status.

210. Concerning *Streptopelia turtur turtur*, the Councillor for Senegal stressed the serious nature of the threats to the bird and its habitats in Senegal. The Working Group had felt that some further work was necessary to improve the listing proposal, including specifying whether a subspecies or the whole species should be added, and to agree priority actions.

211. Dr. Pfeffer noted that the species was subject to illegal hunting in France during its migration in May, and that a decision by CMS would help focus attention on the problem. The Chair proposed that a small

group, including the Councillors for Mali, Morocco and Togo, which were Range States, should continue to review the proposal and report to the Council at a later stage.

212. Subsequently, the Chair of the European Turtle Dove Working Group, the Councillor for Senegal, reported that he and the Councillors for Morocco, Mali and Togo had met and thoroughly discussed the proposal for inclusion of the European turtle dove (*Streptopelia turtur* subspecies *turtur*) in Appendix II, which had originated with the Government of Senegal, between themselves and with the observer for BirdLife International, who were to be commended on their good work. The revised proposal II/20 now met all concerns and he commended it to the Council for submission to the Seventh Meeting of the Conference of the Parties.

213. Mr. O'Sullivan (BirdLife International) introduced the report of the European Turtle Dove Working Group pointing out that many of the species' Range States were not represented on the Council and it was therefore to be expected that there would be some discussion of the proposal at the Conference of the Parties.

Summary

214. The Chair took it that the listing proposal on the European turtle dove was acceptable to the Council and requested the Councillor for Senegal, whose Government would present the proposal to the Parties, and the observer of Birdlife International to track the progress of the proposal through the Conference of the Parties.

215. The Council accepted the proposals of the Working Group on Birds and agreed to incorporate the Group's conclusions in the Council's report. The Chair thanked Dr. Moser and the members of the Working Group for their work.

Terrestrial Mammals

216. Dr. Pfeffer confirmed that the Working Group on Terrestrial Mammals had been unanimous in its response to all proposals for listings on Appendices I and II.

217. With reference to proposal II/12 on the inclusion in Appendix II of the Asian wild ass (*Equus hemionus*), he noted that the proposal applied the species name *Equus hemionus* in its broadest sense, including the three species *Equus hemionus*, *Equus onager* and *Equus kiang* recognized in Wilson & Reeder (1993, Mammal Species of the World), the taxonomic authority for mammals according to Recommendation 6.1. It was therefore recommended that, should the Conference of the Parties decide to include the Wild ass in Appendix II, all three species should be listed separately, while still based on the existing proposal.

Summary

218. The Chair summarised that the meeting was content to put forward the proposals as contained in the report of the Working Group. He thanked Dr. Pfeffer and the members of the Working Group for their work.

219. The Chair expressed the Council's thanks to all involved in the working groups on proposals for listing for their professional handling of matters and procedures which had been both difficult and complex in this Council meeting. The proposals themselves were mainly non-contentious and were well formed, based on effective data and information. It was therefore relatively straight-forward for the Scientific Council to reach a clear view on each.

VII. REVIEW AND ENDORSEMENT OF THE RANGE STATE LIST FOR SPECIES LISTED ON THE CMS APPENDICES

220. The Technical Officer introduced document UNEP/CMS/Inf.7.2 Rev.1 on the list of Range States of migratory species included in the CMS Appendices. The document had been prepared in accordance with the Convention, under whose provisions the Secretariat was required to compile and keep up to date a list of Range States to the species under Appendices I and II. The Secretariat had circulated the draft list to the Councillors in June 2002.

221. The revised version of the list which was before the meeting incorporated the comments of three Parties (Czech Republic, Slovenia and Uzbekistan) which had been received by the deadline. The revised list was proposed for endorsement by the Scientific Council to be submitted to the Conference of the Parties for adoption.

222. He noted that there was a linkage between the future management of the list of Range States and the ongoing efforts to develop an information management system. That issue could be discussed further at the 12th Meeting of the Scientific Council.

Summary

223. Noting that such a document was inevitably a work in progress, the meeting endorsed the list of Range States for transmission to the Conference of the Parties at its Seventh Meeting.

VIII. PROGRESS ON OTHER MATTERS REQUIRING SCIENTIFIC COUNCIL ADVICE

8.1 Potential new Agreements (including Memoranda of Understanding and Action Plans)

Bats

224. The Council heard a presentation from Mr. Hutson on bats. He presented an overview of the situation facing bats in various regions, informing the meeting that there were nearly 1,100 species of bats in 18 families. He reviewed the global status of bats and conservation action plans, noting that bats were confronted not only with diminishing habitats and environmental problems, but also often suffered persecution and superstition. Some bats, as in South-East Asia, were threatened not only because they were considered a pest for eating fruit crops, but also as a source of food. He noted that bats were a source of considerable diversity, that they were important pollinators and seed distributors, and also were often indicators of deteriorating environmental conditions. He suggested that eight species, from Africa, South-East Asia and Latin America may be potentially appropriate for listing under CMS, to gain particular conservation focus.

Summary

225. The Council took note of the report on possible regional agreement on bats (ScC11/Doc7) and encouraged the Secretariat to continue activities in that field, including the development of further agreements on bats. The Chair expressed the Council's appreciation for the study and the interest in pursuing a substantive discussion on bats at the 12th Meeting of the Scientific Council.

Marine Mammals

226. Dr. Perrin reported on the second Workshop on the Biology and Conservation of Small Cetaceans and Dugongs of South-East Asia, held in the Philippines in July 2002. A total of 40 scientists had participated in the Workshop from a number of countries in the region. The Workshop had considered a regional action plan to address by-catch of small cetaceans and dugongs in South-East Asia, and had produced a draft regional

CMS agreement. Dr. Perrin reported that it had been proposed that work on the action plan would continue by correspondence.

Summary

227. The Chair encouraged the continued work on the action plan by correspondence and invited Dr. Perrin to report back to the Scientific Council when appropriate.

8.2 Small-scale projects funded by CMS

(a) Progress report by the Secretariat on completed and ongoing projects

228. The Technical Officer introduced document ScC11/Doc.8, "Overview of the Status of Small-scale Projects Financed by the CMS Trust Fund", and its three-part annex giving the status of completed and ongoing projects, projects in an advanced stage of elaboration and due to start during the current year, and projects which had been approved in principle but which had not been carried out. He observed that \$700,000 had been withdrawn from the CMS Trust Fund for project implementation. The Secretariat proposed that the unallocated funds should be allocated to Part III projects subject to full project proposals being developed before the end of the 2002 budget year, and that any unused funds might be reallocated to fund newly identified projects meeting the conditions for implementation.

229. Dr. Beudels (Councillor for Belgium) raised a query about the Sahelo-Saharan ungulates projects mentioned in the annex to the document. The Chair proposed that details such as these be taken up bilaterally in the respective taxonomic Working Groups and/or with the Secretariat.

(b) Procedures for project elaboration and submission

230. The Technical Officer introduced document ScC11/Doc.9, "Draft Guidelines for the Preparation and Submission of Project Proposals". The format for the previous guidelines, which had been based on a model letter of agreement, had proved to have intrinsic drawbacks. The revised format suggested in section B of the draft was designed also to facilitate the screening and monitoring process by the Council. He pointed especially to the recommendation in section C for routing project proposals through CMS Scientific Councillors and Focal Points, and the provisions requiring support by the relevant national authority for projects to be implemented in non-Party countries. Projects of wide geographical scope would be elaborated in consultation with the appropriate Scientific Councillors, such as the focal point for the species or Conference-appointed Councillors for the taxonomic group or for the region. Project proposals would be considered intersessionally only as exceptional cases. Selected projects would be subjected to an in-depth evaluation of their expected benefits in respect of their cost.

Summary

231. The Chair concluded that there was general agreement within the Council that the revised guidelines on project submission were acceptable and could be adopted for use.

(c) New project proposals

232. The Deputy Executive Secretary confirmed that the budget proposal before the Conference of the Parties provided for an allocation of \$500,000 over three years for conservation measures.

233. It was decided that the taxonomic Working Groups should review the project proposals with a view to providing clear recommendations concerning present and future small-scale project work.

234. Dr. Moser (Appointed Councillor), speaking for the Working Group on Birds, said the group had found project listing a difficult process because of lack of clarity in some proposals and saw a need for better guidance on how such submissions were made. The Working Group also saw a need for the allocation of resources for the development of the over-all strategy for birds.

235. Dr. Limpus (Appointed Councillor), speaking for the Working Group on Marine Turtles, said the group also saw a need for better guidance about the submission of project proposals, and a need to strengthen the linkage between the Council and the regional memoranda of understanding for marine turtles of West Africa and the Indian Ocean/South East Asia.

236. Mr. Ba (Councillor for Senegal) said that for local and regional efforts in pursuance of the goals of the Convention to have their full effect, more support must be forthcoming for regional networking and capacity-building, and for public awareness raising. Otherwise there was a risk of a loss of momentum and even a reversal of gains.

237. At the Chair's request, the Secretariat met with Drs. Limpus, Moser, Perrin and Schlatter (Appointed Councillors) concerning the details of project proposals to be presented to the Conference of the Parties for funding. A table summarising the retained proposals was before the meeting, and is attached to this report as Annex X (ScC Report Annex X).

Summary

238. The Chair pointed out that the amount of funding available would only be known once the final budget had been approved by the Conference of the Parties. He therefore proposed, and the meeting agreed, that he would take on the responsibility, in consultation with the Secretariat and the Appointed Councillors, to make any necessary adjustments in the final approved list of projects. In that regard, he requested and received assurances from the Secretariat that the proposed projects were within reasonable bounds of possible funding. The Chair said that this issue was also important in relation to the discussions on the modus operandi of the Council, in that ideally much of the detailed work on project proposals should be dealt with by the Chair, in cooperation with the Secretariat and the Appointed Councillors, in advance of the meetings of the Scientific Council.

8.3 Global Register of Migratory Species (GROMS)

239. Dr. Blanke (Councillor for Germany), referring to documents UNEP/CMS/Inf.7.18 and UNEP/CMS/Conf.7.7 on the Global Register of Migratory Species, expressed the view that in the light of the presentation given by UNEP-WCMC under agenda item 4.3 (d) on the prototype CMS information system, it was time to begin merging GROMS, which was available through URL <http://www.groms.de>, with that system, while still maintaining its connections with the University of Bonn and the Museum Koenig, and with other organizations such as BirdLife International.

240. Dr. Riede then gave a Powerpoint presentation illustrating the capabilities of GROMS and informed the Council that, as a stand-alone database, GROMS had been published both as a CD-ROM and in print form. As part of the project, three workshops had been held, including one on capacity-building.

241. He explained that of the some 3,600 species and 5,600 subspecies identified as migratory using purely biological criteria and a lower migration distance limit of 100 km - rather than the definition of "migratory" used by CMS - GROMS currently covered 1,567 species. In that connection, he presented a graphic based on the GROMS threat assessment function highlighting the fact that about 100 threatened species on the IUCN Red List were not listed in the CMS Appendices, which gave an idea of the scale of the task which still lay before the Council.

242. Under the action requested in paragraph 7 (e) of document UNEP/CMS/Conf.7.7, he considered that GROMS should be developed as an integral component of the Information Management Plan. That being the case, harmonisation would be required in a number of areas, including the calculation of species range and the States in that range. In that connection he pointed out that GROMS was linked to a Geographical Information System (GIS) and expressed the belief that linkage was vital because the concept of migration involved movement in place and over time which static data alone could never satisfactorily reflect.

243. He reported that it was the intention of the German partners in the GROMS project to work with the Secretariat over the next two years on merging GROMS with the CMS information system and to propose to the Eighth Meeting of the Conference of the Parties that it should be formally handed over, with the University of Bonn and the Museum Koenig continuing to provide the infrastructure. In the interim, some €110,000 in matching funds were needed, which GROMS had every hope of receiving.

Summary

244. In conclusion the Chair noted the progress on GROMS and the linkage to the overall information needs of the Council.

8.4 Artificial barriers to migration and other threats to migratory species and their habitats, with special attention to dams and offshore wind farms

245. Mr. Pritchard (observer from BirdLife International) introduced the report prepared by BirdLife International on behalf of the Secretariat (UNEP/CMS/Conf.7.16) on the subject of impact assessment and migratory species. Explaining that CMS had not formally prepared any principles or guidelines on environmental impact assessment (EIA) or strategic environmental assessment (SEA), he noted that Parties had expressed their need for technical advice and guidance on the subject. It appeared that countries would benefit from a formal identification of points of relevance, and a statement of the importance of the issue in achieving the effective implementation of the Convention. He suggested that countries would also benefit from international harmonization of guidance on principles, standards, techniques and procedures.

246. Introducing the draft resolution on the subject (UNEP/CMS/Res.7.10), which was being proposed by Hungary and Kenya in collaboration with BirdLife International, he recalled that the Sixth Meeting of the Conference of the Parties to the Convention on Biological Diversity, held in The Hague in April 2002, had endorsed “Guidelines for incorporating biodiversity-related issues into environmental impact assessment legislation and/or processes and in strategic environmental assessment”. To avoid any duplication of effort, and consistent with the efficient cooperation between Conventions, the draft resolution before the Council simply commended those Guidelines to CMS Parties for use, as appropriate. It further proposed activities that the Council could undertake, in cooperation with other organizations. He expressed appreciation for the interest in EIA activities on the part of CMS, and considered the draft resolution to be a valuable step forward on the subject.

247. Dr. Davidson (observer from the Ramsar Bureau) said that the Scientific Panel and the Standing Committee of the Ramsar Convention had decided that the Guidelines endorsed by the Convention on Biological Diversity were applicable, albeit with annotations to interpret how they applied and related specifically to the Ramsar Convention. He suggested that a similar course of action might be taken by CMS. Dr. Gibson (observer for the United Kingdom) expressed support for the intent of the draft resolution and the proposal made by the observer from Ramsar.

248. Dr. Bagine (Councillor for Kenya) underlined the fact that the draft resolution was in line with the goals of CMS and commended the resolution to the Council.

Summary

249. The Scientific Council approved the draft resolution for transmission to the Seventh Meeting of the Conference of the Parties, on the understanding that the Councillors from Kenya, the observer from the United Kingdom and the observers from Ramsar and BirdLife International would hold informal consultations to fine-tune the draft resolution prior to its submission to the Conference of the Parties.

250. On behalf of the Council, the Chair expressed thanks to the Governments of Hungary and Kenya, and to BirdLife International for preparing and proposing the draft resolution.

251. Introducing a number of additional documents, Dr. Blanke (Councillor for Germany) said that his Government and non-governmental organizations working for conservation had addressed four threats to migratory species that could be seen as artificial barriers to migration.

Ship collisions with whales

252. He drew attention to document ScC11/Inf.7, on the significance of ship collisions with whales. In light of the considerable impact such accidents had on the migratory whales, he asked that the problem be thoroughly examined and discussed at the next meeting of the Council, with a view to advising on how to proceed.

253. Appreciation for the document had been expressed by Dr. Perrin (Appointed Councillor) on behalf of the Working Group on Marine Mammals and Large Fishes, noting that the North Atlantic right whale (*Eubalaena glacialis*) in particular was increasingly suffering collisions with ships because of the increase in shipping traffic.

Impact of wind-parks

254. Concerning the impact of offshore wind turbines on migratory species, Dr. Blanke introduced document UNEP/CMS/Res.7.13, containing a draft resolution submitted by Germany. In light of the increasing exploitation of new and renewable energy sources, wind-parks were rapidly being constructed and many more were planned, particularly for offshore locations. However, a lack of knowledge of the migration patterns of many marine species meant that the negative impacts of such wind-parks on migratory species were, as yet, unknown. The Convention on the Protection of the Marine Environment of the North-East Atlantic (OSPAR) had collected information on such impacts and had decided that guidance for Parties was needed. It was necessary to address issues of the marine environment during the planning process for such wind-parks and to adopt a harmonised approach to their development. He outlined the key elements of the draft decision.

255. Mr. Pritchard (observer from BirdLife International) noted the possibility of cooperation between CMS and the Bern Convention, which was preparing a review of the impact of wind-parks on birds, scheduled for completion by the end of 2002. He proposed that the resolution should take into account the need to mitigate the effects of wind-parks on species in general, not just listed species. In addition, land-based wind-parks showed the same negative impacts, and should also be brought within the ambit of the proposed resolution, since the focus on the marine environment was too narrow.

256. Dr. Schlatter (Appointed Councillor) supported the view that the impact of land-based turbines on birds should also be taken into account.

Summary

257. The Scientific Council approved the draft recommendation, as amended during the discussion, for transmission to the Seventh Meeting of the Conference of the Parties. The Council also agreed that

Dr. Blanke and Dr. Perrin would liaise in the period up to the 12th Meeting of the Scientific Council on the question of the impact of offshore wind-parks on marine mammals.

258. On behalf of the Council, the Chair expressed thanks to Dr. Blanke and to the Government of Germany for preparing and proposing the draft resolution.

Impact of offshore oil pollution

259. Concerning the impact of offshore oil pollution on migratory species, Dr. Blanke introduced document UNEP/CMS/Res.7.11, containing a draft resolution submitted by Germany, and enumerated the key points contained therein.

260. Dr. Moser observed that onshore oil facilities in wetland areas gave rise to the same issues affecting migratory species, and cited several examples in the Caspian region and Mexico. The resolution should thus be extended to all aquatic systems, not just offshore marine facilities. It was necessary to develop guidelines on the issue and also to examine the role of the corporate and private sector, which could provide valuable information for the process.

261. Mr. Moksia (Councillor for Chad) drew attention to the problem of uncontrolled pesticide use in his region, which impacted on migratory species. Substances were being used in his region that were banned in Europe and elsewhere, and a global approach to the problem would be desirable.

Summary

262. The Chair proposed, and the Scientific Council agreed, that the issue of the impact of pesticide use on migratory species would be discussed intersessionally.

263. The Scientific Council approved the draft recommendation, as amended during the discussion, for transmission to the Seventh Meeting of the Conference of the Parties.

264. On behalf of the Council, the Chair expressed thanks to Dr. Blanke and to the Government of Germany for preparing and proposing the draft resolution.

Electrocution of migratory birds

265. Concerning the electrocution of migratory birds, Dr. Blanke introduced document UNEP/CMS/Res.7.11, containing a draft resolution submitted by Germany, and enumerated the key points contained therein. He also drew attention to document UNEP/CMS/Inf.21, a booklet prepared by the German Society for Nature Conservation (NABU), which outlined suggested practices for bird protection on power lines. He explained that technical solutions to the problem existed which were economically feasible and which even improved the stability of the power supply. Protection for migratory bird species, particularly the most endangered species, was needed from the dangers of electricity transmission lines. He expressed thanks to the non-governmental organizations, particularly NABU, that had carried out work on the subject.

266. Mr. Nipkow (observer for NABU) outlined the content of the NABU booklet and expressed the hope that there would be broad support for the draft resolution. In answer to a question, he explained that the issue of bird mortality through strikes on power lines had not been addressed because such a broad task did not promise any rapid solution. His organization had decided to proceed step by step in order to ensure limited but feasible success.

Summary

267. The Scientific Council approved the draft recommendation, as amended during the discussion, for transmission to the Seventh Meeting of the Conference of the Parties.

268. On behalf of the Council, the Chair expressed thanks to Dr. Blanke and to the Government of Germany for preparing and proposing the draft resolution, and to NABU for its contribution on the subject.

269. The Council also agreed to return to the subject at its 12th meeting and to address the wider aspects of the issue.

8.5 Guidelines for satellite telemetry of migratory birds

270. Dr. Limpus (Appointed Councillor) informed the Council that the issue of guidelines for satellite telemetry of migratory birds had been discussed at the 10th Meeting of the Scientific Council, in Edinburgh. A report on the issue was contained in annex 6 of the report of the Edinburgh meeting (ScC.11/Inf.1).

271. Mr. Baker (Councillor for Australia) noted that the paper had originally targeted the endangered Slender-billed curlew, but had subsequently been extended to cover all migratory birds. There was a need to update references in the paper.

Summary

272. The Chair requested Mr. Baker to provide the complete updated paper to the Secretariat, which would circulate it to all Councillors. The meeting agreed to take note of the paper.

8.6 Impact of climate change on migratory species

273. The Chair introduced a discussion of climate change by recalling the discussion at the 10th Meeting and noting that the topic was very large. Although it was difficult to identify exactly which activities by CMS would be valuable, the need remained to review scientific aspects.

274. Dr. Davidson (observer for the Ramsar Bureau) noted that the Conference of the Parties of the Ramsar Convention had authorised a study of the impact of climate change by the Scientific and Technical Review Panel. He suggested the task of CMS at the current stage could be to establish what information was held by various Parties and organizations and to identify gaps that needed to be filled.

275. Dr. Perrin (Appointed Councillor) said that climate change was a continuing concern for IWC, particularly in its effects on the Arctic and Antarctic.

Summary

276. The Council noted the importance of the subject and its particular relevance to the work of the Ramsar Convention and IWC. It agreed that the Secretariat should ask the Parties to undertake a review the impact of climate change on migratory species, to be brought together for the Council's 12th Meeting.

8.7 Updating of CMS Appendices as a consequence of changes in species taxonomy

277. The Technical Officer introduced document ScC11/Doc.11. He highlighted that the issue was one where the species *Procellaria aequinoctialis* and the subspecies *Procellaria aequinoctialis conspicillata* were both listed on Appendix II. This had been the consequence of changes in species' name following the adoption of taxonomic references at the Sixth Meeting of the Conference of the Parties.

278. Dr. Ebenhard (Councillor for Sweden) commented that the situation was unfortunate. The course of action was in his view simply to drop the subspecies, while noting that that did not mean that the subspecies

was no longer included in Appendix II, but simply that it was covered under *Procellaria aequinoctialis*. Mr. Baker (Councillor for Australia) concurred with Dr. Ebenhard.

279. At the request of the Chair, the Deputy Executive Secretary confirmed that such anomalies had occurred in the past and that the clarification could be brought to Appendix II by means of a note against the species.

Summary

280. The Chair summarised that the Council agreed to the suggested way forward. He would raise the matter in his report to the Conference of the Parties.

281. Dr. Perrin reminded the meeting that a new taxonomy for the Right whales had been agreed at the 10th Meeting of the Council (Edinburgh, May 2001), which also implied a rectification of the appendices. *Balaena glacialis glacialis* was now *Eubalaena glacialis* (North Atlantic) and *Eubalaena Japonica* (North Pacific); while *Balaena glacialis australis* was now *Eubalaena australis*.

8.8 Other resolutions and recommendations under development

282. None were reported.

IX. COLLABORATION WITH OTHER INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

283. The Deputy Executive Secretary introduced a report on collaboration with intergovernmental and other non-governmental organizations (UNEP/CMS/Conf.7.11).

284. He noted the conclusion of a joint work programme with CBD (UNEP/CMS/Inf.7.13). A joint work programme with IWC was envisaged.

285. Memoranda of understanding were ready to be signed with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (UNEP/CMS/Conf.7.11/Annex 2) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) (UNEP/CMS/Conf.7.11/Annex 3). Memoranda were being prepared with the United Nations Convention to Combat Desertification (UNCCD) and with Wetlands International.

286. A 1997 memorandum of understanding with the Ramsar Convention was being expanded to make it a much more substantial document through a detailed programme of work, and to extend it to AEWA. The document required further fine-tuning before it could be presented for comment.

287. Dr. Davidson (observer for the Ramsar Bureau) stressed the value of identifying complementarities and synergies between organizations. Contracting Parties faced a large number of tasks under a variety of agreements, so it was important to simplify their work at national and local level by identifying common ground.

288. He invited the Scientific Council Chair to represent CMS at the forthcoming meeting of the Scientific and Technical Review Panel of Ramsar Convention. The Chair thanked him for the invitation and said he hoped to attend.

289. The Council took note of the value of joint work programmes and indicated that it looked forward to more such agreements in future.

290. Dr. van Klaveren (observer for ACCOBAMS) noted, as an example of synergy, that the conservation project for Adriatic turtles that had been submitted to CMS could be implemented with further support from the Bern and Barcelona Conventions.

291. Dr. Boere (observer for Wetlands International) informed the Council that a proposal for a joint work plan was now with the Secretariat. Discussions were taking place on the common strategy for the wetlands of Central America and the Pacific coast of South America, with a view to reaching a formal agreement.

292. The Council expressed its appreciation for the role that Wetland International played in providing scientific data to underpin much of the work of CMS.

Presentation on Millennium Ecosystem Assessment

293. An information document on the Millennium Ecosystem Assessment was before the Council in document UNEP/CMS/Inf.7.22. Dr. Nevil Ash (Secretariat of the Millennium Ecosystem Assessment) gave a presentation, explaining that it was designed on the global and sub-global levels to provide a multi-scale assessment of the capacity of ecosystems to support human well-being and life on Earth. It was intended to address the needs of a variety of users, including environmental conventions, intergovernmental organizations, the private sector, civil society and indigenous organizations. The Assessment was based on three main elements: political legitimacy, scientific credibility and saliency. It included four working groups, on conditions and trends; scenarios; responses; and sub-global assessment. The Assessment was intended to continue until 2004. In 2001, the project had held a series of design meetings; it had started work in 2002 and would continue that work in 2003; and in 2004 a review process would be conducted. Reports produced by the Assessment would include a report on the conceptual framework, assessment reports out of each of the working groups, sub-global assessment reports, and synthesis reports on biodiversity, desertification, wetlands, the private sector, and human well-being.

294. He outlined how CMS could benefit from the Millennium Assessment, through opening of a dialogue between the two through access to information for management and policy decisions by Parties. The project was designed around the needs of its users, and any additional user needs could be incorporated.

Summary

295. The Chair thanked Dr. Ash for his presentation and informed the meeting that there would be a side event on the Millennium Assessment in conjunction with the Seventh Meeting of the Conference of the Parties. The Millennium Assessment could be important in terms of the holistic view of the information needs of the Parties to CMS and this should be considered further by the Secretariat.

X. ELECTIONS

296. The Chair and the Vice-Chair chose to leave the meeting room during the consideration of election of officers for the forthcoming triennium of the Conference of the Parties.

297. The Deputy Executive Secretary reminded the Council that under the Rules of Procedure it must elect a Chair and Vice-Chair for the forthcoming triennium before the Seventh Meeting of the Conference of the Parties. This had been announced in the annotated agenda of the meeting, and at the opening of the meeting with a view to seeking candidates. He informed the Council in that connection that Dr. Galbraith had expressed willingness to continue serving as Chair.

298. The Deputy Executive Secretary informed the meeting that no other candidatures had been presented for the office of Chair of the Scientific Council by the deadline previously established by the Secretariat. He therefore invited the meeting to endorse, by acclamation, the continuation of Dr. Colin Galbraith (United

Kingdom) as Chair of the Council for the forthcoming triennium. The meeting agreed, by acclamation, to the re-election of Dr. Galbraith.

299. The Deputy Executive Secretary also informed the meeting that no other candidatures had been presented for the office of Vice-Chair of the Scientific Council by the deadline previously established by the Secretariat and that Mr. John Mshelbwala (Nigeria) had indicated his willingness to continue serving as Vice-Chair. He therefore invited the meeting to endorse by acclamation the continuation of Mr. Mshelbwala as Vice-Chair of the Council for the forthcoming triennium.

300. Dr. Pfeffer (Appointed Councillor) raised the issue that the major posts in the Council were occupied by English-speaking members. He also noted that Mr. Abdellah El Mastour (Councillor for Morocco) had been a candidate for the position of Vice-Chair on a previous occasion and had confirmed that he would be willing to be considered again in order to achieve linguistic balance between the officers of the Council. Dr. Pfeffer therefore nominated Mr. El Mastour for the position of Vice-Chair.

301. The Deputy Executive Secretary noted that the deadline for submission of names of candidates had already passed. He suggested that the concerns concerning linguistic balance could perhaps be overcome in connection with the notion of creating positions for four Vice-Chairs on a regional basis, as mentioned earlier in the meeting. This explanation was accepted by Mr. El Mastour and Dr. Pfeffer.

302. The meeting then agreed, by acclamation, to the re-election of Mr. Mshelbwala.

303. The Chair and Vice-Chair returned to the meeting. The Chair congratulated Mr. Mshelbwala on his re-election.

304. The Chair thanked Dr. Moser for his contribution to the work of the Council as Appointed Councillor for Birds and announced that Dr. Moser's departure required the Council to recommend a candidate to replace him in that position. The Chair nominated Mr. John O'Sullivan as a candidate for the position with deep knowledge and with enthusiasm for the work of the Scientific Council and CMS overall.

305. Dr. Moser said that the Appointed Councillor for Birds should have a broad knowledge of the bird taxon, clear regional links throughout the world and strong institutional backing. In Mr. O'Sullivan, he was particularly pleased to see a successor who had a wider experience than his own, which was mainly limited to waterbirds. Mr. O'Sullivan would also bring a high degree of commitment and experience to the work of the Council.

306. The Chair noted that Dr. Devillers (absent) had asked that his support for Mr. O'Sullivan's candidature be recorded. He noted also that there was a widespread support for Mr. O'Sullivan. He concluded that the meeting had agreed to recommend to the Conference of the Parties his appointment as Appointed Councillor for Birds.

XI. DATE AND VENUE OF THE 12TH MEETING OF THE SCIENTIFIC COUNCIL

307. The Deputy Executive Secretary invited the Council to consider the date and venue of the 12th Meeting of the Council which, following the practice of holding one intersessional meeting before the Eighth Conference of the Parties, should likely be held in early 2004. While no invitation to host the meeting was forthcoming during the meeting, Parties could contact the Secretariat on the host Government's obligations, which included offsetting the additional costs of holding the meeting away from Bonn.

XII. ANY OTHER BUSINESS

Presentation on the Lesser white-fronted goose

308. Mr. Johan Mooij (ZWFD) gave a presentation on a project to reintroduce individuals of the Lesser white-fronted goose (*Anser erythropus*) into the Fennoscandian population of the species by means of imprinting juveniles on ultralight aeroplanes.

309. Following the presentation, the Chair invited interested Parties to pursue further questions and discussion of the project bilaterally and encouraged all Parties to CMS to work together for the conservation of the entire population of the Lesser white-fronted goose.

Adoption of the report

310. The Chair announced that the report of the Council on its deliberations up to the conclusion of its deliberations on Monday, 16 September had been distributed in documents SC11/Doc.L.1 and Add.1. He invited participants to provide any corrections to the Secretariat in writing.

311. The Chair summarised the issues that had been considered by the Council over the course of its meeting and which he intended to highlight in his report to the Conference of the Parties. He mentioned in particular the successful use of regional and taxonomic working groups at the current meeting, the progress made towards improvement of the modus operandi of the Council, consideration of proposals for listing on Appendices I and II and for concerted and cooperative action, and the need to increase contact and work of the Council on an intersessional basis, even if that required additional funding. He thanked all participants in the meeting for their enthusiastic and professional contributions to the work of the Council.

Dissemination of meeting documents

312. Mr. Baker (Councillor for Australia) requested the Secretariat to produce a CD-ROM with the documentation of the current meeting for distribution to all Councillors. He also proposed that pre-session documentation should be distributed for the next meeting on CD-ROM, to facilitate prior review of the documents by Councillors without access to high-speed Internet links.

313. The meeting endorsed this suggestion and asked the Secretariat to pursue the issue intersessionally.

314. Noting that the Deputy Executive Secretary, who had been involved in the work of the Scientific Council since 1991, was serving a meeting of the Council for the last time, the Chair thanked him for his past contributions. The Chair also thanked the CMS Technical Officer and others for their contributions to the current meeting.

Report of the 11th Meeting of the Scientific Council

315. The Secretariat was entrusted with the finalisation of the report of the meeting.

XIII. CLOSURE OF THE MEETING

316. After the customary exchange of courtesies, the Chair declared the meeting closed at 1.05 p.m.

LIST OF SCC REPORT ANNEXES

ScC Report Annex I:	List of Participants
ScC Report Annex II:	Agenda of the Meeting
ScC Report Annex III:	Report of the Working Group on Concerted Actions (including revised Secretariat's report, ScC11/Doc.3)
ScC Report Annex IV:	Report of the Working Group on Terrestrial Mammals (<i>original French</i>)
ScC Report Annex V:	Report of the Working Group on Marine Mammals and Large Fishes
ScC Report Annex VI:	Report of the Working Group on Birds
ScC Report Annex VII:	Report of the Working Group on Marine Turtles
ScC Report Annex VIII:	Report of the Working Group on By-catch
ScC Report Annex IX:	Report on the Implications of the IUCN Listing Criteria for CMS
ScC Report Annex X:	Draft Summary of Projects Approved in Principle by the 11th Meeting of the CMS Scientific Council

ScC Report Annex I

LIST OF PARTICIPANTS

CHAIRMAN/PRESIDENT/PRESIDENCIA

Dr. Colin A. Galbraith
Head of Advisory Services
Scottish Natural Heritage
2/5 Anderson Place
Edinburgh EH6 5NP
UNITED KINGDOM/Royaume-Uni/Reino Unido
Tel.: (+44 131) 446 2404
Fax: (+44 131) 446 2491 / 2405
E-Mail: COLIN.GALBRAITH@snh.gov.uk

VICE-CHAIRMAN/VICE-PRESIDENT/VICE-PRESIDENTE

Mr. John H. Mshelbwala
Chief Environmental Scientist
Federal Ministry of Environment
Environment House, Rm 321
Independence Way
opp. National Hospital
P.M.B. 265
Garki, Abuja, F.C.T.
NIGERIA/Nigéria/Nigeria
Tel.: (+234 9) 234 2807 / 670 6652
Fax: (+234 9) 523 4014 / 4119 / 4932
E-Mail: fmenv@hyperia.com,
johnmshelbwala2@yahoo.com

MEMBERS/MEMBRES/MIEMBROS

M. Dieudonné Ankara
Ministère de l'industrie minière et de
l'environnement
Direction générale de l'environnement
B.P. 958
54, rue Bordeaux Oeunzé
2124 Brazzaville
CONGO/Congo/Congo
Tel.: (+242) 516750 / 814030 / 815979
Fax: (+242) 81 03 30 / 81 08 47
E-Mail: grasp@webmail.com,
ankara@francite.com

M. Demba Mamadou Ba
Directeur des Parcs nationaux
Ministère de la Jeunesse de l'Environnement
et de l'Hygiène Publique
Direction des Parcs Nationaux
B.P. 5135
Hann Zoological and Forestry Parks
Dakar Fann
SENEGAL/Sénégal/Senegal
Tel.: (+221) 832 2309
Fax: (+221) 832 2311
E-Mail: dpn@sentoo.sn

Dr. A. Djalaliddin Asimov
Director
Zoological Institute
Academy of Sciences
7 Kadiry str.
700095 Tashkent
UZBEKISTAN/Ouzbékistan/Uzbekistán
Tel.: (+998 712) 41 30 80 / 41 04 42
Fax: (+998 712) 413 990 / 415 633
E-Mail: halmat@ecoinf.org.uz

Dr. Richard K. Bagine
Chief Scientist
Kenya Wildlife Service
P.O. Box 40241
Nairobi
KENYA/Kenya/Kenya
Tel.: (+254 2) 50 61 69
Fax: (+254 2) 50 41 33
E-Mail: kws@kws.org, research@kws.org

Mr. Barry **Baker**
Asst. Director
Wildlife Australia, Wildlife Scientific Section
Environment Australia
G.P.O. Box 787
Canberra ACT 2601
AUSTRALIA/Australie/Australia

Tel.: (+61 2) 62 74 24 02
Fax: (+61 2) 62 74 24 55
E-Mail: barry.baker@ea.gov.au

Dr. Attila **Bankovics**
Hungarian Natural History Museum
Baross u. 13
1088 Budapest
HUNGARY/Hongrie/Hungría

Tel.: (+36 1) 210 1075 ext 5044
Fax: (+36 1) 334 2785
E-Mail: bankovic@zool.nhmus.hu

Dr. Roseline C. **Beudels-Jamar de Bolsee**
Institut Royal des Sciences Naturelles de Belgique
29, rue Vautier
1000 Bruxelles
BELGIUM/Belgique/Bélgica

Tel.: (+32 2) 627 43 54
Fax: (+32 2) 649 48 25
E-Mail: roseline.beudels@naturalsciences.be

Dr. Olivier **Biber**
Chef des Questions internationales Nature et
Paysage
Office fédéral de l'environnement, des forêts, et du
paysage (OFEFP)
3003 Berne
SWITZERLAND/Suisse/Suiza

Tel.: (+41 31) 323 0663
Fax: (+41 31) 324 7579
E-Mail: olivier.biber@buwal.admin.ch

Lic. Daniel E. **Blanco**
Encargado de Programa de América del Sur
Wetlands International South America
Programme
25 de Mayo 758 10° G
C1002 ABO
Buenos Aires
ARGENTINA/Argentine/Argentina

Tel.: (+54 11) 43 12 09 32
Fax: (+54 11) 43 12 09 32
E-Mail: dblanco@wamani.apc.org

Dr. Rainer **Blanke**
Bundesamt für Naturschutz
Konstantinstr. 110
53179 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 8491 115
Fax: (+49 228) 8491 119
E-Mail: blanker@bfm.de

Dr. Pierre **Devillers**
Institut Royal des Sciences Naturelles de
Belgique
29, rue Vautier
1000 Bruxelles
EUROPEAN COMMUNITY/Communauté
européenne/Comunidad Europea

Tel.: (+32 2) 627 43 54
Fax: (+32 2) 649 48 25
E-Mail: pierre.devillers@naturalsciences.be

Dr. Torbjörn **Ebenhard**
Scientific Research Director
The Swedish Biodiversity Centre
Biologisk Mångfald - CBM
P.O. Box 7007
75007 Uppsala
SWEDEN/Suède/Suecia

Tel.: (+46 18) 67 22 68
Fax: (+46 18) 67 35 37
E-Mail: torbjorn.ebenhard@cbm.slu.se

M. Abdellah El Mastour
Chef du Service de la protection de la nature
Ministère des Eaux et forêts
B.P. 605
Rabat-Chellah
MOROCCO/Maroc/Marruecos

Tel.: (+212 37) 67 11 05
Fax: (+212 37) 76 68 55 / 76 44 46 / 67 00 87
E-Mail: elmastour@athena.online.co.ma

Dr. Esam Ahmed Elbadry
Nature Conservation Section
Egyptian Environment Affairs Agency
42 El Medina El Monawara St. Apt. 6
Cairo, Mohandeseen
EGYPT/Egypte/Egipto

Tel.: (+20 2) 761 5542
Fax: (+20 2) 336 9083
E-Mail: medwetcoast@link.net

Dr. Jirí Flousek
Deputy Director
Krkonose National Park
Vrchlabí-zámek
543 11 Vrchlabí
CZECH REPUBLIC/République
Tchèque/República Checa

Tel.: (+420 438) 45 62 12
Fax: (+420 438) 42 20 95
E-Mail: jflousek@krnap.cz

Mr. Zurab Gurielidze
Chairman of the Board
Noah's Ark Centre for the Recovery of
Endangered Species (NACRES)
P.O. Box 20
380079 Tbilissi
GEORGIA/Géorgie/Georgia

Tel.: (+995 32) 53 71 25
Fax: (+995 32) 53 71 24
E-Mail: zurab.gurielidze@nacres.org

M. Abdou Malam Issa
Ingénieur des Eaux et Forêts
Direction de la faune, pêche et pisciculture
Ministère Hydraulique Environnement
B.P. 721
Niamey
NIGER/Niger/Níger

Tel.: (+227) 73 33 29 / 73 40 69
Fax: (+227) 73 27 84 / 73 60 12 / 73 55 91
E-Mail: ucnpmdep@intnet.ne

Dr. Badamjav Lhagvasuren
901 Redbud Apartments
Bloomington, Indiana 47408
MONGOLIA/Mongolie/Mongolia

Tel.: (+1 812) 857 3255
Fax:
E-Mail: lhagvabad@yahoo.com,
lbadamja@indiana.edu

Prof. Dr. Branko Micevski
President
Bird Study and Protection Society
Zoological Department, Faculty of Sciences
Gazi Baba b.b.
91000 Skopje
MACEDONIA, THE FORMER
YUGOSLAV REPUBLIC OF/l'ex-
République yougoslave de Macédoine/la ex
República Yugoslava de Macedonia

Tel.: (+389 2) 432 071 / 430 927
Fax: (+389 2) 432 071
E-Mail: brankom@ukim.edu.mk

M. Djadou Moksia
Ingénieur des Techniques Forestières
Direction de protection de la faune et des
parcs nationaux
Ministère de l'Environnement et de l'Eau
B.P. 905
N'Djamena
CHAD/Tchad/Chad

Tel.: (+235) 52 23 05
Fax: (+235) 52 44 12
E-Mail: zakouma@intnet.td

M. Abdou-Kérim **Moumouni**
Directeur de la Faune et Chasse
Ministère de l'Environnement
B.P. 355
Lomé
TOGO/Togo/Togo

Tel.: (+228) 260059 / 2214028/29
Fax: (+228) 221 40 29
E-Mail: direfaune@caramail.com,
direfaune@yahoo.fr, sokode1@yahoo.fr

Dr. Otars **Obermanis**
Laboratory of Ornithology
Institute of Biology
Miera Str. 3
2169 Salaspils
LATVIA/Lettonie/Letonia

Tel.: (+371 2) 94 54 37 / (+371 7) 216890 /
212672
Fax: (+371 7) 83 02 91
E-Mail: otars@parks.lv

Dr. Anatoliy **Poluda**
Head of Ukrainian Bird Ringing Centre
Schmalhausen Institute of Zoology
Bogdana Knmelnitskogo str. 15
01601 Kyiv 30
UKRAINE/Ukraine/Ucrania

Tel.: (+38 044) 235 0112
Fax: (+38 044) 224 1569
E-Mail: poluda@urc.freenet.kiev.ua

Dr. Hannu **Pöysä**
Research Professor
Finnish Game and Fisheries Research Institute
Joensuu Game and Fisheries Research
Kauppakatu 18-20
80100 Joensuu
FINLAND/Finlande/Finlandia

Tel.: (+358 20) 57 51 450
Fax: (+358 20) 57 51 459
E-Mail: hannu.poysa@rktl.fi

Dr. Francisco Daniel **Rilla Manta**
Av. 8 de octubre 2738
C.P. 11600
Montevideo
URUGUAY/Uruguay/Uruguay

Tel.: (+598 2) 481 1121
Fax: (+598 2) 70 95 23
E-Mail: pico@internet.com.uy

M. Namory **Traoré**
Projet Biodiversité du Gourma
Direction Nationale de la Conservation de la
Nature
B.P. 275
Bamako
MALI/Mali/Mali

Tel.: (+223) 233695 / 233697 / 224358
Fax: (+223) 23 36 96
E-Mail: namoryt@yahoo.fr

Dr. Marie-Christine **van Klaveren**
Chef de la Division Patrimoine Naturel
Service de l'Environnement
Département des travaux publics
et des affaires sociales
c/o Coopération Internationale
16, boulevard de Suisse
98000 Monaco
MONACO/Monaco/Mónaco

Tel.: (+377) 93 15 80 10 / 20 78
Fax: (+377) 93 50 95 91 / 93 15 42 08
E-Mail: mcvanklaveren@gouv.mc

Mr. H. John **Wilson**
Senior Research Scientist
Dúchas the Heritage Service
7 Ely Place
Dublin 2
IRELAND/Irlande/Irlanda

Tel.: (+353 1) 647 2394
Fax: (+353 1) 678 8123
E-Mail: jwilson@ealga.ie

Prof. Dr. Wim J. **Wolff**
Department of Marine Biology
Groningen University
Postbus 14
9750 AA Haren
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 50) 363 2260
Fax: (+31 50) 363 2261
E-Mail: w.j.wolff@biol.rug.nl

Department of Wildlife Conservation
No. 18 Gregory's Road
Colombo 7
SRI LANKA/Sri Lanka/Sri Lanka
Represented by: Mr. Gajadeera A.T. **Prasad**
Asst. Director of Veterinary Services
Tel.: (+94 1) 69 85 57
Fax: (+94 1) 69 85 56
E-Mail: tharaka@dwlc.lk, thadwlc@sltnet.lk

Directora de Conservación de Fauna Silvestre
Instituto Nacional de Recursos Naturales
Calle Diecisiete N 355
Urbanización El Palomar
San Isidro
Lima 27
PERU/Pérou/Perú
Represented by: Sra. Rosario Acero **Villanes**
Tel.: (+51 1) 225 9809
Fax: (+51 1) 225 9809
E-Mail: inrena.dcfis@terra.com.pe

ALTERNATES SUBSTITUTING FOR SCIENTIFIC COUNCILLORS FROM CMS PARTIES
SUPPLEANTS DES CONSEILLERS SCIENTIFIQUES DES PARTIES A LA CMS
SUPLENTE DE CONSEJEROS CIENTÍFICOS DE PARTES EN LA CMS

PORTUGAL

Dr. Marina **Sequeira**
Instituto da Conservação da Natureza
Rua Ferreira à Lapa 38-5^o
1150-169 Lisboa
PORTUGAL/Portugal/Portugal

Tel.: (+351 21) 316 0520
Fax: (+351 21) 352 0474
E-Mail: sequeiram@icn.pt

SPAIN

Dr. Luis Mariano **González**
Jefe de Sección Técnica
Dirección General de Conservación de la
Naturaleza
Ministerio de Medio Ambiente
Gran Vía de San Francisco 4
28005 Madrid
SPAIN/Espagne/España

Tel.: (+34 91) 597 5629/64
Fax: (+34 91) 597 5510
E-Mail: luismariano.gonzalez@dgc.mma.es

SCIENTIFIC COUNCILLORS APPOINTED BY THE CONFERENCE OF THE PARTIES/
CONSEILLERS SCIENTIFIQUES NOMMES PAR LA CONFERENCE DES PARTIES/
CONSEJEROS CIENTÍFICOS DESIGNADOS POR LA CONFERENCIA DE LAS PARTES

Mr. Noritaka **Ichida**

Director

BirdLife Asia Division

Toyo Sinjuku Building 2F

Shinjuku 1-12-15, Shinjuku-ku

Tokyo 160-0022

Japan/Japon/Japón

Tel.: (+81 3) 3351 9981

Fax: (+81 3) 3351 9980

E-Mail: ichida.birdlife@an.wakwak.com

Dr. William F. **Perrin**

Senior Scientist

Southwest Fisheries Science Center

P.O. Box 271

La Jolla CA 92038

United States of America/Etats-Unis

d'Amérique/Estados Unidos de América

Tel.: (+1 858) 546 7096

Fax: (+1 858) 546 7003

E-Mail: william.perrin@noaa.gov

Dr. Colin J. **Limpus**

Senior Principal Conservation Officer

Queensland Parks and Wildlife Service

P. O. Box 155

Capalaba QLD 4157

AUSTRALIA/Australie/Australia

Tel.: (+61 7) 3227 7718

Fax: (+61 7) 3247 5966

E-Mail: col.limpus@env.qld.gov.au

Dr. Pierre **Pfeffer**

Directeur de Recherche

CNRS Muséum de Paris

55, rue de Buffon

75005 Paris

FRANCE/France/Francia

Tel.: (+33 1) 40 79 38 74

Fax: (+33 1) 40 79 30 63 / 47 07 04 34

E-Mail: pierrepfeffer@wanadoo.fr

Dr. Mike **Moser**

West Week Farm

Chulmleigh

Devon EX18 7EE

UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1769) 58 03 61

Fax: (+44 1769) 58 03 61

E-Mail: mike-moser@supanet.com

Dr. Roberto P. **Schlatter**

Instituto de Zoología

Universidad Austral de Chile

Casilla 567

Valdivia

CHILE/Chili/Chile

Tel.: (+56 63) 21 13 15 / 22 14 08

Fax: (+56 63) 21 29 53 / 22 13 15

E-Mail: rschlatt@uach.cl

GOVERNMENTAL OBSERVERS / OBSERVATEURS DE GOUVERNEMENTS /
OBSERVADORES GUBERNAMENTALES**DENMARK**

Dr. Sten **Asbirk**
Head of Section
Ministry of Environment
National Forest and Nature Agency
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca
Tel.: (+45) 39 49 29 26
Fax: (+45) 39 27 98 99
E-Mail: sta@sns.dk

Ms. Hanne Stadsgaard **Jensen**
National Forest and Nature Agency
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45 39) 27 20 00
Fax: (+45 39) 27 98 99
E-Mail: hsj@sns.dk

Mr. Palle Umd **Jepsen**
Head of Section
Forest and Nature Agency
Ministry of Environment
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 47 24 00
Fax: (+45) 39 27 98 99
E-Mail: puj@sns.dk

Mr. Carsten **Lund**
Head of Section
Forest and Nature Agency
Ministry of Environment
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 47 26 67
Fax: (+45) 39 27 98 99
E-Mail: clu@sns.dk

Ms Pernille **Månsson**
Head of Section
Forest and Nature Agency
Ministry of Environment
Haraldsgade 53
2100 Copenhagen O
DENMARK/Danemark/Dinamarca

Tel.: (+45) 39 47 28 30
Fax: (+45) 39 27 98 99
E-Mail: pem@sns.dk

GERMANY

Ministry for the Environment, Nature
Conservation and Nuclear Safety
Division N I 3
Attn. Mr. Gerhard **Adams**, CMS Focal Point
P.O. Box 12 06 29
53048 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 305 2631
Fax: (+49 228) 305 2684
E-Mail: adams.gerhard@bmu.de

Ambassador (retd.)
Special Representative for the Affairs of the
UN Organisations in Bonn
Außenstelle Protokoll
Auswärtiges Amt Bonn
Attn. Mr. Harald **Ganns**
Adenauerallee 86
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 1888) 17 4629
Fax: (+49 1888) 17 5 2637 / 4707

Dr. Klaus **Riede**
Center for Development Research ZEF
Walter-Flex-Str. 3
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 73 18 72 (ZEF)
Fax: (+49 228) 73 18 69
E-Mail: k.riede.zfmk@uni-bonn.de

Ms Katja **Kunz**
Research Asst.
Center for Development Research ZEF
Walter-Flex-Str. 3
53113 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 73 18 72 (ZEF)
Fax: (+49 228) 73 18 69
E-Mail: katja.kunz@uni-koeln.de

UNITED KINGDOM

Dr. Steve **Gibson**
International Advisor
Joint Nature Conservation Committee
Monksone House City Road
Peterborough PE1 1JY
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1733) 866 815
Fax: (+44 1733) 866 855
E-Mail: steve.gibson@jncc.gov.uk

UZBEKISTAN

Ms Irina **Bekmirzayeva**
Senior Specialist
Department of International Cooperation
State Committee for Nature Protection
ul. Abdulla Kadiry 7
700128 Tashkent
UZBEKISTAN/Ouzbékistan/Uzbekistán

Tel.: (+998 712) 413080 / 410442
Fax: (+998 712) 415633 / 413990
E-Mail: halmat@ecoinf.org.uz,
irina77@online.ru

INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATION OBSERVERS /
OBSERVATEURS D'ORGANISATIONS INTERGOUVERNEMENTALES ET NON
GOUVERNEMENTALES / OBSERVADORES DE ORGANIZACIONES
INTERGUBERNAMENTALES Y NO GUBERNAMENTALES

**Agreement on the Conservation of Cetaceans of
the Black Sea, Mediterranean Sea and
contiguous Atlantic Area (ACCOBAMS)**

Dr. Marie-Christine **van Klaveren**
Executive Secretary
ACCOBAMS Permanent Secretariat
16, boulevard de Suisse
98000 Monaco
MONACO/Monaco/Mónaco

Tel.: (+377) 93 15 80 10 / 20 78
Fax: (+377) 93 05 42 08
E-Mail: mcvanklaveren@accobams.mc

**Agreement on the Conservation of the
African-Eurasian Migratory Waterbirds
(AEWA)**

Mr. Bert **Lenten**
Executive Secretary
Secretariat for the Agreement on the Conservation
of African-Eurasian Migratory Waterbirds
(AEWA)
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 815 2413/4
Fax: (+49 228) 815 2450
E-Mail: aewa@unep.de

**Agreement on the Conservation of the
African-Eurasian Migratory Waterbirds
Technical Committee**

Mr. Yousoof **Mungroo**
Director
National Parks and Conservation Service
Ministry of Agriculture, Food Technology and
Natural Resources
Rduit
Mauritius/Maurice/Mauricio

Tel.: (+230) 464 2993
Fax: (+230) 465 1184
E-Mail: npcagr@intnet.mu

**Agreement on the Conservation of Small
Cetaceans of the Baltic and North Seas
Technical Committee (ASCOBANS)**

Mr. Mark **Tasker**
Joint Nature Conservation Committee
Dunnet House
7 Thistle Place
Aberdeen AB10 1UZ
UNITED KINGDOM/Royaume-Uni/Reino
Unido

Tel.: (+44 1224) 65 57 01
Fax: (+44 1224) 62 14 88
E-Mail: mark.tasker@jncc.gov.uk

**Convention on Biological
Diversity/Subsidiary Body for Scientific,
Technical and Technological Advice**

Dr. Jan **Plesnik**
Agency for Nature Conservation and
Landscape Protection
Kalisnicka 4-6
130 23 Praha 3 - Zizkov
CZECH REPUBLIC/République
Tchèque/República Checa

Tel.: (+420 2) 22 58 05 62
Fax: (+420 2) 22 58 00 12
E-Mail: plesnik@nature.cz

**Commission for the Conservation of
Antarctic Marine Living Resources
(CCAMLR)**

Represented by Mr. Barry **Baker**
137 Harrington Street
Hobart, Tasmania 7000
AUSTRALIA/Australie/Australia

Tel.: (+61 3) 62 31 03 66
Fax: (+61 3) 62 34 99 65
E-Mail: ccamlr@ccamlr.org

International Whaling Commission

International Convention for the Regulation of Whaling
Represented by Dr. William F. **Perrin**
The Red House
135 Station Road, Histon
Cambridge CB4 9NP
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1223) 23 39 71
Fax: (+44 1223) 23 28 76
E-Mail: secretariat@iwcoffice.org

Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)

Dr. Nicholas **Davidson**
Deputy Secretary General
Ramsar Convention Bureau
28, rue Mauverney
1196 Gland
SWITZERLAND/Suisse/Suiza

Tel.: (+41 22) 999 0171
Fax: (+41 22) 999 0169
E-Mail: davidson@ramsar.org

United Nations Environment Programme

Mr. Paul **Chabeda**
Chief, Biodiversity Conventions
Environmental Conventions Division
United Nations Environment Programme (UNEP)
P.O. Box 30552
Nairobi
KENYA/Kenya/Kenya

Tel.: (+254 2) 62 38 77
Fax: (+254 2) 62 42 60
E-Mail: paul.chabeda@unep.org

United Nations Environment Programme-World Conservation Monitoring Centre

Mr. Gerardo **Fragoso**
Head - Species Programme
UNEP World Conservation Monitoring Centre (UNEP/WCMC)
219c Huntingdon Road
Cambridge CB3 0DL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 223) 277 314
Fax: (+44 1 223) 277 136 / 365
E-Mail: gerardo.fragoso@unep-wcmc.org

BirdLife International

Mr. David E. **Pritchard**
International Treaties Adviser
BirdLife International
c/o RSPB The Lodge
Sandy, Bedfordshire SG19 2DL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 767) 68 05 51
Fax: (+44 1 767) 68 32 11
E-Mail: dave.pritchard@rspb.org.uk

Mr. John **O'Sullivan**
International Treaties Adviser
BirdLife International
c/o RSPB The Lodge
Sandy, Bedfordshire SG19 2DL
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1 767) 680 551
Fax: (+44 1 767) 683 211
E-Mail: john.osullivan@rspb.org.uk

NABU Germany

Dr. Markus **Nipkow**
Referent für Ornithologie und Vogelschutz
Naturschutzbund Deutschland (NABU) e.V.
Herbert-Rabius-Str. 26
53225 Bonn
GERMANY/Allemagne/Alemania

Tel.: (+49 228) 403 6155
Fax: (+49 228) 403 6203
E-Mail: markus.nipkow@nabu.de

Society for the Lesser White-fronted Goose

Dr. Johan H. **Mooij**
ZWFD, c/o Biological Station Wesel
Diersfordter Straße 9
46483 Wesel
GERMANY/Allemagne/Alemania

Tel.: (+49 281) 96252-0
Fax: (+49 281) 96252-22
E-Mail: biologische.station.wesel@t-online.de

Wetlands International

Dr. Gerard C. **Boere**
International Programme Co-ordinator
Wetlands International
Postbus 471
6700 AL Wageningen
NETHERLANDS/Pays-Bas/Países Bajos

Tel.: (+31 317) 47 88 87
Fax: (+31 317) 47 88 50
E-Mail: boere@wetlands.agro.nl

Wild Camel Foundation

Mr. John **Hare**
Director
Wild Camel Protection Foundation
School Farm
Benenden, Kent TN17 4EU
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1580) 24 11 32
Fax: (+44 1580) 24 09 60
E-Mail: john@wildcamels.com

SECRETARIAT/SECRETARÍA
UNEP/CMS Secretariat
Martin-Luther-King-Str. 8
53175 Bonn
GERMANY / Allemagne / Alemania
Fax: (+49 228) 815 2449

Mr. Douglas **Hykle**
Deputy Executive Secretary
Tel.: (+49 228) 815 2407
E-Mail: dhykle@unep.de

Dr. Marco **Barbieri**
Technical Officer
Tel.: (+49 228) 815 2424
E-Mail: mbarbieri@cms.unep.de

Consultant to CMS (on Bats)

Mr. Anthony M. **Hutson**
Winkfield, Station Road
Plumpton Green
East Sussex BN7 3BU
UNITED KINGDOM/Royaume-Uni/Reino Unido

Tel.: (+44 1273) 89 03 41
Fax: (+44 1273) 89 08 59
E-Mail: hutsont@pavilion.co.uk

ScC Report Annex II

AGENDA OF THE MEETING

1. Opening remarks
2. Adoption of the agenda
3. Report on intersessional activities
 - (a) Chair
 - (b) Secretariat
 - (c) Councillors (on the work of other conventions that they were requested to follow on behalf of CMS, and the tasks allocated to them during the 10th Meeting of the Scientific Council)
4. Scientific Council tasks arising *inter alia* from resolutions, recommendations and other decisions of the Conference of the Parties
 - 4.1. Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1 and 6.1 refer)
 - 4.2. Co-operative actions for Appendix II species (Recommendations 5.2 and 6.2 refer)
 - 4.3. Other resolutions and recommendations (not already covered under previous agenda items)
 - a) Resolution 6.2: By-catch
 - b) Resolution 6.4: Strategic Plan for 2000-2005
 - c) Performance indicators (in relation to Resolution 6.4)
 - d) Resolution 6.5: Information Management Plan and National Reporting
5. Review of the *modus operandi* of the CMS Scientific Council
6. Review of proposals for amendments to Appendices I and II of the Convention:
 - (a) Implications for CMS of the new IUCN Red List Categories and Criteria
 - (b) Discussion and evaluation of proposals
 - (c) Conclusions and recommendations to the Conference of the Parties
7. Review and endorsement of the Range State List for species listed on the CMS Appendices
8. Progress on other matters requiring Scientific Council advice
 - 8.1 Potential new Agreements (including Memoranda of Understanding and Action Plans)
 - 8.2 Small-scale projects funded by CMS
 - a) Progress report by the Secretariat on completed and ongoing projects
 - b) Procedures for project elaboration and submission
 - c) New project proposals
 - 8.3 Global Register of Migratory Species (GROMS)
 - 8.4 Artificial barriers to migration and other threats to migratory species and their habitats, with special attention to dams and offshore wind farms
 - 8.5 Guidelines for satellite telemetry of migratory birds

- 8.6 Impact of climate change on migratory species
- 8.7 Updating of CMS Appendices as a consequence of changes in species taxonomy
- 8.8 Other Resolutions and Recommendations under development
- 9. Collaboration with other intergovernmental and non-governmental organizations
- 10. Elections
- 11. Date and venue of the 12th Meeting of the Scientific Council
- 12. Any other business
- 13. Closure of the Meeting

ScC Report Annex III

REPORT OF CONCERTED/COOPERATIVE ACTIONS WORKING GROUP**CONCERTED ACTION SPECIES**

1. The Working Group welcomed the paper prepared by the Secretariat (ScC11/Doc.3) as a useful contribution to its mode of operation, with the following remarks:

(a) The introduction should make reference to the original purpose of the concerted actions, which was to formalize the implementation of article III, paragraph 4, of the Convention, relative to the conservation of Appendix 1 species;

(b) The proposed procedure for the identification of Concerted Action Species needs to allow adequate flexibility for species which are under immediate threat, and for which the initiation of a concerted action needs to be rapid;

(c) Point 6 of the procedure should read as follows:

“For those species retained in the candidate list, review reports would be prepared, under the responsibility of the Councillors who submitted the proposal, if necessary using for this purpose funds allocated by the Conference of the Parties”;

(d) In “Periodic Revision of the List of Concerted Action Species”, paragraph 13 should be expanded to clarify that any proposal for removal of a species should be fully justified in writing, for the consideration of the full Scientific Council, and this justification should be forwarded to the Conference of the Parties. The subsequent steps to be taken for the conservation of the species by the Convention or other instruments should be clearly identified, including the provision of adequate funding;

(e) In the event that a species is proposed for removal because of the lack of prospect for action in the coming triennium, the desirability of reinstatement in future triennia should be clearly stated;

(f) Paragraph 14 should be replaced as follows: “The preliminary note referred to in paragraph 5 of the Procedure should emphasise in particular:” (continue with points (i) – (iv));

(g) The Scientific Councillors should be informed of the possibility of information support regarding Concerted Action Species from the Information Management System, developed by UNEP-WCMC in collaboration with the CMS Secretariat.

The revised paper is annexed as document ScC11/Doc.3/Rev.1.

Cooperative Action species

2. The Working Group recommended the development of a document similar to ScC11/Doc.3 for Cooperative Action Species, taking into account a review of the current achievements of this mechanism. This paper should be discussed by the 12th Meeting of the Scientific Council.

Attachment

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15 September 2002

IDENTIFICATION AND IMPLEMENTATION OF CONCERTED
ACTIONS FOR SELECTED APPENDIX I SPECIES / GROUPS

1. Historically, the decision to designate a species as warranting concerted action was made to formalize the implementation of Article III paragraph 4 of the Convention, relative to the conservation of Appendix I species, by drawing attention to the need for immediate conservation measures for those species. This decision, taken at the third meeting of the Conference of the Parties (COP), has resulted in some successful projects with ongoing prospects for continued conservation work. The resolution that institutionalized “Concerted Action” species, Resolution 3.2, also established a formal review process and called on the Secretariat to coordinate the preparation of Review Reports following a prescribed format. The Review Reports were meant to provide a summary of the most up-to-date knowledge of the species, particularly identifying the needs and conservation actions that should be taken for that species.

2. At the fourth (Nairobi, 1994), fifth (Geneva, 1997) and sixth (Cape Town, 1999) Meetings of the Conference of the Parties, species were added to the list for concerted action (Resolutions 4.2, 5.1 and 6.1 respectively). The total number of species or groups now acknowledged as requiring concerted action is 27 (where marine turtles are considered as a single group). Concomitantly, the Conference of the Parties gave its approval, at the above-mentioned meetings, to the allocation of funds from the Trust Fund account, for use in undertaking “small projects” to benefit *inter alia* Concerted Action species.

3. The Secretariat considers that it would be useful to review progress to date on Concerted Action species, and to refine the goals and objectives of this programme of action in order to avoid generating what amounts to “shadow” list of Appendix I species, and in so doing, weakening the notion of “concerted action”. Furthermore, it is important that the funding source for concerted actions be identified and, ideally, institutionalized so that the Convention can continue to support the conservation of migratory species in this way. This paper has been prepared as a basis for discussion.

Procedure for the identification of Concerted Action species

4. The Secretariat suggests that the Review Report process be used as a basis for deciding whether or not a species warrants “concerted action” and for defining more precisely what concerted action is needed. This would differ from the current practice whereby a species is nominated for concerted action without any particular criteria and then a Review Report (or, more often, an intervention of a Councillor) is made in order to monitor progress.

5. Under this new approach, species to be considered for concerted action would be brought to the attention of the Scientific Council by one or more members of the Council, preferably through the submission of a preliminary note indicating the circumstances concerning the species that suggest the opportuneness of a concerted action. This preliminary consideration of candidate species should preferably be made at the intersessional meetings of the Council. Upon examination of the different submissions, the meeting would compile a Candidate List for Concerted Action.

6. For those species retained in the Candidate List, Review Reports would be prepared, under the responsibility of the Councillor(s) who submitted the proposal, if necessary using for this purpose funds allocated by the Conference of the Parties.

7. On the basis of a careful assessment of the Review Report, the meeting of the Scientific Council preceding the Meeting of the Conference of the Parties would decide whether or not to recommend to the COP the designation of the species for concerted action. In so doing, the Council should indicate the type of action foreseen under the Convention, its objectives, and the time frame in which they should be accomplished. This would give the possibility to measure the success of the intervention against definite targets.

8. The identification beforehand of the type of intervention required would also allow the COP, where necessary, to allocate financial resources for the implementation of the action in the Convention's budget. In this regard, concerted actions under the Convention may be classified in two main categories:

(i) Development of a management regime, such as an Action Plan and/or a Memorandum of Understanding, that can be agreed relatively quickly, without the need for a lengthy ratification process

Funding would need to be identified by the Conference of the Parties under a specific budget line, to be used for fostering international cooperation such as drafting of Action Plan or MoUs and for convening meetings of experts of Range States.

(ii) Small scale catalytic research/conservation projects

Funding would be identified from the "Species Conservation Measures" allocation made by the Conference of the Parties, in much the same way as it is currently done now.

9. It should be noted, however, that the proposed procedure needs to be applied with adequate flexibility for species which are under immediate threat, and for which the initiation of a concerted action needs to be rapid.

Monitoring the implementation of Concerted Actions

10. No substantial change to the current procedure is proposed in this regard, apart from having a more comprehensive assessment (report) available on which to base recommendations and decision-making. The Scientific Council would keep under review the implementation of the agreed concerted actions, on the basis of reports presented at the meetings by the Councillors identified as Focal Points for the active species. As a general rule, it would be expected that the Councillor who has made the proposal to designate a species for concerted action would act as Focal Point for the Species within the Council, and would assist in the regular updating of the initial Review Report.

Periodic Revision of the list of Concerted Action species

11. With a view to maintaining the list of concerted action species as a dynamic, manageable and credible initiative, a periodic revision of the list should be undertaken. This should be done by the Scientific Council at each meeting held in conjunction with the COP, and should lead to recommendations to the COP on the maintenance or removal of a species from the list.

12. One could envisage removing a species from the concerted action list once its conservation status had improved through the prescribed management interventions, or once the concerted action identified at the moment of its inclusion in the list (e.g. the elaboration of an action plan) had been successfully accomplished and/or a separate institutional framework (such as a Memorandum of Understanding or Agreement), set up to oversee its recovery. A good example of this approach would be the intervention made with respect to the Siberian crane, whose recovery is been actively monitored in the framework of a separate MoU.

13. A removal of the species from the list might also be envisaged when the agreed action could not be realized due to unforeseen reasons, and there were no reasonable prospects for removing the obstacles preventing activities to be undertaken in the foreseeable future. This general principle should be applied with a certain degree of flexibility. In particular, a revision of the objectives and identification of new actions for a given species could be foreseen in the light of new elements arising in the course of the implementation of the concerted actions. Recourse to this possibility should however not be done systematically, in order to avoid maintaining a species on the list indefinitely without active interventions being made.

14. The removal of a species from the Concerted Action List should by no means be interpreted as a lack of the interest of the Convention in that particular species, but only the fact that a specific phase in the action of the Convention had been accomplished. Any proposal of removal of a species from the List should be fully justified in writing, for the consideration of the full Scientific Council, and this justification should be forwarded to the COP. The subsequent steps to be taken for the conservation of the species by the Convention or other instruments should be clearly identified, including the provision of adequate funding

Guiding principles for the future identification of Concerted Action Species

15. The preliminary note referred to in Paragraph 5 of the procedure should emphasize in particular:

- (i) Degree of threat on the species. The designation of species for concerted action being a means to prioritize action under the Convention, it is logical that the application of this tool be directed primarily towards species facing specific and immediate threat. When possible, reference to widely accepted standards for the evaluation of threat, notably IUCN Red List criteria and categories of threat should be made, and a consistent approach taken.
- (ii) Appropriateness of CMS as a framework for action. Consideration should be given to whether CMS constitutes the most appropriate framework for action to address the threats faced by the species. The possible existence of initiatives (ongoing or planned) in other frameworks should be explored, in order to avoid duplication of effort. In particular, the designation for concerted action should be avoided for taxa covered under CMS Agreements already in force or whose entry into force is expected in a foreseeable future.
- (iii) Potential value of CMS contribution. Consideration should be given to whether CMS has adequate tools and means to address the problems faced by the species.
- (iv) Existence of suitable conditions for action. The prospects for the development of effective action under the Convention should be evaluated. This may involve consideration of elements such as CMS membership in the species' range, existence of political support, political stability and security, potential for institutional/technical/financial support, etc.

16. Should the current arrangements for dealing with "Concerted Action" species be refined as outlined above, some planning with regard to timing will be required to make a successful transition from the current system. It is proposed that, once agreed by the Council, the guiding principles already be taken as a reference in the Council's forthcoming deliberations (e.g. in its recommendations to COP7 on possible new Concerted Action Species) and that the new system become fully operational in the 2003-2005 triennium.

ScC Report Annex IV

REPORT OF THE WORKING GROUP ON TERRESTRIAL MAMMALS**A. Evaluation of concerted actions****1. Sahelo-Saharan antelopes**

Oryx dammah, *Addax nasomaculatus*, *Gazella dama*, *Gazella cuvieri*, *Gazella leptoceros*, *Gazella dorcas*.

- The group heard a detailed report by the CMS Working Group (WG/ASS) on the activities carried out during the last triennium. This report is available.
- It also heard additional reports from representatives of the Range States, i.e., Chad, Mali, Morocco, Niger, Nigeria and Senegal.
- The Group is of the view that the concerted action has made considerable progress during the past triennium.
- The Group also believes that concerted action should be continued and supported.

2. The Mountain gorilla

Gorilla gorilla beringei

- The Group is conscious of the degree of danger under which the Mountain gorilla lives.
- The Group is closely monitoring the activities of the International Project for the Conservation of the Mountain gorilla, which enjoys the support of three international non-governmental organizations and which has been working on the ground for the past ten years.
- The Group is very much aware of the very unstable present conditions under which the Mountain gorilla lives in the Range States.
- The Group is of the view that the Mountain gorilla should be maintained on the list of species requiring concerted action, but for the moment it is not yet clear in what way CMS could undertake effective action in the context of a concerted action.

3. The South Andean deer

Hippocamelus bisulcus

An observatory "Pablo Canevari" has been built in the province of Chubut in southern Argentina and a full report thereon will soon be submitted to the Secretariat.

B. Evaluation of cooperative actions**The West and Central African elephant**

- Last year in Edinburgh it had been decided to work towards a memorandum of understanding relating to these populations of elephants.
- A focal point Councillor had been designated (the Councillor of Burkina Faso).
- Unfortunately for internal reasons the Councillor was unable to attend the last two meetings of the Scientific Council.

The Working Group decided that, prior to the next meeting of the Scientific Council:

- It will organize and hold a meeting of the 16 Range States.
- The States in question are: Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, Guinea Bissau, Mali, Niger, Nigeria, Senegal and Togo.
- Each State will be represented by two officials preferably a member of the elephant conservation movement and an administrator/policy maker authorised to negotiate such an agreement.
- The Working Group will ensure that the function of focal point is guaranteed.

The financing of projects

1.	The West and Central African elephant Organizing and holding a regional meeting to prepare a memorandum of understanding	\$15,000
2.	The Sahelo-Saharan antelope Implementation of the CMS Action Plan.	
(a)	Contribution towards the coordination of the FFEM project (2005)	\$25,000
(b)	Establishment and maintaining of a database on the web and of a Sahelo-Saharan antelope CMS web site (2003-2004)	\$25,000
(c)	Participation in the Ferlo development project in Senegal (2003-2004)	\$20,000
(d)	Development of a joint Chad/Libyan Arab Jamahiriya/Niger project (2003-2004)	\$20,000
(e)	Development of a project in Egypt (reserved to be used when adequate structure developed)	\$10,000
Total		\$100,000

C. Proposal to include new species in the Appendices of the Convention

1. Proposal I/7: the wild Bactrian camel

Camelus bactrianus

Proposal by Mongolia

- This Bactrian camel is clearly an endangered species, with a world population of less than 900 animals.
- The species has been constantly decreasing in number as a result of poaching and the destruction of habitat.
- IUCN has placed it in the endangered species category.

- The Bactrian camel migrates seasonally and in a very erratic manner depending on the changing climatic conditions and feeding grounds.
- The species regularly crosses the border between China and Mongolia. This Bactrian camel is particularly vulnerable to poaching when migrating.

The Working Group endorses the proposal to include the Bactrian camel in Appendix I.

2. Proposal II/12: The Wild ass of Asia (Hemione)

Equus hemionus

This proposal relates to the species *Equus hemionus* sensu lato, which includes three species: *Equus hemionus*, *Equus onager* and *Equus kiang* according to the Wilson and Reeder classification (1993), the reference selected for CMS (Recommendation 6.1).

- The Scientific Council recommends that these three species be included in Appendix II in order to cover the whole complex "Equus hemionus" in the meaning of the proposal. The status of this complex is not positive, with one entity of the complex being considered as extinct, several seriously threatened and others declining dangerously. The range area has been considerably reduced. IUCN considers *Equus hemionus* as being "Vulnerable", and *Equus onager* as being "Endangered". The populations cross national borders and could benefit from regional management measures.

The Working Group endorses the proposal to include the Wild ass of Asia in Appendix II.

3. Proposal II/13

Gazella subgutturosa

The Working Group confirms that the status of conservation of this species is not favourable and expresses concern over the rapid reduction of the range area and the populations.

IUCN lists this species as "near threatened". The species is an erratic migrant which moves considerably depending on climatic changes. It crosses national borders.

The Working Group endorses the proposal to include the Goitered gazelle in Appendix II.

4. Proposal II/14

Procapra gutturosa

The population of the Mongolian gazelle although existing in large numbers in Mongolia is considered by the Working group as having a negative conservation status, because of the serious decline in other parts of the range and local extinction.

IUCN lists the species as "near threatened". The Mongolian gazelle used to migrate until recently from east to west but no longer does that now. However, a large part of the population in Mongolia migrates to China in the winter.

The Working Group endorses the inclusion of the Mongolian gazelle in Appendix II.

5. Proposal II/15

Saiga tatarica tatarica

This proposal relates only to the nominal sub-species of the Saiga antelope due to the fact that Mongolian sub-species (*Saiga tatarica mongolica*) is not considered as a migratory species.

IUCN lists the nominal sub-species as "conservation dependant", but clearly the situation has changed since. The population has been reduced by 85 per cent since 1980 and the rate of decline is increasing. The population of the Ural would decline by 79 per cent per year. The Working Group therefore considers the status of conservation of this species as being extremely unfavourable. The Saiga antelope moves in a seasonal manner from north to south between the winter and summer feeding grounds, crossing national borders.

The Working Group endorses the inclusion of this species in Appendix II.

D. Proposed concerted action for Appendix I species

The Snow leopard

Consideration of the proposal relating to the Snow leopard.

Uncia uncia (ScC11/Doc.15).

The Working Group has assessed the proposals on the basis of the guiding principles set out in document ScC11/Doc.3.

- The Snow leopard is an endangered species, requiring concerted action as a top priority.
- The world population is probably less than 7,000 animals and overall the populations are reducing in number. CMS provides an appropriate framework for action in favour of the Snow leopard. Appropriate transboundary management would certainly be of benefit to the species, which is at present confined to mountains along international borders. Five Range States are Parties to the Convention: India, Mongolia, Pakistan, Tajikistan and Uzbekistan;
- China and the Russian Federation on the contrary are not parties to CMS.
- Four Range States have national action plans but without regional coordination.
- There is a regional strategy which, however, lacks a structure to implement it.

CMS could therefore be instrumental in the regional management and conservation of the Snow leopard, by working in collaboration with local authorities, non-governmental organizations and research groups.

Tajikistan has expressed a willingness to assist in the process and the Working Group proposes that the representative of Tajikistan be designated as the focal point for the concerted action, if the Conference of the Parties decides to go ahead with this action.

The Working Group endorses the addition of the Snow leopard to the list of Concerted Action species.

ScC Report Annex V

REPORT OF WORKING GROUP ON MARINE MAMMALS AND LARGE FISHES

Chair: Dr. W.F. Perrin

Rapporteur: Dr. W.J. Wolff

REVIEW OF LISTING PROPOSALS**1. Antarctic minke whale (*Balaenoptera bonaerensis*) on Appendices I and II [Australia]**

The group noted a number of technical errors in the proposal, due primarily to confounding of the two species of Minke whales (*B. bonaerensis* and *B. acutorostrata*). These have largely been corrected in a revised version of the proposal submitted to the Secretariat. The species is considered to be migratory and because of a range of threats to qualify for listing on Appendix II. Hence the working group endorsed this part of Australia's proposal. However, considerable discussion arose on the listing on Appendix I. Most Councillors considered that, although no exact figures are available on the population size, it is nevertheless in the order of magnitude of half a million. In the recent past exploitation of this population under scientific permit has amounted to a few hundreds of animals per year, which is not an unsustainable rate of exploitation. Moreover, IWC at present offers complete protection to the species under its moratorium on commercial whaling; the species is also listed in Appendix 1 of CITES. If in the future the IWC would enable exploitation, quotas would be allotted according to the Revised Management Procedure. One Councillor, however, expressed a lack of confidence in the effectiveness of the RMP and pointed out that there are considerable uncertainties about trends of the population, which is subject to a range of threats owing to its aquatic habitat. This Councillor believed that Appendix I listing should be recommended as a precautionary measure. It was finally concluded that the working group could not arrive at a consensus recommending listing on Appendix I.

2. Bryde's whale (*Balaenoptera edeni*) on Appendices I and II [Australia]

The working group considered that the proposal, including in its revised form (ScC11/Doc.19), insufficiently covered the complicated taxonomic position of this 'species', which is now recognized to consist of two species. On the other hand the working group concluded that all taxonomic units embraced by the name *B. edeni* in this proposal were migratory and would profit from protective measures given the assumed earlier exploitation and a range of identified threats. Hence, the working group endorses the proposal by Australia to list this species complex on Appendix II. With regard to the listing on Appendix I most Councillors agreed that while this species is Data Deficient, there is no indication that it is depleted or endangered. In the recent past exploitation of this population under scientific permit has amounted to a few animals per year, which is unlikely to be an unsustainable rate of exploitation. Moreover, as for the Antarctic minke whale, IWC and CITES at present offer complete protection to the species. Other Councillors, however, pointed out that there are considerable uncertainties about the trend of its population, which is subject to a range of threats owing to its marine habitat and that listing should be recommended as a precautionary measure. As for the Antarctic minke whale, the group was unable to arrive at a consensus recommendation to list the species on Appendix I.

3. Fin whale (*Balaenoptera physalus*) on Appendices I and II [Australia]

The chairman recalled that this species and the Sei whale had been reviewed at the 9th Meeting of the Scientific Council but that at that occasion it had not been recommended for listing because of the lack of “concerted action” with regard to other, already-listed species of large whales, and because these whales were considered to be adequately covered by the IWC.

However, the group concluded from the information presented in the proposals that from a scientific viewpoint the species meets all criteria for listing on the Appendices of CMS. It is migratory, highly depleted, and is classified as Endangered by the IUCN. The working group concluded that it could endorse the proposal by Australia to list this species on both Appendices I and II.

The group noted that in this and some of the other proposals by Australia the lists of existing international protection instruments and of range states were incomplete.

4. Sei whale (*Balaenoptera borealis*) on Appendices I and II [Australia]

The situation of *B. borealis* was considered to be very similar to that of *B. physalus*, including classification by IUCN as Endangered. Hence the working group endorses the proposal by Australia to list this species on Appendices I and II.

5. Pygmy right whale (*Caperea marginata*) on Appendices I and II [Australia]

The proposal contained no information on migratory movements, but the working group concluded that seasonal strandings in Australia and South Africa combined with occurrence in the Antarctic during the austral summer indicate that it is likely a migratory species. However, there is no information on its population size. Because the species is subject to a range of indirect threats owing to its marine habitat, the working group agreed that it could profit from regional cooperative protective measures and that it thus qualifies for listing on Appendix II.

With regard to listing on Appendix I some Councillors noted that while the species is classified by IUCN as Data Deficient, it has never been hunted and there is no reason to believe that it is depleted or endangered and therefore no compelling reasons to list it on Appendix I. Other Councillors, however, believed that the habitat and other potential threats identified in combination with the presumed rarity of the species warranted listing on Appendix I. The working group was not able to arrive at a consensus to recommend listing the species on Appendix I.

6. Sperm whale (*Physeter macrocephalus* [“catodon”]) on Appendices I and II [Australia]

The working group first draws attention to the fact that the names *Physeter catodon* and *P. macrocephalus* concern the same species and that the latter name should be used, as agreed previously by the Conference of Parties. The species is migratory. The IUCN classifies the species as Vulnerable rather than Endangered, and one Councillor expressed a reservation about any conclusion that the species is endangered. However, because, despite major assessment efforts in the IWC, there still exist no reliable estimates of the degree of its undoubted great depletion through whaling nor of its present population size, the working group concluded that it could endorse Australia’s proposal to list this species on Appendices I and II.

7. Killer whale (*Orcinus orca*) on Appendix II [Australia]

Some populations of the killer whale have already been listed on Appendix II. This proposal suggests placing all other populations on this Appendix as well. Since all these populations are migratory and could profit from cooperative protective measures, the working group endorses Australia's proposal to list this species on Appendix II.

8. Great white shark (*Carcharodon carcharias*) on Appendices I and II [Australia]

The working group concluded that this is a migratory species crossing international borders. It is the subject of directed fisheries both commercially and by sport fishermen. It was noted that the IUCN classified the species in its 2000 assessment as Vulnerable but stated that it was near endangerment. The working group considered that worldwide there is a clear decline and that local populations have been extirpated or run this risk in the near future with potential consequences for populations on an ocean basin scale. Hence, the working group concluded that this species meets the criteria to be listed on Appendices I and II and supports the proposal of Australia.

9. South American sea lion (*Otaria flavescens*) on Appendix II [Peru]

The working group concluded that this species is migratory, significantly reduced in abundance and facing numerous conservation threats and that it would benefit from cooperative regional protective measures. The working group agreed to endorse the proposal by Peru.

10. Southern fur seal (*Arctocephalus australis*) on Appendix II [Peru]

The working group discussed whether the listing should concern the entire species or only one of the two subspecies (*Arctocephalus australis australis* on the Falkland Islands (Malvinas) and *A.a. gracilis* on the South-American mainland). However, it was considered that both subspecies are migratory, the mainland populations are greatly reduced in abundance and that the species would profit from regional cooperative protective measures. Hence the working group endorsed the proposal by Peru to list the entire species on Appendix II.

11. Amazonian manatee (*Trichechus inunguis*) on Appendix II [Peru]

The working group concluded that the species is migratory and crosses international borders. It has shown a clear decline in the recent past and would profit from cooperative regional protective measures. The working group agreed to endorse the proposal by Peru.

12. West-African manatee (*Trichechus senegalensis*) on Appendix II [Ghana]

A draft of this proposal was reviewed and endorsed at the last meeting of the Scientific Council. The species is migratory in part, greatly reduced in abundance and faced with numerous severe conservation threats. The working group endorsed the present proposal by Ghana.

FUTURE LISTING PROPOSALS

Gangetic river dolphin (*Platanista gangetica*) on Appendix I [India]

The Secretariat informed the group that a proposal by India to place this species on Appendix I arrived too late for consideration at this meeting of the Council. A draft of the proposal was reviewed and endorsed at the previous two meetings of the Council.

REVIEW OF PROGRESS ON CONCERTED ACTIONS FOR APPENDIX-I SPECIES, AND SUGGESTIONS FOR SPECIES TO ADD

1. Franciscana (*Pontoporia blainvillei*)

A study of abundance, habitat use and stock identity was approved for funding following endorsement by the Council at its last meeting and slated to begin in March this year. Schlatter reported that the funding has yet to materialize, severely affecting the field schedule. Members of the group expressed concern about this delay and urged that the funding be expedited so that the project can begin as soon as possible.

2. Mediterranean monk seal (*Monachus monachus*)

González reported that development of a recovery plan has not yet been completed, but a population viability and habitat assessment (PVHA) has been carried out.

3. Marine otter (*Lontra felina*)

A survey of abundance and a Chile/Peru workshop are in the advanced stages of preparation and scheduled to begin in October this year (ScC11/Doc.8; Conf. 7.8).

4. Addition of species to the list for concerted action

Australia stated its intent to begin efforts to develop a regional cooperative agreement covering the great whales of the South Pacific region should its listing proposals be approved. Considering this, the group recommends that in the event that any of the Appendix I proposals are approved by the Conference of the Parties those species should be added to the list of species for concerted action. In addition, the great whales already on Appendix I which also occur in the region should be added to the list; these include the southern right whale (*Eubalaena australis*), blue whale (*Balaenopera musculus*), and humpback whale (*Megaptera novaeangliae*).

PROGRESS ON COOPERATIVE ACTIONS FOR APPENDIX II SPECIES, AND SPECIES TO ADD TO LIST

1. Whale shark (*Rhincodon typus*)

The Philippines at the last Council meeting announced an intention to pursue a regional memorandum of understanding toward conservation of the species. There was no information available to the group on progress of this effort.

There was no information available to the group on progress of plans by India to host a workshop on inventory of Whale shark fisheries and data on international traffic in Whale shark products (ScC11/Doc. 8). The project was expected to start in January of 2002.

2. Sturgeons (18 species)

Blanke presented a comprehensive report of progress since listing of the species on CMS Appendix II and listing by CITES in 1997. The listings did not stop the dramatic decline, especially of the populations around the Caspian Sea, despite agreed strict trade regulations, labelling and reporting requirements. A major reason is the uncontrolled illegal trade, which is 10-12 times as large as the legal trade. Because of the continuing decline, CITES in June 2001 decided to halt caviar trade by all the major Caspian nations except the Islamic Republic of Iran. The five major Caspian states in response initiated new monitoring, conservation, and hatchery efforts; this resulted in a lifting of the CITES ban in 2002. The consensus is that the critical conservation problems are not yet solved but that some progress has been made. The continuing threats include habitat degradation, pollution, by-catch, overfishing, poaching, and introduction of exotic sturgeon species and the resulting hybridization. A major problem in addition to international traffic is internal illegal catch and consumption in Russia. It was noted that the only access to potential effective assessment and management of all the endangered sturgeons in the Caspian basin is because of their immense commercial value in international trade. Without this trade, conservation efforts in the basin would likely diminish. One disadvantageous factor at present is that most of the Range States are not members of CMS. It is recommended that the CITES efforts be given 3-4 years to yield adequate results, following which CMS should consider whether it needs to pursue additional cooperative actions.

3. Franciscana (*Pontoporia blainvillei*) - see Concerted Actions above

4. Southern South American dolphins and porpoises (6 species)

No cooperative actions have been undertaken for these species. The CMS Workshop on the Conservation Status and Research Priorities of Aquatic Mammals in Latin America to be held in Chile in October this year may give rise to proposals for cooperative actions.

5. Appendix II species to add to the list for cooperative action

Considering the number and wide variety of completed, ongoing and planned cooperative actions involving Appendix II species in the South-east Asia region and aimed at promoting a potential regional agreement (ScC11/Doc.8), the group recommends that the species be added to the list for cooperative actions. These include the porpoise *Neophocaena phocaenoides*; the dolphins *Sousa chinensis*, *Tursiops aduncus*, *Stenella attenuata*, *S. longirostris*, *Lagenodelphis hosei* and *Orcaella brevirostris*; and the dugong *Dugong dugon*.

NEW PROPOSALS

The group reviewed two documents relating to proposed research on small cetaceans of South Asia. The first (ScC11/Doc.16) is a briefing document submitted by the Wildlife Conservation Society and the Whale and Dolphin Conservation Society laying out the need, rationale and objectives for an international regional initiative on marine mammal research and conservation in South Asia (Myanmar, Bangladesh, India, Sri Lanka, Maldives and Pakistan). It is clear that many marine

mammal populations in the region are severely threatened, primarily by by-catch in fisheries. Objectives as stated in the document are 1) to provide training to enhance in-country capacity, 2) to convene a workshop to review distribution, abundance, population structure, habitat status, directed catches, and research and conservation needs, and 3) develop a preliminary draft regional CMS agreement. The group endorsed the initiative in principle. It considered the first two objectives appropriate but believed that development of a draft agreement would better be left to governments. The group suggests that the authors of the document be encouraged to submit proposals for projects aimed toward the first two objectives.

The second document was a pre-proposal from the same group for an assessment of cetacean populations and mortality in the Bay of Bengal. The working group considered the proposed research timely and relevant to needs for cooperation in the region and recommends that the authors be encouraged to submit a full proposal in the required CMS format.

OPERATING METHODS OF THE COUNCIL

The group wishes to note that the participation by the chair of the ASCOBANS Scientific Committee was very helpful and encourages further such collaboration at future meetings and intersessionally. It believes that more intersessional activity by the Council is badly needed and suggests that the Secretariat should be urged to provide the needed support to the Chair and Vice Chair to make this possible and efficient. This would contribute to easing of the current somewhat ad hoc nature of the Council proceedings caused by shortage of time during the meetings. The group also suggests that the Secretariat should be asked to investigate the general problem of inordinate delays in funding projects once they have been approved in principle by the Council and formatted proposals provided by the principal investigators. Members also expressed dissatisfaction with the delayed distribution of documents at the current meeting; some were distributed just as the topic in question was being opened for discussion in plenary, with no time to read the document before the discussion. This is felt to hinder full discussion and consideration of the issues at hand.

SHOULD THERE BE TAXONOMICALLY ORIENTED STRATEGIES?

Members of the group agreed that a carefully constructed strategy would contribute greatly to the workings of the Council on the marine mammals and large fishes. It would provide direction for researchers and others wishing to apply for CMS funding, serving in effect as a request for proposals. It would also provide a basis for judging success in reaching objectives in explicit terms relating to on-the-ground conservation research and action. The system at present encourages a rather scattered approach based on unsolicited requests for project funding.

OTHER

The group welcomed the report on collisions of whales with ships (ScC11/Inf. 7). It noted the serious nature of the threat to the continued existence of some endangered species, e.g., the North Atlantic right whale (*Eubalaena glacialis*) and especially that it will continue to increase with the current increasing use of fast ferries and coastal shipping.

ScC Report Annex VI

REPORT OF THE WORKING GROUP ON BIRDS

Sunday 15 and Monday 16 September 2002

Some twenty Councillors, observers and others attended the several sessions of the Working Group. Dr. Moser, the Councillor for Birds, was in the chair. He requested a rapporteur, suggesting John O'Sullivan of BirdLife International, and this was agreed.

Proposed additions to appendices

The following species had been proposed.

Appendix I: *Puffinus creatopus*; *Pelecanoides garnotii*, *Gorsachius goisagi*; *Platalea minor*; *Anser cygnoides*; *Anas formosa*; *Haliaeetus leucorypha*; *Grus vipio*; *Grus monacha*; *Tringa guttifer*; *Eurynorhynchus pygmeus*; *Sterna bernsteini*; *Sporophila palustris*; *Alectrurus tricolor*.

Each species was reviewed, in particular as to its migratory nature and its IUCN threat category, taking into account any written comments from the Parties. For waterfowl species, the Group had the benefit of the latest population estimates, to be published shortly by Wetlands International. While there was agreement among delegates on the proposals, the following points merit particular recording.

For *Pelecanoides garnotii*, it was agreed that the species does move cyclically and predictably across borders (in response to El Nino and La Nina effects), and therefore qualifies for the attention of the Convention. Two Parties (Chile and Peru) have proposed the species separately; it was agreed that the national focal points would combine their proposals into one in order to avoid any discrepancies.

For *Anas formosa*, the point was made that in recent years hitherto unknown numbers of the species have been found in South Korea, and the population may not be declining. However, it was agreed that in the particular circumstances a cautious approach should prevail.

For *Sterna bernsteini*, the point was made that it was the recent rediscovery of the species, until then thought to be extinct, which had triggered its proposal for the Appendix I listing.

After analysis of the proposals, it was agreed that the Working Group would support the addition of all the proposed species to Appendix I.

Appendix II: *Brotogeris pyrrhopterus*; *Polystictus pectoralis pectoralis*; *Sporophila ruficollis*; *Pseudocolaptes auratus*; *Streptopelia turtur turtur*.

Again, the Working Group discussed each species, noting the following points in particular.

Brotogeris pyrrhopterus is felt to be a migrant as defined by the Convention (crossing international boundaries during its regular e.g. circadian movements). As it is endangered, the question had been raised by Hungary whether it should be added to Appendix I, rather than II. Peru confirmed that the proposal for Appendix II listing was erroneous, and that their proposal was indeed to list the species on Appendix I. The Working Group endorsed this.

Polystictus pectoralis pectoralis: it was suggested that it might be appropriate to add the species as a whole to the Appendix, not only the race *pectoralis*. However, in the absence of a representative from the Party that proposed the bird, it was decided to list the race as had been proposed: work would be enabled in the forthcoming triennium, and should listing of other subspecies prove appropriate, this could be done at a future

Conference of the Parties. (On a matter of taxonomy, it was noted that the species has usually been considered to belong to the Tyrannidae.)

Polystictus pectoralis, *Sporophila ruficollis* and *Pseudocolopteryx dinellianus* could usefully form the basis of an Agreement covering migratory grassland species of South America.

Streptopelia turtur turtur: Senegal stressed the serious nature of the threats to this bird and its habitats in Senegal. The Group felt that some further work was necessary on this proposal, including whether a subspecies, or the whole species, should be added, and to agree priority actions. The regional Working Group could usefully look at it, and BirdLife International could assist, in particular with information on distribution and threats in the breeding range. This work proved sufficiently complex and time-consuming for a decision on the proposal to be referred to a late plenary of the Council. In view of the large number of Range States, comments on this proposal might well be expected at the Conference of the Parties.

Subject to progress on this last, the Working Group agreed to recommend the addition of all the taxa proposed.

Concerted Action

Focal Points for the individual species were asked to give updates. The following points are a summary of these.

Chloephaga rubidiceps: cooperation continues between Argentina and Chile on research and other matters. At the end of 2001, a manual had been published (in cooperation with Wetlands International), and distributed to farming organizations in the relevant provinces. A project had been drawn up to study migration issues and the level of genetic differentiation; funding was being sought for this. A framework agreement between the two countries, already signed, might lead to the quicker signing of a memorandum of understanding on the species. Agreement had been reached at the last Scientific Council meeting which should result in action beginning in November this year.

Anser erythropus: the previous Focal Point on the species, Jesper Madsen, has resigned from the Council. A new Focal Point is being sought; it was agreed that until a proposal comes forward, the Councillor for Birds should keep an oversight of the species. One of the Focal Point's priorities would be to pursue the existing CMS-supported project on the species. Either the project should be implemented urgently, or it should be removed from the list. It was reported that, against a background of continuing decline, the reintroduction programmes in Finland and Sweden had been stopped; work may restart in Sweden, subject to the solution of certain genetic problems. In Germany, a group of non-governmental organizations wishes to start a project in training young birds to follow a microlight aircraft (a test project has shown positive results). Such a project would probably attract commercial funding, as well as generate a lot of public interest in the species. Delegates drew attention to the plight of the wild population, arguably a higher priority, which is suffering from hunting, particularly in Kazakhstan; the killing of tagged migrating birds there has prevented the exact identification of the wintering grounds.

Chlamydotis undulata (Asian population): the Focal Point for the species indicated the progress that had been made in producing a final draft of an Agreement, which would be circulated to previous consultees. A meeting of the Range States is now proposed for September 2003, probably in either Saudi Arabia or the United Arab Emirates; some planning details remain to be finalised with the Secretariat. Funding, in particular to cover the attendance of delegates, would be needed. The Chair thanked the Focal Point, and welcomed this encouraging news, particularly as regards the proposed meeting. On the particular question of funds, he urged a speedy application to the Secretariat in the agreed format.

Otis tarda (Central European population): a Memorandum of Understanding came into force on 1 June 2001, and 10 Parties have joined. A workshop is planned for April 2003. A fully developed project proposal has been submitted for funding.

Numenius tenuirostris: a working group report has been circulated to the Scientific Council (Doc 14). The challenges remain the same in conserving a species we can hardly find. Among news worthy of note are the separate research projects now being undertaken in the United Kingdom and Belgium, which it is hoped will enable, by the analysis of isotopes in feathers, the identification of the regions where birds have bred. It is proposed that existing efforts continue to be supported, including support for the Secretariat (provided by BirdLife International). Note that a meeting on the species will be held as a side-event to the Conference of the Parties on 23 September. Dr. Boere, who is resigning as the Chairman of the Working Group, was thanked for his great contribution. A reporting link from the Working Group to the Scientific Council will be provided in future by John O'Sullivan.

Grus leucogeranus: there is little reported change in population levels; it is possible that some birds are using unidentified wetlands. There are certainly more activities and better coordination, the latter thanks to the CMS-funded coordinator. Among the activities, the use of the ultralight aircraft technique to reinforce populations gives hope of success; work is currently underway in Russia. A new publication on the species will be distributed during the Conference of the Parties.

Falco naumanni: there is nothing substantially new to report. (A project proposal from Israel for work on the species in Africa is reported on below.)

Acrocephalus paludicola: a draft Memorandum of Understanding was circulated to Range States towards the end of 2001, and replies were received from about a dozen of them. Almost all the replies were positive, and a meeting to finalise the memorandum of understanding and work on an Action Plan is now planned to be held in Belarus (the main breeding state) in the coming winter or spring. Funding for the meeting has been offered by the United Kingdom, and by the Royal Society for the Protection of Birds. The CMS Secretariat has recently sent a draft letter of agreement to the Royal Society. In the absence of a Focal Point for this species, the Councillor for Birds would retain an oversight.

Aythya nyroca: a project on the species is under way, implemented by BirdLife and its partner organization in Bulgaria. Activities include updating and geographical extension of the existing Action Plan, the development of a web site, and an international workshop to be held in Bulgaria in October 2002. The project is co-funded by AEWA in coordination with CMS. The offer of the Councillor from Latvia to fill the role of Focal Point for this species, was warmly welcomed by the Working Group, and accepted.

Oxyura leucocephala: again a study project, this time by Wetlands International, is ongoing, and draft outputs are available. The situation in Spain is positive, with a rapid increase in the population, but the situation in another key state, Turkey, which is not part of the Wetlands International project, is not clear, and information on what is happening there is required. In the absence of a Focal Point for this species, the Councillor for Birds would retain an oversight.

Sarothrura ayresi: the Focal Point for the species was not present at the meeting; it was proposed to ask the South African delegation for more information when they arrive.

Hirundo atrocaerulea: as for *Sarothrura ayresi*.

Spheniscus humboldti: a project for the species was approved at the last Scientific Council meeting, but funding has not yet been provided; it was agreed that this needed to be resolved as a matter of priority.

Andean flamingos: information has been difficult to gather for this meeting, but the populations are believed to be stable. The outline memorandum of understanding between Range States is still pending (frequent changes of government have not helped).

Cooperative Action for Appendix II species

Discussions were characterised by the feeling that, unless there was progress towards an Agreement, a memorandum of understanding or similar, there was no point in maintaining such species on the list for such action triennium after triennium. Arguably, *Crex crex* and *Coturnix coturnix* have reached this situation. It was decided to retain them on the list for cooperative action, but to put down a marker at the Eighth Meeting of the Conference of the Parties, where the matter could be discussed with the proposed review of the methodology of Appendix listing and the operation of the concerted/cooperative action lists. At that time, related issues for consideration could include: whether there is a place for species on Appendix II *unless* cooperative action is underway or planned; stress on the fact that action needs to be *between Parties* to qualify; and even the possibility that once a species is the subject of a satisfactory Agreement, it should be removed from Appendix II.

Cygnus melanocorypha is still declining in Uruguay and Chile (despite evidence of an increase in breeding numbers in the latter). The Chair urged delegates from the Southern Cone countries, whilst they were here at the Scientific Council, to take a look at what could realistically be done for this species, and to comment to the plenary.

With regard to southern albatrosses and petrels, there has of course been considerable progress, particularly in the conclusion of the Agreement on the Conservation of Albatrosses and Petrels.

For *Spheniscus demersus*, in the absence of the Focal Point, Dr Boere noted that the species was one of the coastal birds proposed by South Africa for inclusion in the AEWA, a matter that would be dealt with at the forthcoming second Meeting of the Parties. It should remain for the present on the list of species for cooperative action.

Strategic issues

The Chair had proposed this item for discussion by the Working Group because he believed that the Convention has so far not approached in a strategic way what it might be able to do for birds: there appeared to be no vision or goal in place. He felt that there were a number of weaknesses in our current way of working, including the fact that we spend too much time on repetitive reporting and other operational issues.

In the discussions that followed, the point was made that the Convention's work on birds can certainly claim some successes. However, there was room for more strategic thinking. Among the ideas suggested, the following were noteworthy. Strategic thinking can be crosscutting; thus the value of bird/mammal and/or bird/regional combinations should be assessed. A catalogue of threats by taxonomic group could be a useful tool leading to strategic action. The Convention itself would benefit from considering its unique niche, especially in the post-World Summit on Sustainable Development situation. It should look for synergies externally. For birds, and other groups, time at Scientific Council meetings could be saved by more and better briefing papers, minimizing duplication, plus other streamlining measures. Improvements could be made to the way in which Councillors, Focal Points, the Secretariat and others communicate and work together. Project work could certainly be streamlined: there are confusing parallel systems in operation in connection with inviting, evaluating, and prioritizing proposals, and in particular of releasing funds and moving to the activation of projects. The Convention should not be seen as just a source of funds (as some instruments are); on the contrary, it should actively seek the projects it needs to fulfil its important, specific role.

Concluding the discussions, the Chair confirmed the Working Group's support for the proposed development of an implementation strategy, and welcomed the ideas suggested.

New species for concerted action

In discussion, there were no proposals to add species to the concerted action list from amongst those already on Appendix I. From those 15 species that were proposed at this meeting to be added to Appendix I, the following were suggested as priorities: *Platalea minor*, *Eurynorhynchus pygmeus*, and *Sterna bernsteini*. As the first and third of these are species for which Range State Parties are particularly few in number, it was felt to be important to draw the attention of the Secretariat, Parties, and others in a position to act, to the importance of getting new Parties, in particular China.

New species for cooperative action

The delegates from the Southern Cone countries, with the support of BirdLife International, proposed adding the three grassland passerines, proposed by Paraguay for listing in Appendix II at this Conference of the Parties, to the list of those for cooperative action.

The question arose of funding for global/regional monitoring and assessment programmes. Although the matter was of wider application than birds alone, it would be appropriate for the Working Group to underline the importance of the work being done by, for instance, Wetlands International (for instance, on the basis of the Joint Work Plan) and BirdLife International, and the need to support these financially, and in other ways.

New projects

The Chair emphasized that this item did not include those projects that had already been signed, but only entirely new projects. He listed these, and discussion followed. The Working Group recommendations are given, project by project.

Otis tarda: a workshop to initiate action under the memorandum of understanding (\$10,000). Supported.

Numenius tenuirostris: Secretariat coordination (\$22,000 for two years); survey and preparing a GEF proposal (\$53,000). The Secretariat coordination is supported; further rationalization of the remaining elements is required.

Grus leucogeranus: a project at Poyang Lake, China, for this and other Appendix I species (\$14,500). Supported. It was noted that this is a Ramsar site; there are obvious synergies possible between the conventions (and with the major WWF project at the site). This is of course a flagship species of the CMS.

Falco naumanni: a proposal for survey and mapping in Africa (\$41,000). Not supported, as, although a good project, it is out of line with the usual CMS practice for survey and allied work, of allocating rather smaller sums (typically \$5,000-\$10,000). The Councillor on Birds could be mandated to get in touch with the proposers, and see whether a more modest proposal might be appropriate.

In addition to these proposals, at the meeting itself Peru suggested one on *Phoenicopterus andinus* with a cost of some \$18,700. The Chair said that it was difficult to comment without more detail, but that a proposal should be submitted as soon as possible.

The Working Group should advise the Scientific Council to set aside a contingency fund for this possible project, for a possible revised proposal for *Falco naumanni* and also, importantly, for the development of the strategy for the Working Group (to cover, in particular, a workshop for Councillors, regional representatives and others).

Other matters

Phalacrocorax carbo: a decision at the Fifth Meeting of the Conference of the Parties was taken to initiate action on this bird (which appears in neither appendix of the Convention), because of the impact on fisheries issue. Following that meeting, a regional meeting was held and an Action Plan was developed: nothing has been heard since then. It was felt appropriate to note this situation. Although the Scientific Council did not propose to raise this matter for discussion at the Seventh Meeting of the Conference of the Parties, a Range State Party would of course be free to do so.

The Chair noted the less than ideal situation where the Councillor for Birds was acting as a Focal Point for several species (see above). It was felt that the Councillor's time is best kept free for a coordinating role, and continuing efforts to find Focal Points were therefore appropriate.

The Working Group on Birds concluded its series of meetings at 11:50 on Monday 16 September, with the Chair expressing his thanks in particular to the interpreters and the rapporteur.

In concluding its work, the meeting warmly applauded the Chair, and outgoing Councillor for Birds, Dr Mike Moser, for the enormous contribution he had made over the years to the success of the Working Group on Birds in particular, and to the CMS as a whole.

ScC Report Annex VII

MARINE TURTLE WORKING GROUP REPORT

Discussion chaired by Dr C. Limpus.

There were no proposals to consider for changes to Appendix listings.

Four proposals that had been tabled for consideration for funding as a CMS project were examined and prioritised as follows.

Project ID	Project title	Requested	Comments	Recommendation	Priority
	Conservation of Sea Turtles along the coast of Peru	\$29,214	The project has the support of the CMS focal point. It targets quantification of turtle by-catch in commercial fisheries in an area widely believed to be critical for South Pacific turtle stocks. It contains a strong link with a good genetics lab to provide stock identification of turtles captured. The linkage of these aspects to a sound on-going community education project makes for a very desirable project.	Consider for full funding.	Very High
Doc.10/A6	Enhancing turtle conservation in Kenya	\$16450	The project has the support of the CMS focal point. It targets actions that are identified within the draft regional work plan for the IOSEA MoU. It emphasises community participation in Kenya turtle conservation. It is strongly focussed on community education towards turtle conservation. The nesting data and mortality data phases are being strategically managed with respect to national planning within Kenya.	Consider for full funding.	High
Doc.10/A1	Tracing the migration of Indian marine turtles towards an integrated and collaborative conservation program.	\$44,500	The proposed work conforms within the draft regional work plan for the IOSEA MoU. It has focussed well on significant breeding areas that are data deficient. It includes emphasis on identification of the marine turtles resources and the local threatening processes as well as local capacity building. The project has been well planned and is achievable. The genetics and satellite telemetry components are not considered of high enough priority for funding.	Recommended for consider for funding but at a reduced level of \$34,500. (not providing for the administrative costs)	Medium

Project ID	Project title	Requested	Comments	Recommendation	Priority
Doc.10/A1	Movements, behaviour, and habitat utilisation of the loggerhead sea turtle <i>Caretta caretta</i> in the Adriatic Ocean	\$42,600	This is primarily a research project. While the project is scientifically sound, the results from tracking of a few (8) animals is unlikely to add substantially to the substantial body of existing knowledge that could be used immediately to guide the proposed management planning process. The project would provide an excellent opportunity for good public relations/education activities for regional marine turtle conservation.	Worthy of funding only if funds are not limited, because of its regional educational value.	Low

It is apparent from discussion within the group that there is a need to strengthen linkage between the CMS signatory states and the operations of the West African and Indian Ocean – Southeast Asian memorandum of understanding.

ScC Report Annex VIII

BY-CATCH WORKING GROUP REPORT

By-catch was considered by a number of the delegations and appointed Councillors to be the greatest threat to migratory species from human activities in the marine environment. This echoes the views expressed in Resolution 6.2 of the Sixth Meeting of the Conference of the Parties and the discussion at the 10th Meeting of the Scientific Council. ScC11/Inf.6 by the United Kingdom reviewed the activities of other international and regional organisations with respect to fisheries by-catch. This review had been requested (of the Secretariat) at ScC10. This draft report was welcomed as an important and necessary step to identifying the main organizations responsible for the issue and capable of taking stronger actions than those currently in place. It was noted that the by-catch issue extended beyond the seabirds, marine turtles and cetaceans listed in Appendices I and II to fish, including sharks, rays and sturgeons. By-catch also impacts non-migratory species including benthic invertebrates and plants. By-catch of migratory species may also occur in fresh water fisheries (and to a lesser extent in aquaculture).

The By-catch Working Group of the Scientific Council considered the issue further. A number of issues emerged.

- The definition of by-catch is not stable. Differing cultural approaches to living marine resources means that in some cultures by-caught catch is not discarded but is instead utilized and considered part of the wanted catch. Ultimately all resource takes need to be sustainable from the point of view of the species caught, whether the catch is wanted (and utilized) or not.
- The complexity of the fisheries sector means that any assessment of by-catch needs to be conducted in detail and at the individual fishery level. Experience has shown that by-catch can vary by gear, season, time of day, geographical area, and fishers behaviour.
- In many cases, it is not clear that Parties are aware of the full range of fisheries occurring in their waters that incur by-catch. A suitable first step may be an inventory of fisheries occurring in areas under their control or by fleets under their jurisdiction.
- Assessment of by-catch may be viewed as a four-stage process (akin to environmental impact assessment).
 - 1) Describe resource being caught
 - 2) Describe activity and its effects on the resource (estimate total by-catch in the fishery(ies))
 - 3) Determine population impact of catch
 - 4) Consider and implement appropriate mitigation.
- Experience within CMS and its daughter Agreements indicate that scientific recording of by-catch in fisheries needs to be conducted where possible by independent on-board observers. Where on board observers are impossible, independent studies are still required. Observer schemes need to be carefully designed to sample the many dimensions of possible variance effectively.
- ‘Ghost’ nets: lost and discarded gear can continue to catch. Ideally all such gear should be removed from the oceans and disposed of safely. Although inherently difficult, some assessment of the by-catch caused by such gear needs to be made and added to the impact of the relevant fishery.
- For migratory species listed on Appendices I and II, by-catch should be minimized. Assessment of the scale and impact of the by-catch is desirable.

- Determination of the impact of catch requires information such as the potential growth rate of the populations being impacted. This information may be difficult to obtain and in addition resource description may often be costly. Several fisheries may impact on the same resource. The cumulative impact requires assessment. In the absence of data, suitable proxies may be used. Advice and decision-taking should be based on the precautionary principle. Animal welfare issues should not be overlooked.
- Fishers are often the best source of suggestions for mitigation options. Many solutions have arisen from fishers and scientific observers working together. By-catch assessment is best conducted with the cooperation of the fishers.
- Mitigation approaches can include changing fishery type, modifying gear, reducing fishing effort and closing areas either temporarily or permanently. The effects of mitigation measures need to be assessed in terms of all taxa at risk of capture. Management measures within protected areas should include appropriate consideration of by-catch issues.

The above issues indicate that the by-catch issue is most appropriately dealt with at the Party level, dealing directly with fisheries under their control. Parties may need to develop and agree measures through relevant regional bodies or economic integration bodies.

In response to the invitation in Resolution 6.2 of the Sixth Meeting of the Conference of the Parties, the Scientific Council recommends that the above may be viewed as appropriate concerted measures to be taken by Parties. By-catch is a major issue in three of the daughter agreements of CMS. We noted the excellent concerted action of the negotiation of the Agreement on albatrosses and petrels (ACAP) since the Sixth Meeting of the Conference of the Parties and encourage Range States to ratify this Agreement as soon as possible, and to participate fully in both ACCOBAMS and ASCOBANS. The memoranda of understanding on turtles also may be important mechanisms in addressing by-catch problems.

We noted that assessments and measures might be costly in some areas, and therefore recommend that proposals for research be sought from Parties in areas/fisheries thought to have particular undocumented problems at present and which are not covered by Regional Agreements. Of particular importance in this regard are:

- Artisanal fisheries generally, and certain industrial fisheries.
- For cetaceans, these include South, South-East, and East Asia and West Africa.
- For turtles, these include the Pacific Ocean (long-line fisheries) and impacts on Olive Ridley turtles in South Asia.
- For birds, South America and northern gillnet fisheries.
- For sharks and rays, all fisheries.

The working group was aware of a wide range of work on by-catch research and mitigation that had occurred since the Sixth Meeting of the Conference of the Parties, but found it difficult to evaluate this formally due to lack of easily available reports. Parties are encouraged to report on their progress, especially as sharing of this information may well increase the speed of progress by other Parties. Such reports may also avoid wasted resources.

Recommendations

1. The Scientific Council recommends that by-catch be recognized as the greatest threat to migratory species from human activities in the marine environment.
2. The Scientific Council notes that the Sixth Meeting of the Conference of the Parties passed Resolution 6.2 on this issue, but despite some progress in this area, the overall problem has not decreased significantly, and therefore the Scientific Council urges Parties to undertake greater efforts, including through existing CMS-sponsored agreements, to:
 - a) Compile an inventory of fisheries in waters under their control or by fleets under their jurisdiction
 - b) Describe resources being caught
 - c) Describe activities and their effects on the resource (estimate total by-catch in the fishery(ies))
 - d) Determine population impacts of catch
 - e) Consider and implement appropriate mitigation.(Further detail of these recommendations is included in the Scientific Council report.)
3. The Scientific Council further requests all Parties to implement by-catch observer or other appropriate schemes on fisheries within their territorial waters and exclusive economic zones (or equivalents) in order to determine the impact of fisheries on migratory species. Where relevant, this should be carried out in the context of FAO's IPOAs on seabirds and sharks.
4. The Scientific Council suggests that all Parties consider and implement ways of reducing the amounts of discarded and lost nets in waters under their control, and ways of minimizing losses from vessels flying their flag.
5. Parties should encourage research proposals in the following areas where there is a particular absence of information and the area is not covered by an existing CMS Regional Agreement:
 - a) Artisanal fisheries generally, and certain industrial fisheries.
 - b) For cetaceans, these include South, South-East, and East Asia and West Africa.
 - c) For turtles, these include the Pacific Ocean (long-line fisheries) and impacts on Olive Ridley turtles in South Asia.
 - d) For birds, South America and northern gillnet fisheries.
 - e) For sharks and rays, all fisheries.

By-catch Working Group

Mark Tasker (Convenor)

Barry Baker, Steve Gibson, Noritaka Ichida, Colin Limpus, Bill Perrin, Marina Sequeira, Marie-Christine Van Klaveren, Wim Wolff, John O'Sullivan, David Pritchard.

ScC Report Annex IX

REPORT ON THE IMPLICATIONS OF THE IUCN LISTING CRITERIA FOR CMS**Prepared for the Secretariat of the Convention on the Conservation of Migratory Species
of Wild Animals**

**By Barry Baker, Tara Hewitt and Robyn Bromley (Australia)
Colin Galbraith and Alison Gilmour (the United Kingdom)
in their expert capacity. ***

Background

At the 10th Meeting of the CMS Scientific Council a working group was established to consider the implications of the revised IUCN listing criteria for CMS. This is the resulting report.

Overview of the IUCN Red List System

The IUCN Red List System is a hierarchical classification system developed to assess and highlight species of animals and plants under higher extinction risk. First conceived in 1963 and originally used by the IUCN's Species Survival Commission (SSC), the IUCN Red List System has set a global standard for species listing and conservation assessment efforts. For more than 30 years SSC has been evaluating the conservation status of species and subspecies on a global scale – highlighting those threatened with extinction and promoting their conservation.

The system was developed to focus attention on conservation measures designed to protect species at risk. Over time, IUCN has recognized that a more objective and scientific system for determining threat status, as well as a more accurate system for use at the national and regional level were needed. The IUCN Red List Categories were reviewed in the early 1990s through extensive consultation and testing involving more than 800 SSC members, and the wider scientific community. This resulted in a more precise and quantitative approach that was adopted by IUCN in 1994 (IUCN 1994).

Since their adoption in 1994, the Categories have become widely recognized internationally, and they are now used in a range of publications and listings produced by IUCN, as well as by numerous governmental and non-governmental organizations. Such broad and extensive use revealed the need for a number of improvements, and SSC was mandated by the 1996 World Conservation Congress to conduct a review of the system, principally to ensure the criteria were applicable to a wide range of organisms, especially long-lived species, and species under intensive management. It was also considered desirable to ensure the highest standards of documentation, information management, and scientific credibility were embodied in the resulting document.

The Species Survival Commission completed an extensive review of the categories and criteria used to list species on the IUCN Red List in 2000. The review, involving broad consultation with users and organizations from around the world, has produced a clearer, more open, and easy-to-use system. With particular attention paid to marine species, harvested species, and population fluctuations, the review has refined the effectiveness of the Red List Categories and Criteria as indicators of extinction risk. Extensive consultation and testing in the development of the system strongly suggest that it is now robust across most organisms.

* The report was revised by the Working Group and endorsed by the 11th Meeting of the Scientific Council.

The revised Categories were adopted by IUCN Council in February 2000 and have now been published (IUCN 2001). SSC intend to leave this system unchanged for a period long enough to allow genuine changes in conservation status to be monitored. IUCN believes that stability in the categorization system is essential if the IUCN Red List is to be used as a reliable indicator of trends in biological diversity.

Description of the listing categories

IUCN (2001) recognizes the following categories of threat:

Extinct (EX) – A taxon is Extinct when there is no reasonable doubt that the last individual has died. A taxon is presumed extinct when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon's life cycle and life form.

Extinct in the Wild (EW) – A taxon is Extinct in the Wild when it is known only to survive in cultivation, in captivity or as a naturalized population (or populations) well outside the past range. A taxon is presumed Extinct in the Wild when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon's life cycle and life form.

Critically Endangered (CR) – A taxon is Critically Endangered when the best available evidence indicates that it meets any of the criteria A to E for Critically Endangered (see Section V of [Attachment A](#)), and it is therefore considered to be facing an extremely high risk of extinction in the wild.

Endangered (EN) – A taxon is Endangered when the best available evidence indicates that it meets any of the criteria A to E for Endangered (see Section V of [Attachment A](#)), and it is therefore considered to be facing a very high risk of extinction on the wild.

Vulnerable (VU) – A taxon is Vulnerable when the best available evidence indicates that it meets any of the criteria A to E for Vulnerable (see Section V of [Attachment A](#)), and it is therefore considered to be facing a high risk of extinction in the wild.

Near Threatened (NT) – A taxon is Near Threatened when it has been evaluated against the criteria but does not qualify for Critically Endangered, Endangered or Vulnerable now, but is close to qualifying for or is likely to qualify for a threatened category in the near future.

Least Concern (LC) – A taxon is Least Concern when it has been evaluated against the criteria and does not qualify for Critically Endangered, Endangered, Vulnerable or Near Threatened. Widespread and abundant taxa are included in this category.

Data Deficient (DD) – A taxon is Data Deficient when there is inadequate information to make a direct, or indirect, assessment of its risk of extinction based on its distribution and/or population status. A taxon in this category may well be studied, and its biology well known, but appropriate data on abundance and/or distribution are lacking. Data Deficient is therefore not a category of threat. Listing of taxa in this category indicates that more information is required and acknowledges the possibility that future research will show that threatened classification is appropriate. It is important to make positive use of whatever data are available. In many cases great care should be exercised in choosing between DD and a threatened status. If the range of a taxon is suspected to be relatively circumscribed, and a considerable period of time has elapsed since the last record of the taxon, threatened status may well be justified.

Not Evaluated (NE) – A taxon is Not Evaluated when it has not yet been evaluated against the criteria.

Listing to one of the above categories requires that a taxon be assessed against five quantitative criteria – meeting any one of these criteria qualifies a taxon for listing at that level of threat. The five criteria are:

Reduction in population size;

Geographic range limited either in extent of occurrence or the area occupied;

Declining population size;

Small population size; and

a high probability of extinction.

In Attachment A the five criteria are described in more detail with respect to their relevance to the CR, EN and VU categories of threat.

The criteria can be applied at any taxonomic unit at or below the species level. The criteria may also be applied within any specified geographical area, although in such cases special notice should be taken of point 14, Attachment A, and Gardenfors *et. al.* 2001 (Attachment B).

The IUCN Red List Categories are intended to be an easily and widely understood system for classifying species at high risk of global extinction. The general aim of the system is to provide an explicit, objective framework for the classification of the broadest range of species according to their extinction risk.

The changes now embodied in IUCN (2001) do not represent a significant departure from the principles and structure of IUCN (1994). They have been made largely to provide clarification and guidance to users, and to ensure wide application across most taxonomic groups of plants and animals. In order to assist those who are familiar with IUCN (1994), a summary of the changes to the criteria are described at Attachment C.

The implications for CMS

The revised categories and criteria provide for rigorous and scientifically defensible information. The new documentation standards, which provide guidance to scientists in their analyses, bring greater credibility and transparency to listings. It is considered that the IUCN categories and criteria are now sufficiently developed and widely understood as to recommend them for use in providing guidance in determining the appropriateness of listing a taxon to CMS Appendix I. In the case of evaluating proposals for listing species or populations to Appendix II, the IUCN categories and criteria may provide some guidance but fail to fully address the CMS ‘criteria’ as set out in paragraph 1 of Article IV.

“Appendix II shall list migratory species which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement” (our emphasis).

Issues that need to be considered by Scientific Council are discussed below:

1. Changes to the IUCN categories and criteria

At the 10th Scientific Council concerns were raised that developing and transitional countries in particular had difficulty keeping up with changes in the IUCN categories, and that CMS had only just approved the first version. Concern was also voiced that as data on numbers and distribution were not always readily available, implementing the latest version may be difficult. Similar concerns were raised during the recent review and we believe they have been addressed, particularly in clarifying how to deal with uncertainty when applying the

criteria (see Annex 1 of IUCN 2001). We consider IUCN (2001) is a well developed system of categories and criteria that:

- can be applied consistently by different people;
- improves objectivity by providing users with clear guidance on how to evaluate different factors which affect the risk of extinction;
- provides a system which facilitates comparisons across widely different taxa;
- gives people using threatened species lists a better understanding of how individual species were classified; and
- delivers greater transparency to decision-making as it requires documentation of the assessment process, including statement of assumptions, with clear guidelines for dealing with uncertainty in levels of knowledge for a taxon.

To assist users in assessing species against the criteria, a software programme *RAMAS Red List version 2.0* has been developed, which is endorsed by the SSC. *RAMAS Red List* implements the rules as used by the IUCN, and also allows explicitly incorporating uncertainties in the input data. Input data such as the number of mature individuals can be specified either as a number, or as a range of numbers, or a range of numbers plus a best estimate. The programme propagates these uncertainties. Depending on the uncertainties, the resulting classification can be a single category, or a range of plausible categories. An added benefit of the programme is the facility that allows the programme outputs for a taxon assessed to be printed, thus facilitating documentation of the assessment procedure. Further information on this programme can be found at <http://www.ramas.com/redlist.htm>.

2. *Scale of applicability*

The IUCN Red List Categories and Criteria were designed for global taxon assessments. However, there is often interest in applying them to subsets of global data, especially at species population, and geographic levels (regional, national or local). In applying the Categories and Criteria it is important to refer to the guidelines prepared by the IUCN/SSC Regional Applications Working Group (current version at [Attachment B](#)). When applied at national or regional levels there is a need to recognize that a global category may not be the same as a national or regional category for a particular taxon. For example, taxa classified as Least Concern globally might be Critically Endangered within a particular region where numbers are very small or declining, perhaps only because they are at the margins of their global range.

Provided that the regional population to be assessed is isolated from conspecific populations outside the region, the criteria of the IUCN Red List can be used without modification. The extinction risk of an isolated population is identical to that of an endemic taxon, and in these situations the criteria can be used with unaltered thresholds at any geographical scale.

When the criteria are applied to part of a population defined by a geo-political border or to a regional population occasionally interchanging individuals with other populations beyond the border, the thresholds listed under each criterion will be incorrect because the unit being assessed is not the same as the actual population. As a result, the estimate of extinction risk is likely to be inaccurate.

In the past CMS has listed both species and populations on Appendices I and II. If CMS is to use the IUCN Red List criteria to assist in assessment of future nominations, it will be important to recognize the context of the nomination (species or population) and to apply the principles embodied in Gardenfors *et. al.* (2001) as appropriate for where the nomination is regionally based.

3. What Categories of Threat Should Qualify a Taxon to be Considered as ‘Endangered’ for the Purposes of Appendix I?

We consider the criteria for nominating and listing a species to CMS Appendix I or II could be made clearer. At present the guidance provided is contained in the legal, rather than scientific, language of the CMS. For example in the case of Appendix I it is - “1. Appendix I shall list migratory species which are endangered” and “2. A migratory species may be listed in Appendix I provided that reliable evidence, including the best scientific evidence available, indicates that the species is endangered.”

The guidance for Appendix II is - “Appendix II shall list migratory species which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement”.

Adoption of the IUCN criteria as a decision support tool in the assessment for CMS listing to Appendix I may prove useful. The criteria would provide clarity and transparency in decision-making and provide clear definitions of the various listing criteria. To assist CMS Scientific Council in conceptualising how this could operate, we provide the following proposal:

IUCN criteria assessments for migratory species	Qualifies for CMS
CR, EN, VU	Appendix I and/or Appendix II
NT	Appendix II
All other categories	Qualifies for Appendix II if a taxon’s conservation status would significantly benefit from international cooperation that could be achieved by an international agreement.

Recommendation

That the Scientific Council considers the suggestions in this paper and recommends to the CMS Conference of Parties that the Scientific Council uses the IUCN Red List Categories 2001 as a **decision support tool** in assessing the conservation status of listing proposals of migratory taxa or populations to Appendix I and II. Scientific Council will use the IUCN Red List on the following basis:

- (a) IUCN Categories of Threat for CR, EN and VU **to contribute towards** the assessment of listing a migratory taxa or population to Appendix I in recognition that the CMS Appendix I taxa or populations are broadly defined as “endangered”. These categories of threat may also **contribute towards** the assessment of listing taxa or species to Appendix II;
- (b) IUCN Category of Threat for NT **to contribute towards** the assessment of listing a migratory species to Appendix II; and
- (c) Given that Article IV of the convention does not require a taxon or population to have an unfavourable conservation status to be listed to Appendix II, taxa or populations not meeting any of the IUCN categories of threat CR, EN, VU or NT may be considered for listing provided that there is explicit justification to do so.

References

- IUCN. 2001. *IUCN Red List Categories and Criteria: Version 3.1*. IUCN Species Survival Commission. IUCN: Gland, Switzerland and Cambridge, UK.
- IUCN. 1994. *IUCN Red List Categories: Version 2.3*. IUCN Species Survival Commission. IUCN: Gland, Switzerland.
- Gardenfors U., Hilton-Taylor C., Mace G. and J. P. Rodriguez. 2001. *The Application of IUCN Red List Criteria at Regional Levels*. Conservation Biology 15: 1206-1212.

ScC Report Annex X

DRAFT SUMMARY OF PROJECTS APPROVED IN PRINCIPLE DURING THE 11TH CMS SCIENTIFIC COUNCIL MEETING (AS AT 17.09.02)

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
BIRDS							
First Workshop to the Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (<i>Otis tarda</i>)	Range states to the Great Bustard MoU	Jan.-June 2003	10,000		yes	Dr. Attila Bankovics	Priority
Studies of waterbirds, water levels, and aquatic food plants as a basis for conservation of threatened wetlands at Poyang Lake, China	China	Jan-Dec 2003	14,500	13,875	yes	International Crane Foundation (ICF)	
Secretariat Services to the Slender-billed curlew Working Group		2003-2004	22,000		yes	BirdLife International - European Division	
Conservation action for <i>Platalea minor</i> , <i>Eurynorhynchus pygmeus</i> , and <i>Sterna bernsteini</i> .			40,000		No	Dr. Noritaka Ichida	High Priority, however pending approval by COP7 of the inclusion of the species in Appendix I
<i>Falco naumanni</i> - Implementation of priority activities of the Action Plan					No	App. Councillor for Birds	
Conservation of passerine species (<i>Polystictus pectoralis pectoralis</i> , <i>Sporophila ruficollis</i> , <i>Pseudocolopteryx dinellianus</i>) of Southern South America - to be defined					No	Dr. Roberto Schlatter	Pending approval by COP7 of the inclusion of the species in Appendix II
Black-necked Swan - To be defined					No	Dr. Roberto Schlatter	
SUB-TOTAL			86,500 + ca. 40,000				

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
MAMMALS							
Meeting for the development of an MoU on Central and West African Elephant			15,000	Expected (France)	No		
Sahelo-Saharan Antelopes: Contribution to the coordination of the FFEM project	Chad, Mali, Mauritania, Morocco, Niger, Senegal, Tunisia	2005	25,000	France USFWS	No	Roseline Beudels (IRSNB),	Matching Funds
Sahelo-Saharan Antelopes: setting up and maintenance of a web site and a web data base		2003-2004	25,000		No	Roseline Beudels (IRSNB)	
Sahelo-Saharan Antelopes: participation in the development of the Ferlo project in Senegal	Senegal	2003-2004	20,000		No	Roseline Beudels (IRSNB)	
Sahelo-Saharan Antelopes: Development of a project Chad, Libya, Niger	Chad, Libya, Niger	2003-2004	20,000		No	Roseline Beudels (IRSNB)	
Sahelo-Saharan Antelopes: development of a project in Egypt	Egypt		10,000		No	Roseline Beudels (IRSNB)	Reserve (to be developed when adequate structures will be set
SUB-TOTAL			115,000				
AQUATIC MAMMALS AND LARGE FISHES							
Assessment of cetacean populations and by-catch mortality in the Bay of Bengal	Myanmar, Bangladesh, India, and Sri Lanka	2003	38,000	30,000 (expected)	No	Brian D. Smith -Wildlife Conservation Society, Margi Prodeaux, Alison Wood - Whale and Dolphin Conservation Society	Highest Priority Project concept available
Training workshop in Bangladesh on Marine Mammal conservation research techniques appropriate for scientists and conservationists in developing countries	Bangladesh, India, Myanmar, Pakistan	2003	25,000	Possible	No, but offer to prepare the full proposal has been received	Brian D. Smith - Wildlife Conservation Society, Margi Prodeaux, Alison Wood - Whale and Dolphin Conservation Society	CMS main sponsor

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
Training workshop in Sri Lanka or India on Marine Mammal conservation research techniques appropriate for scientists and conservationists in developing countries	Sri-Lanka, India	2004	25,000	Possible	No, but offer to prepare the full proposal has been received	Brian D. Smith (Wildlife Conservation Society), Margi Prodeaux, Alison Wood (Whale and Dolphin Conservation Society)	CMS main sponsor
Workshop to review the distribution, abundance, population structure, habitat status, directed catches, bycatches, and research and conservation needs of marine mammals in South Asia	Bangladesh, India, Myanmar, Pakistan, Sri Lanka, Philippines	2005	40,000	Possible	No, but offer to prepare the full proposal has been received	Brian D. Smith (Wildlife Conservation Society), Margi Prodeaux, Alison Wood (Whale and Dolphin Conservation Society)	CMS main sponsor
SUB-TOTAL			128,000				
MARINE TURTLES							
Conservation of Sea Turtles along the coast of Peru	Peru	Aug. 2003 - Dec. 2004	29,200		Yes	National Institute of Natural Resources (<i>INRENA</i>)	Highest priority
Enhancing sea turtle conservation in Kenya	Kenya	2003-2004	16,450		Yes	Kenya Sea Turtle Conservation Committee (<i>KESCOM</i>)	High priority
Tracing the migrations of Indian marine turtles: towards an integrated and collaborative conservation program	India	Aug. 2003 - Sept. 2004	34,500	55,000 + 14,000 (searched)	Yes	Centre for Herpetology Madras Crocodile Bank Trust, & Wildlife Institute of India	medium priority Funding approved for core activities, but administration
Projects emanating from meeting of IOSEA Marine turtle MoU	IOSEA range states		ca. 45,000		No		
Movements, behaviour, and habitat utilization of the loggerhead sea turtle <i>Caretta caretta</i> in the Adriatic Sea	Slovenia, Croatia	Jan. 2003 - Dec. 2004	[42,600] Not included in the subtotal for turtles	77,400	Yes	Department of Zoology, Croatian Natural History Museum	Reserve Not a priority. Can be funded if - other approved projects do not materialize or if additional funding becomes available.
SUB-TOTAL			125,150				



Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex IX

RESOLUTIONS

ADOPTED BY THE CONFERENCE OF THE PARTIES AT ITS SEVENTH MEETING

RESOLUTION 7.1

CONCERTED ACTIONS FOR APPENDIX I SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling Resolution 3.2 regarding Appendix I species adopted by the Conference of the Parties at its third meeting (Geneva, 1991);

Recognising 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, as updated by Resolution 4.2 (Nairobi, 1994), Resolution 5.1 (Geneva, 1997) and Resolution 6.1 (Cape Town, 1999), instructs the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention;

Noting that the Scientific Council, at its 11th meeting held in Bonn, in September 2002, reviewed reports as per Resolution 3.2 on five Appendix I concerted action species;

Noting further the recommendation of the Scientific Council at its 11th meeting that the following species be the subject of concerted actions: Terrestrial mammals: *Uncia uncia*; Marine mammals: *Balaenoptera physalus*, *Balaenoptera borealis*, *Physeter macrocephalus*, *Eubalaena australis*, *Balaenoptera musculus*, *Megaptera novaeangliae*; Birds: *Platalea minor*, *Eurynorhynchus pygmeus*, *Sterna bernsteini*; and

Noting also the recommendation of the 11th meeting of the Scientific Council concerning the revision of the current practice for the identification and implementation of concerted actions for Appendix I species;

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

1. *Resolves* 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 and others, as appropriate, during the 2003-2005 triennium, and that the Conference of the Parties review the results at its next meeting;
2. *Endorses* the recommendation of the Scientific Council at its 11th meeting that activities for species covered by Resolution 6.1 be continued for a further three years (2003-2005), such that the list of species for which concerted actions should either be continued or commence, as appropriate, is as appears in the table attached to this resolution;

3. *Endorses* the procedure for the future identification and implementation of concerted actions for Appendix I species agreed by the Scientific Council at its 11th meeting, and summarized in Annex III of the report of that meeting; and
4. *Instructs* the Scientific Council and the Secretariat to fully implement the new procedure in the triennium 2003-2005.

SPECIES DESIGNATED FOR CONCERTED ACTIONS BY THE 3rd, 4th, 5th, 6th and 7th
MEETINGS OF THE CONFERENCE OF THE PARTIES TO CMS

Year of adoption	Resolution	Scientific name	Common name
1991	3.2	<i>Addax nasomaculatus</i>	Addax
	3.2	<i>Gazella dorcas</i>	Dorcas gazelle
	3.2	<i>Gazella leptoceros</i>	Slender-horned gazelle
	3.2	<i>Chlamydotis undulata</i>	Houbara bustard
	3.2	<i>Numenius tenuirostris</i>	Slender-billed curlew
	3.2	-----	Marine Turtles
1994	4.2	<i>Chloephaga rubidiceps</i>	Ruddy-headed goose
	4.2	<i>Oxyura leucocephala</i>	White-headed duck
	4.2	<i>Grus leucogeranus</i>	Siberian crane
	4.2	<i>Otis tarda</i>	Great bustard
	4.2	<i>Gazella dama</i>	Dama gazelle
	4.2	<i>Oryx dammah</i>	Scimitar-horned oryx
	4.2	<i>Monachus monachus</i>	Mediterranean monk seal
1997	5.1	<i>Falco naumanni</i>	Lesser kestrel
	5.1	<i>Phoenicopterus andinus</i>	Andean flamingo
	5.1	<i>Phoenicopterus jamesi</i>	Puna flamingo
	5.1	<i>Anser erythropus</i>	Lesser white-fronted goose
	5.1	<i>Gorilla gorilla beringei</i>	Mountain gorilla
	5.1	<i>Pontoporia blainvillei</i>	La Plata dolphin, Franciscana
	5.1	<i>Hippocamelus bisulcus</i>	South Andean deer
1999	6.1	<i>Sarothrura ayresi</i>	Whitewinged flufftail
	6.1	<i>Hirundo atrocaerulea</i>	Blue swallow
	6.1	<i>Acrocephalus paludicola</i>	Aquatic warbler
	6.1	<i>Lontra felina</i>	Southern marine otter
	6.1	<i>Lontra provocax</i>	Southern river otter
	6.1	<i>Spheniscus humboldti</i>	Humboldt penguin
	6.1	<i>Aythya nyroca</i>	Ferruginous duck
2002	7.1	<i>Uncia uncia</i>	Snow leopard
	7.1	<i>Balaenoptera physalus</i>	Fin whale
	7.1	<i>Balaenoptera borealis</i>	Sei whale
	7.1	<i>Physeter macrocephalus</i>	Sperm whale
	7.1	<i>Eubalaena australis</i>	Southern right whale
	7.1	<i>Balaenoptera musculus</i>	Blue whale
	7.1	<i>Megaptera novaeangliae</i>	Humpback whale
	7.1	<i>Platalea minor</i>	Black-faced spoonbill
	7.1	<i>Eurynorhynchus pygmeus</i>	Spoon-billed sandpiper
	7.1	<i>Sterna bernsteini</i>	Chinese crested tern

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.2*

IMPACT ASSESSMENT AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Concerned that avoidable detriment to migratory species often occurs through lack of adequate prior assessment of the potential environmental impacts of projects, plans, programmes and policies, carried out in a way that is systematic and formally taken into account in decision-making;

Emphasising that migratory species are especially in need of international cooperation in this respect owing *inter alia* to their particular susceptibility to impacts which may be manifest far beyond the territory of the country in which they originate, and to cumulative impacts;

Desirous that migratory species interests be given improved treatment in biodiversity-related aspects of environmental impact assessment and strategic environmental assessment;

Conscious that Article I (1) (c) of the Convention defining favourable conservation status, Article II (2) regarding avoiding endangerment of species and Article III (4) regarding protection of Appendix I species all imply a need to anticipate and predict effects;

Aware that many Contracting Parties already operate legal and institutional systems of environmental assessment in various forms, but that most would benefit from international harmonisation of guidance on principles, standards, techniques and procedures, and confirmation of their applicability to migratory species interests;

Aware that environmental impact assessment is foreseen in other conventions concerned with biodiversity conservation, and in CMS Agreements;

Further aware that the respective Conferences of the Parties to the Ramsar Convention on Wetlands and the Convention on Biological Diversity (CBD) have in recent years adopted or endorsed decisions and guidelines on environmental impact assessment which have relevance to cooperation between those conventions and the Convention on Migratory Species;

Noting in particular that CBD's Decision IV/10c on impact assessment and minimisation of adverse effects specifically encouraged collaboration between the CBD, the Ramsar Convention, CMS, the International Association for Impact Assessment and IUCN – the World Conservation Union on this matter;

Noting also that CBD's Decision V/18 on impact assessment, liability and redress specifically encouraged similar cooperation in relation to the development of guidelines for incorporating biodiversity-related issues into legislation and/or processes on strategic environmental assessment, and included the CMS Scientific Council among those with whom cooperation was requested;

Noting further that the CBD-CMS Joint Work Programme 2002-2005, in section 10, includes actions relating to studies of migratory species and impact assessment, and to input concerning

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.10.

migratory species in guidelines for the integration of biodiversity considerations into impact assessment procedures;

Welcoming the endorsement by CBD COP6 of the “Guidelines for Incorporating Biodiversity-related Issues into Environmental Impact Assessment Legislation and/or Processes and in Strategic Environmental Assessment” annexed to its Decision VI/7; and

Desiring as always to maximise synergy and joint working efficiencies between all biodiversity-related Conventions;

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

1. *Emphasises* the importance of good quality environmental impact assessment (EIA) and strategic environmental assessment (SEA) as tools for implementing Article II (2) of the Convention on avoiding endangerment of migratory species and Article III (4) of the Convention on protection of Appendix I species, and as important elements to include in AGREEMENTS concluded under Article IV (3) of the Convention in respect of Appendix II species, and in agreements concluded under Article IV (4) of the Convention in respect of Appendix II and other species;
2. *Urges* Parties to include in EIA and SEA, wherever relevant, as complete a consideration as possible of effects involving impediments to migration, in furtherance of Article III (4) (b) of the Convention, of transboundary effects on migratory species, and of impacts on migratory patterns or on migratory ranges;
3. *Further urges* Parties to make use, as appropriate, of the “Guidelines for Incorporating Biodiversity-related Issues into Environmental Impact Assessment Legislation and/or Processes and in Strategic Environmental Assessment” endorsed by Decision VI/7 of CBD COP 6;
4. *Requests* the Secretariat to establish cooperative links with the International Association for Impact Assessment in furtherance of the matters specified in this resolution, and on other matters of mutual interest;
5. *Further requests* the Secretariat to pursue its contacts with secretariats of other multilateral environmental agreements in evaluating with them the potential implications of the decisions of their Conferences of the Parties on the conservation of migratory species;
6. *Encourages* Parties to establish contact with relevant national contact points from within the networks of the International Association for Impact Assessment with a view to identifying sources of expertise and advice for assisting with migratory species-related impact assessment as part of impact assessment procedures in general;
7. *Requests* the Scientific Council, in cooperation with the International Association for Impact Assessment, the Scientific & Technical Review Panel of the Ramsar Convention on Wetlands, the Subsidiary Body on Scientific, Technical and Technological Advice of the CBD and other suitably qualified bodies, including CMS Agreements, to review existing international guidance in this field, identify gaps in relation to migratory species interests and if necessary, develop further guidance relating to migratory species issues for consideration and possible adoption by the Conference of the Parties at its eighth meeting; and
8. *Strongly encourages* Parties and others to make voluntary financial contributions to support the work of the Scientific Council in taking forward and developing further the matters covered by this resolution.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.3*

OIL POLLUTION AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling that Article II of the Convention acknowledges the need to take action to avoid any migratory species becoming endangered;

Recalling also the need to preserve wildlife in the marine environment as stipulated in the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention) as well as the Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region and Related Protocols (Abidjan Convention) and the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention);

Recalling also the provisions for the protection of the marine environment in the United Nations Convention on the Law of the Sea (UNCLOS) and in numerous conventions adopted under the aegis of the International Maritime Organization (IMO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Environment Programme (UNEP), and various regional seas agreements;

Recalling also non-marine aquatic and terrestrial conventions applicable at the international, regional, and national levels that address the problem of oil pollution;

Acknowledging Article VII of the Convention on Migratory Species that the Conference of the Parties may make recommendations to the Parties for improving the effectiveness of the convention;

Considering that the Strategic Plan for 2000-2005 adopted by Resolution 6.4 requires Parties to review the special problems faced by migratory animals in relation to various obstacles to migration and to propose remedial measures that may have widespread applicability;

Recognising that Resolution 4.5 directs the Scientific Council *inter alia* to 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;

Noting that accidental spills and other discharges of crude and refined oils and wastes thereof represent an important hazard with well-known negative effects on nature and on different components of biodiversity;

Concerned about the continuing negative impacts of such accidents and other discharges on migratory species of wildlife, as well as on their food sources, by the synergistic effects of lethal and chronic toxicity, thermoregulation impairment and fouling, and by habitat degradation;

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.11.

Aware of the need to monitor regularly and assess the actual impacts of oil pollution by exchange of international experience and existing monitoring programmes; and

Noting the potential risk that significant numbers of migratory wildlife may be killed unnoticed every year in aquatic and terrestrial environments and *wishing* to minimise the adverse effects on these environments through measures to prevent the accidental release and to regulate the intentional release of crude and refined oils and wastes thereof;

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

1. *Calls* upon the Parties:

- (a) where feasible and appropriate, to implement a monitoring process in order to assess the cumulative environmental impacts of oil pollution on migratory species;
- (b) to develop, apply and, where necessary, strengthen comprehensive environmental protection legislation;
- (c) to develop, apply and, where necessary, strengthen measures to enforce such legislation at sea, in freshwater systems and on land;
- (d) to develop, apply and strengthen, as necessary, measures of preparedness to respond to oil spills, such as facilities and trained personnel;
- (e) where appropriate, to apply existing and further develop guidelines for the treatment of oil-affected wildlife with a view to rehabilitating the individuals involved;
- (f) to seek appropriate partnerships with industry to address oil pollution, taking the “polluter pays principle” fully into account; and
- (g) to take full account of the precautionary principle in the location of oil installations and movement of oil containers in relation to migratory species habitats;

2. *Invites* the Scientific Council to consider the role CMS may play in addressing oil pollution by:

- (a) considering the state of knowledge relating to this threat;
- (b) reviewing existing plans and provisions to address oil pollution; and
- (c) similarly, reviewing existing relevant programmes for training and information exchange; and

3. *Invites* all relevant international, regional and national organizations and bodies to cooperate with CMS in efforts to prevent oil pollution and to minimise the negative impacts on migratory species of the release of crude and refined oils into the environment.

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RESOLUTION 7.4*

ELECTROCUTION OF MIGRATORY BIRDS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recognising that, under Article II of the Convention, Range States agree to take action for the conservation of migratory species whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitats;

Recognising that Article II of the Convention requires all Parties to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention;

Recognising that Article III (4) (b) of the Convention requires Parties to endeavour *inter alia* to prevent, remove, compensate for or minimise, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of migratory species;

Concerned by the information presented in document UNEP/CMS/Inf.7.21 to the Seventh Meeting of the Conference of the Parties concerning the worldwide and increasing impact of electricity transmission lines, conductors and towers in causing injury and death by electrocution to species of large birds, including migratory species;

Noting that a significant number of migratory bird species that are significantly exposed to electrocution danger are listed in the Appendices to the Convention;

Concerned that such species are increasingly threatened by continuing construction of medium-voltage overhead transmission lines;

Concerned particularly that, without action to reduce or mitigate threats of electrocution, many populations and potentially species, including *Aquila adalberti* and *Hieraaetus fasciatus*, may be severely affected;

Recognising that, especially in arid zones, electrocution of birds on transmission lines can cause disastrous forest fires affecting both wildlife and people;

Desiring to raise awareness among the public, developers and decision-makers of the serious, widespread electrocution risk posed to birds;

Aware that technical solutions are available to eliminate or minimise transmission line electrocution risk posed to birds;

Recognising that power lines that are considered safer for birds also correspond to a better energy supply and therefore are an advantage to supplying companies;

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.12.

Bearing in mind that collision with power lines is also a problem for birds, and that preventive measures should also be applied to mitigate its effects; and

Bearing in mind that electrocution on electricity transmission lines of railway infrastructure may also be a problem, and preventive measures should be envisaged;

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

1. *Calls* on all Parties and non-Parties to curb the increasing electrocution risk from medium-voltage transmission lines to migratory birds and to minimise this risk in the long term;
2. *Calls* on all Parties and non-Parties to include appropriate measures in legislation and other provisions for planning and consenting medium-voltage electricity transmission lines and associated towers, to secure safe constructions and thus minimise electrocution impacts on birds;
3. *Encourages* constructors and operators of new medium-voltage transmission lines and associated towers to incorporate appropriate measures aimed at protecting migrating birds against electrocution;
4. *Calls* on Parties and non-Parties to appropriately neutralise existing towers and parts of medium-voltage transmission lines to ensure that migratory birds are protected against electrocution;
5. *Invites* all concerned to apply as far as possible the catalogue of measures contained in document UNEP/CMS/Inf.7.21, which are based on the principle that birds should not be allowed to sit on parts that are dangerously close to the transmission parts under voltage;
6. *Encourages* constructors and operators to cooperate with ornithologists, conservation organizations, competent authorities and appropriate financial bodies in order to reduce the electrocution risk posed to birds from transmission lines; and
7. *Requests* the Secretariat to collect more information with respect to collisions and electrocutions on electricity transmission lines of railway infrastructure and other related issues.

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RESOLUTION 7.5*

WIND TURBINES AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling that Article II of the Convention acknowledges the need to take action to avoid any migratory species becoming endangered;

Recalling also the need to preserve wildlife in the marine environment as stipulated in the relevant legislation of the European Community and in the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the Helsinki Convention on the Protection of the Baltic Sea Area, the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and the Bergen Declaration of the Fifth International Conference on the Protection of the North Sea;

Acknowledging Article VII of the Convention whereby the Conference of the Parties may make recommendations to the Parties for improving the effectiveness of this Convention;

Considering that the Strategic Plan for 2000 - 2005 adopted by Resolution 6.4 requires Parties to review the special problems faced by migratory animals in relation to various obstacles to migration and to propose remedial measures that may have widespread applicability;

Recognising that Resolution 4.5 directs the Scientific Council *inter alia* to 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;

Recognising the environmental benefits of wind energy especially for addressing climate change, and the significance of reducing climate change for the long-term survival of migratory species;

Noting that wind turbines especially in marine areas represent a new technique of large scale energy production, the actual effects of which on nature and on different components of biodiversity cannot be fully assessed or predicted at present;

Recognising the lack of sufficient and relevant research on such effects, especially on nature, and the lack of data on the distribution and migration of species concerned;

Concerned about the possible negative impacts of wind turbines on migratory species of mammals and birds, as well as on their food sources and habitats *e.g.*:

- (a) destruction or disturbance of permanent or temporary feeding, resting, and breeding habitats;
- (b) increased collision risk for birds in flight;

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.13.

- (c) through electric and magnetic fields of connecting power cables; or
- (d) emission of noise and vibrations into the water;

Recognising the need for a thorough environmental impact assessment prior to selecting appropriate building sites and issuing construction permits, in order to avoid areas of particular ecological value and habitats with high nature conservation needs;

Aware of the need to regularly monitor and assess the actual impacts of wind turbines by exchange of international experience and site-specific effect monitoring programmes in existing wind turbine plants; and

Noting especially the potential risk that several hundred of such marine installations with heights up to 150 metres may present as obstacles in flyways, and wishing to minimise possible adverse effects on nature;

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

1. *Calls* upon the Parties:

- (a) to identify areas where migratory species are vulnerable to wind turbines and where wind turbines should be evaluated to protect migratory species;
- (b) to apply and strengthen, where major developments of wind turbines are planned, comprehensive strategic environmental impact assessment procedures to identify appropriate construction sites;
- (c) to evaluate the possible negative ecological impacts of wind turbines on nature, particularly migratory species, prior to deciding upon permission for wind turbines;
- (d) to assess the cumulative environmental impacts of installed wind turbines on migratory species;
- (e) to take full account of the precautionary principle in the development of wind turbine plants, and to develop wind energy parks taking account of environmental impact data and monitoring information as it emerges and taking account of exchange of information provided through the spatial planning processes;

2. *Instructs* the Scientific Council to assess existing and potential threats from offshore wind turbines in relation to migratory mammals and birds, including their habitats and food sources, to develop specific guidelines for the establishment of such plants and to report to the Conference of the Parties accordingly at its next meeting; and

3. *Invites* relevant intergovernmental organizations as well as the European Community and the private sector to cooperate with CMS in efforts to minimise possible negative impacts of offshore wind turbines on migratory species.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.6*

IMPLEMENTATION OF THE CMS STRATEGIC PLAN

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling Resolution 6.4 whereby the Strategic Plan for the Convention on the Conservation of Migratory Species of Wild Animals (2000-2005) is elaborated;

Considering the Secretariat's report (document UNEP/CMS/Conf.7.10) reviewing the Strategic Plan's implementation; and

Taking into account with appreciation the work of the *ad hoc* Strategic Plan Working Group, as reflected in its sessional reports submitted to the Conference of the Parties;

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

1. *Confirms* the need for intersessional work on the elaboration of the next Strategic Plan;
2. *Approves* the continuation of the Working Group's work in the intersessional period between the seventh and eighth meetings of the Conference of the Parties; and
3. *Decides* to set up an open-ended working group under the chairmanship of Switzerland with the task of drafting the next Strategic Plan for consideration at the Eighth Meeting of the Conference of the Parties, taking into account the issues raised with respect to the current Strategic Plan 2000-2005, and *requests* it to submit a first report to the next meeting of the Standing Committee.

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* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.3.



Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.7*

IMPLEMENTATION OF EXISTING AGREEMENTS AND DEVELOPMENT OF FUTURE AGREEMENTS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recognising that Agreements, including Memoranda of Understanding (MoU), represent one of the key operational tools of the Convention on Migratory Species;

Recalling Strategic Plan Resolutions 4.4 (Nairobi, 1994), 5.4 (Geneva, 1997) and 6.4 (Cape Town, 1999) which *inter alia* stimulate the conclusion of Agreements and MoU to conserve migratory species listed in the Convention's appendices, call for Parties to take the lead and, where applicable, establish partnerships between developing and developed Party countries;

Referring to Recommendations 6.3, 6.4 and 6.5 (Cape Town, 1999) on Sahelo-Saharan antelopes, Houbara bustards and African elephants in Western and Central Africa;

Noting with satisfaction the progress made since COP 6 (Cape Town, 1999) with regard to the conclusion and implementation of Article IV Agreements;

Emphasising the importance of the rapid entry into force of the Agreement on the Conservation of Albatrosses and Petrels (ACAP);

Paying tribute to H.R.H. the Prince of Wales for his welcoming address to the Seventh Meeting of the Conference of the Parties in which he calls upon "the world community, and especially the governments of the Range States and those with relevant fishing fleets, with the help of international organisations, to ratify [ACAP] and to get it working so as to reduce as soon as possible the factors which have brought these splendid birds to the brink of extinction"; and

Referring to the report of the Secretariat in documents UNEP/CMS/Conf.7.9, UNEP/CMS/Conf.7.9.1 and UNEP/CMS/Conf.7.9.2, as well as the reports** of the Secretariats of the various Agreements concluded under the aegis of CMS;

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

1. With regard to Agreements already concluded:
 - (a) *Expresses* its satisfaction with the achievements made to conclude and implement CMS Agreements;

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.2.

** UNEP/CMS/Inf.7.17.1, UNEP/CMS/Inf.7.17.2, UNEP/CMS/Inf.7.17.3.

- (b) *Encourages* the examination and further use of CMS Agreements by all relevant stakeholders;
 - (c) *Encourages* the Secretariat to continue exploring partnerships with interested organizations specialised in the conservation and management of migratory species for the provision of secretariat services for selected MoU; and
 - (d) *Calls upon* all Range States that have not yet done so to sign, ratify or accede, as appropriate, to CMS Agreements and to contribute to their implementation;
2. With regard to Agreements under development:

BIRDS

(a) ***Houbara Bustard***

- i. *Takes note* of the information provided by the representative of the Kingdom of Saudi Arabia that an updated text of an Agreement and Action Plan on the Asiatic populations of the Houbara Bustard is ready for official dissemination and comment;
- ii. *Takes further note* that an informal meeting to review the updated text will be held some time in early 2003; and
- iii. *Welcomes* the information that the Kingdom of Saudi Arabia will hold a meeting of the Range States to conclude the Agreement and Action Plan in late 2003;

(b) ***Aquatic Warbler***

- i. *Acknowledges* the results already achieved by BirdLife International to prepare a Memorandum of Understanding on the Aquatic warbler in close cooperation with the Secretariat;
- ii. *Endorses* preparations for a Range State meeting by the end of 2002 or in early 2003 to finalise the Memorandum of Understanding; and
- iii. *Agrees* with the Secretariat's intention to support financially the preparation and holding of the Range State meeting;

(c) ***Sand Grouse***

- i. *Welcomes* South Africa's initiative to continue to develop and conclude among Botswana, Namibia and South Africa a Memorandum of Understanding on the Sand grouse; and
- ii. *Encourages* the Range States to seek an early conclusion to their work;

FISH

(d) ***Sturgeons***

- i. *Calls upon* CMS Party Range States of sturgeons listed in CMS Appendices to take the lead to develop an appropriate CMS instrument on sturgeons;

- ii. *Urges* the resumption of cooperative activities among the lead country, IUCN, the CMS Secretariat and the CITES Secretariat, as appropriate; and
- iii. *Invites* the CITES Conference of the Parties to encourage closer collaboration between the CMS and CITES Secretariats with respect to sturgeon conservation in view of the strategic priorities of these two complementary conventions;

MARINE REPTILES

(e) ***Marine Turtles***

Endorses the Secretariat's proposal to explore, by the most appropriate means, the possible development of an instrument for Marine turtles in the Pacific Ocean, within the context of the CMS Strategic Plan and the existing CMS Indian Ocean-South-East Asian Marine Turtle MoU, and to allocate sufficient resources for this purpose;

MARINE MAMMALS

(f) ***Small Cetaceans and Sirenians in West Africa***

Supports the development of an appropriate CMS instrument on small cetaceans and sirenians in West Africa pursuant to Recommendation 7.3, and the allocation of sufficient resources for this purpose;

(g) ***Small Cetaceans and Dugongs in South-East Asia***

Supports the development of an appropriate CMS instrument on small cetaceans and dugongs in South-East Asia pursuant to Recommendation 7.4, if the reaction from Range States is positive, and the allocation of sufficient resources for this purpose;

(h) ***Other Marine Mammals***

- i. *Invites* the Secretariat to monitor the non-governmental initiative on cetaceans in the Indian Ocean referred to in its report (document UNEP/CMS/Conf.7.9.2) and as appropriate explore further options with regard to the development of a CMS instrument; and
- ii. *Supports* the development of an appropriate CMS instrument on Dugong pursuant to Recommendation 7.5;

TERRESTRIAL MAMMALS

(i) ***Sahelo-Saharan Antelopes***

- i. *Acknowledges* the progress made to date to implement the Action Plan adopted in Djerba in February 1998;
- ii. *Agrees* to the future role of the CMS Secretariat as fund manager and administrator for the FFEM (Fonds Français pour l'Environnement Mondial) project; and
- iii. *Supports* the Secretariat's plan to develop an Agreement in close contact with the Sahelo-Saharan Antelope Working Group as requested by the Djerba Workshop;

(j) ***Saiga Antelope***

- i. *Acknowledges* the excellent cooperation between various national and international organizations that has taken place thus far, as well as the progress made to date to develop a Memorandum of Understanding and an Action Plan regarding *Saiga tatarica tatarica*;
- ii. *Encourages* the early conclusion and opening for signature of the Memorandum of Understanding and Action Plan by the Range States; and
- iii. *Invites* the CITES Conference of the Parties to acknowledge and endorse further cooperation between the CMS and CITES Secretariats with regard to the finalisation and conclusion of the Memorandum of Understanding and Action Plan;

(k) ***Mongolian Gazelle***

- i. *Supports* the Secretariat's intention to coordinate with the Range States of the Mongolian gazelle to establish the basis for improved coordinated conservation and sustainable use; and
- ii. *Agrees* that sufficient funding for this purpose should be provided by CMS and requested from other sources;

(l) ***African Elephant***

Invites the Secretariat and the Scientific Council to assist the lead country in its endeavour to organise the work relevant to the African Elephant as outlined in Recommendation 6.5 (Cape Town, 1999);

(m) ***Bats***

- i. *Takes note* of the Secretariat-commissioned study on the feasibility of developing additional bats Agreements under CMS (document ScC.11/Doc.7);
- ii. *Encourages* the Secretariat to continue its activities in this field, including exploring the potential to develop further CMS Agreements on bats;
- iii. *Invites* the Scientific Council to have a substantial discussion on bats at its next meeting; and
- iv. *Invites* Parties to consider developing and submitting proposals to list additional bat species in the CMS Appendices.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.8*

IMPLEMENTATION OF THE CMS INFORMATION MANAGEMENT PLAN

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling Resolution 6.5 (Cape Town, 1999), which outlines the objectives of the Information Management Plan and identifies the priority actions to be carried out by the end of 2004;

Noting with satisfaction, the progress made by the Secretariat and the UNEP World Conservation Monitoring Centre (UNEP-WCMC) in implementing many of the identified priority actions, including a synthesis of the Party reports to CMS and its related Agreements, the design of a standard new reporting format for CMS Parties, and the development of a CMS Information Management System bringing together information from Party reports, knowledge generated within CMS and other biodiversity agreements, and data from various expert organizations;

Acknowledging the generous support by the German Government and all other cooperating institutions to the development of GROMS, which is complementary to the Web-based Information System of UNEP-WCMC and provides information not only for the Convention, its Agreements and Memoranda of Understanding, but also for other biodiversity-related conventions with which cooperation is ongoing or intended;

Recognising that the quantity and quality of the information supplied in Party reports needs to be enhanced in order to enable the production of robust, coherent conclusions regarding the results of implementation of the Convention;

Appreciating the potential of the syntheses to bring together in a synoptic manner a wealth of information on the activities, knowledge, strengths and needs of the CMS Parties, and to identify relevant issues across regions or about CMS-listed taxa requiring special attention;

Recognising further that the strength of the conclusions of these syntheses depends crucially on the comprehensiveness and timeliness of the information submitted by all Parties to the Convention; and

Recognising that the Standing Committee, at its 23rd meeting, reiterated the need for linking of GROMS with other CMS databases, that the Scientific Council, at its 11th meeting, linked its information needs to GROMS and that the Secretariat made a proposal for the future of GROMS to the Seventh Meeting of the Conference of the Parties (document UNEP/CMS/Conf.7.7);

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.4.

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

1. *Commends* the development of the new format for Party reports, and *recommends* that after undertaking some necessary fine tuning based on the lessons learned from the voluntary use of the format by many Parties in the production of their 2002 reports, the final version of the format be presented to the 26th meeting of the CMS Standing Committee for final approval and formal adoption;
2. *Recommends* further that Parties be provided with feedback on the ways in which their subsequent national reports could be enhanced, in line with the guidelines already provided in the new report format;
3. *Welcomes* the production of the Synthesis of Party Reports, in anticipation of each meeting of the Conference of the Parties, in recognition of the importance of these documents to the CMS Information Management Plan;
4. *Encourages* Parties to submit their national reports in a timely and comprehensive manner, to enable the objectives of the CMS Information Management Plan to realise their full potential;
5. *Commends* the structure, content and presentation of the pilot CMS Information System as an innovative resource tool among biodiversity-related conventions, which will enable CMS to better fulfill its contribution to the Convention on Biological Diversity (CBD), and *invites* Parties to use the Information System and provide feedback on its content and presentation;
6. *Instructs* the Secretariat:
 - (a) to provide technical capacity to facilitate the transfer of knowledge on the application of the CMS Information System to developing countries, to support these countries in their implementation of the Convention more effectively;
 - (b) to continue with the implementation of the remaining actions prioritised in Resolution 6.5, to further develop a flexible CMS Information System, responding to identified needs and, whenever possible, to the feedback provided by users of the System;
 - (c) to continue to take into account the developments implemented by international organizations relevant to CMS, and link to them when necessary in order to promote complementarity and synergy among the information systems of those organizations and the CMS Information System;
 - (d) to take the lead in a process of evaluation of the information needs and appropriate generation and dissemination mechanisms, particularly in developing countries, set up in consultation with different stakeholders, such as key organizations, institutions, and experts. The future of GROMS and its integration into the CMS Information Management Plan should be guided by this consultation group and the Secretariat;
 - (e) to continue to populate the CMS Electronic Library, with information relevant to the assessment of species and regions covered by the Convention; and
 - (f) to consider the possibility of distributing as much information as possible from the CMS Information System and GROMS in a CD-ROM format, in order to facilitate access to this information by Parties that still have difficulties accessing information through the Internet;

7. *Invites* Parties, organizations and funding agencies to contribute to the further maintenance and funding of GROMS and the Web-based CMS Information System; and
8. *Encourages* GROMS to strengthen its complementary character and to develop the necessary synergies with other existing databases related, in particular, to that developed by the CBD, as well as the Web-based CMS Information System developed by UNEP-WCMC.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.9*

COOPERATION WITH OTHER BODIES AND PROCESSES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recognising that CMS is the only global United Nations-based mechanism addressing comprehensively all migratory species and that it provides an international legal framework through which States can work together to conserve migratory species across their migratory range;

Acknowledging that the Strategic Plan for the Convention on Migratory Species 2000-2005 recognises that the aims and objectives of CMS complement and reinforce those of other biodiversity-related international instruments, while stressing the need for co-operation in areas of mutual interest;

Recalling also Resolution 4.4 (Nairobi, 1994), Action point 1, and Resolution 5.4 (Geneva, 1997), Objective 8.1;

Emphasising the need for synergy to be developed within a global context, involving the main global biodiversity-related conventions;

Emphasising further the need for CMS to strengthen orderly institutional linkages with partner organizations, and to define the scope of their responsibility and the ways to improve, in the most efficient way, their tasks and to enhance their synergistic effect; and

Noting with satisfaction the CMS Secretariat's successful progress since the Sixth Meeting of the Conference of the Parties to endeavour to conclude memoranda of understanding with a number of its counterparts;

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

1. *Reaffirms* the interest of CMS to develop strong collaborative arrangements with other biodiversity-related instruments and international organizations;
2. With regard to the CBD:
 - (a) *Welcomes and endorses* the CBD-CMS Joint Work Programme reproduced as document UNEP/CMS/Inf.7.13;
 - (b) *Notes* that CMS Parties have the primary responsibility to implement the CBD-CMS Joint Work Programme, and *urges* those Parties to take the Joint Work Programme fully into consideration in their work on migratory species conservation and

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.5.

- sustainable use within CMS and CBD, including the provision of voluntary financial or in-kind contributions;
- (c) *Requests* the CMS Scientific Council and the Executive Secretary to take the CBD-CMS Joint Work Programme fully into consideration in developing and implementing the CMS Strategic Plan and the CMS work programme;
 - (d) *Invites* the decision-making and advisory bodies of the Agreements concluded under the auspices of CMS to expeditiously consider, endorse and implement the CBD-CMS Joint Work Programme, as appropriate;
 - (e) *Invites* CMS Parties and international organizations to submit to the CMS Secretariat case studies on migratory species and their habitats, relevant to the thematic areas and cross-cutting issues under the CBD as specified in the CBD-CMS Joint Work Programme;
 - (f) *Invites* the CMS Secretariat to collaborate with the CBD Secretariat in generating guidance to integrate migratory species into national biodiversity strategies and action plans, and on-going and future programmes of work under the CBD, and invites the CMS Scientific Council and Contracting Parties to actively contribute to this work; and
 - (g) *Invites* the CMS Secretariat and UNEP-WCMC to work closely with the CBD Secretariat in developing a format for CBD Parties to report, through their national reports, on the extent to which they address migratory species at the national level, and on cooperation with other Range States as part of on-going efforts to harmonise national reporting requirements of the biodiversity-related conventions;
3. *Welcomes and endorses* the Memorandum of Understanding between the Secretariats of CMS and the International Whaling Commission;
4. *Welcomes and endorses* the Memorandum of Understanding between the Secretariat of CMS and UNESCO;
5. *Welcomes and endorses* the Memorandum of Understanding between the Secretariats of CMS and CITES;
6. *Notes* the progress made to develop joint work programmes with the Ramsar Convention on Wetlands and Wetlands International, and *urges* their timely completion;
7. *Encourages* the Secretariat to continue its endeavours to establish or intensify collaboration with other organizations, including the conclusion of memoranda of understanding and joint work programmes;
8. *Invites* the Secretariats of Agreements concluded under the auspices of CMS to share relevant information and to contribute to the implementation of the memoranda of understanding between CMS and other organizations, as appropriate;
9. With regard to the Millennium Ecosystem Assessment (MA):
- (a) *Notes* the progress being made to develop the MA and *acknowledges* the MA as broadly relevant to CMS because migratory species are components of the ecosystems and regions under assessment;

- (b) *Invites* the MA to integrate, within the limits of its conceptual design, migratory species and their habitats into the further design and execution of the Assessment, taking into consideration the importance of the migratory range approach;
- (c) *Urges* Party and non-Party Range States to integrate consideration of relevant migratory species and their habitats into the MA sub-global assessments in which they may be participating;
- (d) *Urges* Parties to nominate relevant experts on migratory species to the MA Secretariat, and to contribute as authors, review editors, and reviewers of the MA products;
- (e) *Invites* the Parties and the CMS Scientific Council as appropriate to review the outputs of MA when they are available in 2004-2005; and
- (f) *Invites* the MA to collaborate with the Scientific Council to examine more closely how the MA could benefit the Convention and the Parties.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.10*

IMPLICATIONS FOR CMS OF THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Noting that Governments agreed at the World Summit on Sustainable Development (WSSD) to achieve by 2010 a significant reduction in the current rate of loss of biological diversity;

Acknowledging that to achieve this target States will need to place special emphasis on the conservation of migratory species and their habitats, both individually at national levels, and through coordinated concerted and co-operative actions across migratory ranges;

Aware that one of the outcomes of the WSSD was a renewed awareness of and commitment towards fostering partnerships to achieve the goals of Agenda 21 and, now, the Johannesburg Plan of Implementation;

Recognising that the CMS family of Agreements is an example of how to catalyse partnerships, in this case among States that share migratory species as a common natural heritage and collaborating organizations;

Aware also that another important outcome of the WSSD was a renewed consensus that significantly reducing the loss of biodiversity is a priority to achieve sustainable livelihoods for all and that the conservation and, where appropriate, sustainable use of migratory species and their habitats can contribute effectively to this while helping to support poverty eradication efforts;

Further aware that Governments agreed at the WSSD to achieve sustainable fisheries, especially the restoration of depleted stocks, by 2015 and that judging a fishery's sustainability must be based not only on the direct impacts on the target fishery itself, but also on the direct and indirect impacts the fishery has on other animals, including those with migratory behaviour, and their habitats; and

Supporting the call at the WSSD for States that have not already done so to ratify biodiversity-related agreements, such as the Convention on the Conservation of Migratory Species of Wild Animals;

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

1. *Takes note* of the Johannesburg Declaration on Sustainable Development;
2. *Urges* Parties and non-Parties, as far as consistent with the text of the Convention, to integrate

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.14.

the conservation and sustainable use of migratory species and their habitats into their policies, plans and programmes in order to implement the Plan of Implementation;

3. *Invites* Parties and non-Parties to increase their efforts to link their national activities to internationally agreed concerted and coordinated programmes, as well as actions initiated by CMS, to conserve and, where appropriate, sustainably use migratory species; and

4. *Urges* those States that have not already done so to sign, ratify or accede to the Convention on Migratory Species and, where appropriate, the Agreements concluded under its aegis.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.11*

FINANCIAL AND ADMINISTRATIVE MATTERS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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 (UNEP) and the Parties to the Convention, with special thanks to the Depositary Government for its annual voluntary contribution of EUR 50,000 in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention;

Noting the very serious economic difficulties being experienced in some Parties which have been brought to the attention of the Standing Committee and the need to allow flexibility in applying the United Nations scale of contributions to the countries affected;

Recognising 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; and

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;

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

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 2003-2005 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;

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.7.

4. *Requests* all Parties to pay their contributions promptly as far as possible but in any case not later than the end of June in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
5. *Takes note* of the medium-term plan for 2003-2008 attached as Annex 3 to this resolution and of the priorities outlined in the Strategic Plan (Resolution 6.4, Cape Town, 1999);
6. *Instructs* the Standing Committee to scrutinise the status of the Trust Fund with particular care inter-sessionally in view of the exceptional withdrawals envisaged to cover the costs of the Eighth Meeting of the Conference of Parties and, assisted by the Scientific Council, to prioritise project proposals to be funded from the Trust Fund for the period 2003-2005;
7. *Invites* Parties to consider the feasibility of providing technical experts to the Secretariat to increase its technical capacity in accordance with the United Nations rules and regulations and to agree on providing modest funding within the approved CMS budget to cover the difference in cost and applicable UNEP overhead charges for such staff;
8. *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;
9. *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;
10. *Takes note* of document UNEP/CMS/Conf.7.13.1 and expresses its concern over the outstanding unpaid pledges to the CMS Trust Fund and *urges* the Governments concerned to pay their contributions in a timely manner;
11. *Approves* the establishment or upgrading of the following posts, subject to the classification of the posts by the United Nations:
 - P4: Inter-Agency Liaison Officer (from 2004)
 - G4: Registry Assistant
 - G5: Administrative Assistant (from G4);
12. *Instructs* the Secretariat to pursue with UNEP the outstanding issues of a G6 Finance Assistant being paid for from UNEP programme support costs, with reference to Resolution 6.8, paragraph 10 (Cape Town, 1999), and to report back to the Standing Committee at its 26th meeting;
13. *Requests* the Executive Director of UNEP to extend the duration of the Trust Fund to 31 December 2005; and
14. *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 2003-2005.

Annex 1 to Resolution 7.11

Budget Estimates for 2003-2005 allocated to functional work units (expressed in US Dollars)

Budget line	Description	2003	2004	2005	Total
	<i>Executive Direction and Management</i>				
1100	Professional staff				
	1 D1, 1 P5, 1 P4	216,000	320,000	322,000	858,000
1300	General Service staff				
	1 G6, 1 G5	93,000	95,000	97,000	285,000
	Subtotal	309,000	415,000	419,000	1,143,000
	<i>External Staff</i>				
1202	Consultancies - COP servicing (salary/travel)	0	0	182,600	182,600
1220	Consultancies - experts	20,000	20,000	20,000	60,000
1321	Temporary assistance	7,000	7,000	11,000	25,000
	Subtotal	27,000	27,000	213,600	267,600
	<i>External Relations</i>				
2252	Projects: Evaluation of CMS implementation	0	10,000	10,000	20,000
2253	Projects: Implementation measures ⁴				0
3301	Standing Committee meeting	15,000	16,000	17,000	48,000
3302	Regional Meetings (co-funding)	30,000	30,000	30,000	90,000
3304	Support to delegates to attend Conference of the Parties	0	0	150,000	150,000
5400	Hospitality	500	500	500	1,500
	Subtotal	45,500	56,500	207,500	309,500
	Total Executive Direction and Management	381,500	498,500	840,100	1,720,100
	<i>Agreement Development and Servicing</i>				
1100	Professional staff				
	1 P4	96,000	97,000	98,000	291,000
1300	General Service staff				
	1 G4	41,000	42,000	43,000	126,000
	Subtotal	137,000	139,000	141,000	417,000
	<i>Range State Meetings</i>				
3305	Siberian Crane Range State meeting	40,000	0	42,000	82,000
3306	Marine Turtle Range State meetings (Africa,IOSEA)	45,000	45,000	45,000	135,000
3307	Houbara Bustard Range State meeting	30,000	0	0	30,000
3308	Sahelo-Saharan Antelopes Range State meeting	45,000	0	45,000	90,000
3309	Great Bustard Range State meeting	0	30,000	0	30,000
3310	Agreement Development ⁴				0
3320	Matching funds for other species-initiatives	30,000	40,000	50,000	120,000
	Subtotal	190,000	115,000	182,000	487,000
	Total Agreement Development and Servicing	327,000	254,000	323,000	904,000
	<i>Scientific and Technical Support</i>				
1100	Professional staff				
	1 P4, 1 Junior Professional Officer (gratis)	115,000	116,000	117,000	348,000
1300	General Service Staff				
	1 G4	41,000	42,000	43,000	126,000
	Subtotal	156,000	158,000	160,000	474,000
2251	Appendix I review reports	0	15,000	15,000	30,000
2254	Projects: Conservation Measures ⁴				0
2255	Strategic Plan Development	10,000	10,000	10,000	30,000
3301	Support to participants to the Scientific Council meeting	0	75,000	75,000	150,000
	Subtotal	10,000	100,000	100,000	210,000
	Total Scientific and Technical Support	166,000	258,000	260,000	684,000

Budget line	Description	2003	2004	2005	Total
	Information and Capacity-Building				
1100	Professional staff				
	1 P4, 1 Junior Professional Officer (gratis)	88,000	89,000	90,000	267,000
1300	General Service staff				
	2 G4	82,000	84,000	86,000	252,000
	Subtotal	170,000	173,000	176,000	519,000
1201	Consultancies - translation	30,000	40,000	55,000	125,000
2273	Information Management Plan ⁵				0
2274	CMS Web site	6,000	6,000	6,000	18,000
5201	Information materials	15,000	15,000	30,000	60,000
5202	Other printing (technical series etc.)	15,000	15,000	25,000	55,000
	Subtotal	66,000	76,000	116,000	258,000
	Total Information and Capacity-Building	236,000	249,000	292,000	777,000
	Administration, Finance and Project Management				
1100	Professional staff				
	1 P3 (OTL) ¹ , 1 Junior Professional Officer (gratis)				0
1300	General Service staff				
	1 G6, 1 G3	91,000	93,000	95,000	279,000
	Subtotal	91,000	93,000	95,000	279,000
	Common secretariat costs				
1601	Travel: Staff on mission	85,000	90,000	95,000	270,000
1602	Travel: Staff to COP8	0	0	30,000	30,000
3201	Staff development	13,500	14,400	15,300	43,200
4100	Office supplies	3,000	3,000	3,000	9,000
4200	Non-expendable equipment	20,000	15,000	10,000	45,000
4300	Premises ³	0	0	0	0
5101	Maintenance of computers	2,000	2,000	2,000	6,000
5102	Maintenance of photocopier	3,000	3,000	3,000	9,000
5301	Communications (fax, telephone)	5,000	5,000	5,000	15,000
5302	Postage and Courier	5,000	5,000	5,000	15,000
5303	Miscellaneous	2,500	2,500	2,500	7,500
5304	Bank charges	500	500	500	1,500
	Subtotal	139,500	140,400	171,300	451,200
	Total Administration, Finance and Project Management	230,500	233,400	266,300	730,200
	Grand subtotal	1,341,000	1,492,900	1,981,400	4,815,300
6000	13% overhead cost	174,330	194,077	257,582	625,989
	Grand total	1,515,330	1,686,977	2,238,982	5,441,289
	Budget for 2001/2002 (for comparison) ²	1,504,595	1,504,595	1,820,430	4,829,620
	Increase in comparison to 2001/2002 budget	10,735	182,382	418,552	611,669
1202	Less withdrawal from Trust Fund for consultancies - COP8 servicing (salary/travel)	0	0	182,600	182,600
3304	Less withdrawal from Trust Fund reserve for support to delegates to attend COP8	0	0	150,000	150,000
	Less withdrawal from Trust Fund reserve to reduce contributions	50,000	50,000	50,000	150,000
	Budget to be shared by the Parties	1,465,330	1,636,977	1,856,382	4,958,689
	Budget for 2001/2002 (for comparison) ²	1,454,595	1,454,595	1,770,430	4,679,620
	Increase in comparison to 2001/2002 budget	10,735	182,382	85,952	279,069
	Increase in comparison to 2001/2002 budget (%)	0.74	12.54	4.85	5.96

¹ Funding from OTL

² For 2003 the budget from 2001 has been used for comparison
For 2004 the budget from 2001 has been used for comparison
For 2005 (year of the COP) the budget from 2002 has been used

³ Paid by Host Government as long as the Secretariat remains in Germany

⁴ Projects to be financed from withdrawal from the CMS Trust Fund:

Budget line	Description	2003	2004	2005	Total
2253	Projects: Implementation measures	111,666	111,667	111,667	335,000
2254	Projects: Conservation Measures	166,666	166,667	166,667	500,000
3310	Agreement Development	41,666	41,667	41,667	125,000
	Total	319,998	320,001	320,001	960,000
Average per year of triennium					320,000
Comparison to 2001-2002 biennial budget					350,000
Decrease in comparison to 2001-2002 budget					(8.57%)

⁵ Projects to be financed by voluntary contribution and/or Trust Fund surplus:

Budget line	Description	2003	2004	2005	Total
2273	Information Management Plan	35,000	30,000	75,000	140,000

Annex 2 to Resolution 7.11

SCALE OF CONTRIBUTIONS TO THE TRUST FUND

N°	Party	UN Scale in %	2003	2004	2005
		2003	Contributions	Contributions	Contributions
1	Albania	0.003	96	107	122
2	Argentina	1.149	36,779	41,087	46,594
3	Australia	1.627	52,080	58,180	65,978
4	Belgium	1.129	36,139	40,372	45,783
5	Benin	0.002	64	72	81
6	Bulgaria	0.013	416	465	527
7	Burkina Faso	0.002	64	72	81
8	Cameroon	0.009	288	322	365
9	Chad	0.001	32	36	41
10	Chile	0.212	6,786	7,581	8,597
11	Congo	0.001	32	36	41
12	Croatia	0.039	1,248	1,395	1,582
13	Cyprus	0.038	1,216	1,359	1,541
14	Czech Republic	0.203	6,498	7,259	8,232
15	Democratic Republic of the Congo	0.004	128	143	162
16	Denmark	0.749	23,975	26,784	30,374
17	Egypt	0.081	2,593	2,897	3,285
18	Finland	0.522	16,709	18,666	21,168
19	France	6.466	206,975	231,219	262,210
20	Gambia	0.001	32	36	41
21	Georgia	0.005	160	179	203
22	Germany	9.769	312,703	349,332	396,154
23	Ghana	0.005	160	179	203
24	Greece	0.539	17,253	19,274	21,858
25	Guinea	0.003	96	107	122
26	Guinea-Bissau	0.001	32	36	41
27	Hungary	0.120	3,841	4,291	4,866
28	India	0.341	10,915	12,194	13,828
29	Ireland	0.294	9,411	10,513	11,922
30	Israel	0.415	13,284	14,840	16,829
31	Italy	5.065	162,121	181,112	205,386
32	Jordan	0.008	256	286	324
33	Kenya	0.008	256	286	324
34	Latvia	0.010	320	358	406
35	Libya	0.067	2,145	2,396	2,717
36	Liechtenstein	0.006	192	215	243
37	Lithuania	0.017	544	608	689
38	Luxembourg	0.080	2,561	2,861	3,244
39	Mali	0.002	64	72	81
40	Malta	0.015	480	536	608
41	Mauritania	0.001	32	36	41

42	Monaco	0.004	128	143	162
43	Mongolia	0.001	32	36	41
44	Morocco	0.044	1,408	1,573	1,784
45	Netherlands	1.738	55,633	62,150	70,480
46	New Zealand	0.241	7,714	8,618	9,773
47	Niger	0.001	32	36	41
48	Nigeria	0.068	2,177	2,432	2,758
49	Norway	0.646	20,678	23,100	26,197
50	Pakistan	0.061	1,953	2,181	2,474
51	Panama	0.018	576	644	730
52	Paraguay	0.016	512	572	649
53	Peru	0.118	3,777	4,220	4,785
54	Philippines	0.100	3,201	3,576	4,055
55	Poland	0.378	12,100	13,517	15,329
56	Portugal	0.462	14,788	16,521	18,735
57	Republic of Moldova	0.002	64	72	81
58	Romania	0.058	1,857	2,074	2,352
59	Sao Tome and Principe	0.001	32	36	41
60	Saudi Arabia	0.554	17,733	19,811	22,466
61	Senegal	0.005	160	179	203
62	Slovakia	0.043	1,376	1,538	1,744
63	Slovenia	0.081	2,593	2,897	3,285
64	Somalia	0.001	32	36	41
65	South Africa	0.408	13,060	14,590	16,545
66	Spain	2.519	80,624	90,069	102,141
67	Sri Lanka	0.016	512	572	649
68	Sweden	1.027	32,866	36,716	41,637
69	Switzerland	1.274	40,780	45,557	51,663
70	Tajikistan	0.001	32	36	41
71	The FYR of Macedonia	0.006	192	215	243
72	Togo	0.001	32	36	41
73	Tunisia	0.030	960	1,073	1,217
74	Uganda	0.005	160	179	203
75	Ukraine	0.053	1,697	1,895	2,149
76	United Kingdom of Great Britain and Northern Ireland	5.536	177,206	197,963	224,496
77	United Republic of Tanzania	0.004	128	143	162
78	Uruguay	0.080	2,561	2,861	3,244
79	Uzbekistan	0.011	352	393	446
80	EC *		36,633	40,924	46,410
	Total	44.63	1,465,330	1,636,977	1,856,382

* Contribution of the European Community (2.5 percent of administrative costs, excluding any project costs).

Annex 3 to Resolution 7.11

Medium Term Plan 2003-2008

Budget Line	Descriptions	Estimated costs in United States Dollars					
		2003	2004	2005	2006	2007	2008
1100	Professional staff	515,000	622,000	627,000	540,750	653,100	658,350
1200	Consultants	50,000	60,000	257,600	52,500	63,000	270,480
1300	Administrative support	355,000	363,000	375,000	372,750	381,150	393,750
1600	Travel on official business	85,000	90,000	125,000	89,250	94,500	131,250
2200	Subcontracts and Subprojects	16,000	41,000	41,000	16,800	43,050	43,050
3300	Meetings and Training	248,500	250,400	469,300	260,925	262,920	492,765
4000	Equipment	23,000	18,000	13,000	24,150	18,900	13,650
5100	Operation and Maintenance	5,000	5,000	5,000	5,250	5,250	5,250
5200	Reporting costs and information material	30,000	30,000	55,000	31,500	31,500	57,750
5300	Sundry (communications)	13,000	13,000	13,000	13,650	13,650	13,650
5400	Hospitality	500	500	500	525	525	525
6000	UNEP Administrative costs	174,330	194,077	257,582	183,047	203,781	270,461
		1,515,330	1,686,977	2,238,982	1,591,097	1,771,326	2,350,931
	Less annual contribution from Trust Fund reserve for conservation measures			332,600			
	Less withdrawal from Trust Fund reserve to reduce contributions	50,000	50,000	50,000			
Total		1,465,330	1,636,977	1,856,382	1,591,097	1,771,326	2,350,931

Annex 4 to Resolution 7.11

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 2003 and ending 31 December 2005.
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 2005, the Executive Director of UNEP shall be so advised in writing immediately after the Eighth 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 2003-2005 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 22 per cent of the budget, the contribution of that Party shall be 22 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 installments. The contributions shall be due on 1 January 2003, 2004 and 2005.

Contributions shall be paid into the following account:

UNEP Trust Fund
Account No. 485 000 326
J.P. Morgan Chase
International Agencies Banking
1166 Avenue of the Americas, 17th Floor
New York, N.Y. 10036-2708, USA
Wire transfers: Chase ABA number 021000021
SWIFT number BIC-CHASUS33
CHIPS participant number 0002

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 2003-2008, inclusive, and shall incorporate the budget for the financial period 2003-2005.

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 calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second calendar year, 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 period¹, the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, 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 2003 to 31 December 2005.

* * *

¹ The calendar year 1 January to 31 December is the accounting and financial year, but the accounts official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year have to be closed, and it is only then that the Executive Director can submit the accounts of the previous calendar year.

RESOLUTION 7.12*

INSTITUTIONAL ARRANGEMENTS: SCIENTIFIC COUNCIL

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling Resolution 6.7 adopted by the Conference of the Parties at its sixth meeting (Cape Town, 1999), concerning institutional arrangements for the Scientific Council;

Aware that the Scientific Council, as a consequence of the ever-growing number of Parties to CMS, has seen a corresponding growth in its membership, and that a review of its working practice is desirable to optimise its productivity and capability to deal with the scientific and technical aspects of numerous issues relevant to the conservation and sustainable use of migratory species;

Noting that the Scientific Council, at its 11th meeting held in Bonn from 14-17 September 2002, recommended the development of a strategy to guide the work of the Council, and has already commenced reflection on its working practices; and

Noting further the recommendation of the 11th meeting of the Scientific Council concerning the appointment of a new expert councillor for birds, as a consequence of the retirement from the Council of Dr. Michael Moser;

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

1. *Confirms* the continued application of all of the arrangements defined by Resolution 6.7, unless otherwise stipulated by this resolution;
2. *Decides* to formalise the involvement of the advisory bodies to CMS Agreements in the deliberations of the Scientific Council, by inviting them to participate as observers in the meetings of the Scientific Council;
3. *Instructs* the Scientific Council to produce a strategy on its scientific and conservation work, taking account of the ecology of species listed in the CMS Appendices as well as the factors which may threaten or endanger migratory species, leading to clear priorities for action and including appropriate consideration of monitoring the implementation of such a strategy;
4. *Further instructs* the Scientific Council to develop and provide, through the Secretariat, an information pack for Parties providing clear guidance on the *modus operandi* of the Scientific Council;
5. *Strongly encourages* Parties that have not already done so to duly nominate, in accordance with Article VIII of the Convention, a representative to serve on the Scientific Council and to provide

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.6.

all necessary contact details to the Secretariat, and to avail themselves of the possibility to appoint an alternate Councillor to attend Council meetings in the absence of the primary Councillor and/or to bring additional national expertise to the Council's deliberations;

6. *Notes* that Article VIII of the Convention provides also for the appointment by the Conference of the Parties of suitably qualified experts;

7. *Decides* to appoint for the 2003-2005 triennium the following six experts, with a view to providing expertise in specific areas:

- Dr. Colin Limpus (Australia) - marine turtles;
- Mr. John O'Sullivan (United Kingdom) - birds;
- Dr. William Perrin (United States) - marine mammals and large fishes;
- Dr. Pierre Pfeffer (France) - large terrestrial mammals;
- Dr. Roberto Schlatter (Chile) - Neotropical fauna; and
- Mr. Noritaka Ichida (Japan) - Asiatic fauna; and

8. *Determines* that expenses for the development of a scientific strategy be covered from the core budget or from voluntary contributions specifically granted to develop the strategy.

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Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.13*

HEADQUARTERS AGREEMENT FOR, AND JURIDICAL PERSONALITY OF, THE CONVENTION SECRETARIAT

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling Article IX of the Convention on the Conservation of Migratory Species of Wild Animals (1979), Decision 12/14, section IV, of the Governing Council of the United Nations Environment Programme (UNEP), of 1984, and Resolution 1.3 of the Conference of the Parties (Bonn, 1985), establishing the Convention Secretariat;

Further recalling the Secretariat's and the Federal Government of Germany's reports on the Headquarters Agreement to the Fifth and Sixth meetings of the Conference of Parties as well as the reports of the 16th, 18th, 19th, 20th, 22nd and 23rd meetings of the Standing Committee;

Noting with appreciation the generous support that the Convention Secretariat has received from the host Government on the basis of the Headquarters Agreement concluded in 1984 between the responsible representatives of the United Nations and the Government of the Federal Republic of Germany; and

Desiring to clarify the international juridical personality of the Convention Secretariat;

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

1. *Welcomes and endorses* the Agreement between the Government of the Federal Republic of Germany, the United Nations and the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals concerning the Headquarters of the Convention Secretariat;
2. *Recommends* the implementation of article 2, paragraph 2, of the Headquarters Agreement to the responsible bodies of the Agreements whose secretariats have been administratively integrated with the Convention Secretariat; and
3. *Notes* the current situation regarding the Secretariat's international juridical personality and defers further consideration of the matter until its Eighth Meeting.

* * *

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.8.



Convention on the Conservation of Migratory Species of Wild Animals



RESOLUTION 7.14*

DATE, VENUE AND FUNDING OF THE EIGHTH MEETING OF THE CONFERENCE OF THE PARTIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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”;

Recalling also Resolution 4.4 (Nairobi, 1994), Action point 2.2, which states that meetings of the Conference of the Parties should be held at intervals of roughly 2 ½ to 3 years and that Parties should be encouraged to host them in order to raise the profile of CMS in other regions; and

Recognising 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;

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

1. *Commends* the Government of the Federal Republic of Germany for having taken the initiative to host the Seventh Meeting of the Conference of the Parties in an exemplary manner and expresses its gratitude for having contributed significant resources to the organization of the meeting;
2. *Invites* Parties which may have an interest in hosting the Eighth Meeting to inform the Secretariat accordingly no later than 31 December 2003; and
3. *Instructs* the Standing Committee at its first meeting following the 31 December 2003 deadline to review the offers received and, subject to receipt of sufficient information, to decide upon the most suitable venue.

* * *

* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.9.

RESOLUTION 7.15

FUTURE ACTION ON THE ANTARCTIC MINKE, BRYDE'S AND PYGMY RIGHT WHALES UNDER THE CONVENTION ON MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recalling that the 11th meeting of the CMS Scientific Council recognised a range of indirect threats that can adversely impact marine species, including great whales;

Further recalling that, at the same meeting, the Scientific Council noted the proposals to include Antarctic minke, Bryde's and Pygmy right whales on CMS Appendix I contained key data and information gaps as well as a number of technical inaccuracies which resulted in it not being able to reach a consensus view on these proposals;

Noting that the Scientific Council was therefore unable to recommend, at this time, Appendix I listing for Antarctic minke, Bryde's and Pygmy right whales, and invited Parties to further develop the proposals; and

Further noting that the Scientific Council also recognised the ongoing conservation needs of the Antarctic minke, Bryde's and Pygmy right whales and that the outcomes of its deliberations should not be seen by the Seventh Meeting of the Conference of the Parties, or others, as downplaying in any sense the conservation needs of these species;

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

1. *Calls on* Parties, that are Range States for Antarctic minke, Bryde's and Pygmy right whales to take action to identify the status of the populations of these great whales, to determine the nature and scope of threats to those species and, in doing so, to address the key data and information gaps in the proposals for listing the Antarctic minke, Bryde's and Pygmy right whales on Appendix I of the Convention, with a view to revising the proposals for future consideration by the Scientific Council;
2. *Supports* concerted actions as well as international and regional cooperation to ensure the conservation and recovery of all great whales currently listed on the CMS Appendices; and
3. *Recommends* that Parties and international and regional organizations with a role to play in the conservation of the Antarctic minke, Bryde's and Pygmy right whales maintain and, where possible, enhance current measures to ensure the conservation of these species of great whales.

* * *



Convention on the Conservation of Migratory Species of Wild Animals



**Proceedings of the Seventh Meeting of the Conference of the Parties:
Part I, Annex X**

RECOMMENDATIONS

ADOPTED BY THE CONFERENCE OF THE PARTIES AT ITS SEVENTH MEETING

RECOMMENDATION 7.1

COOPERATIVE ACTIONS FOR APPENDIX II SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Noting that there are species or populations of species listed in Appendix II that have an unfavourable conservation status and which require urgent cooperation at the international level for their conservation and management;

Aware that not all such species are currently the object of an Agreement or can reasonably be expected to become the object of an Agreement to assist with their conservation; and

Noting further the conclusions and recommendations of the 11th meeting of the Scientific Council (Bonn, 14-17 September 2002);

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

1. *Recommends* that the Parties undertake cooperative action to improve the conservation status of these species;
2. *Instructs* the Scientific Council to prepare for each meeting of the Conference of the Parties a list of such Appendix II species requiring special attention within the forthcoming reporting period;
3. *Directs* the Secretariat to assist the Scientific Council in establishing this review process, ensuring that a regular update of status is provided by the relevant focal point Councillor;
4. *Endorses* the recommendation of the Scientific Council at its 11th meeting that activities for species covered by Recommendations 5.2 and 6.2 be continued for a further three years (2003-2005), such that the list of species for which cooperative actions should either be continued or commence, as appropriate, is as appears in the table attached to this recommendation;
5. *Recommends* that the following species should also be the subject of cooperative action: Marine mammals: the porpoise *Neophocoena phocaenoides*; the dolphins *Sousa chinensis*, *Tursiops aduncus*, *Stenella attenuata*, *Stenella longirostris*, *Lagenodelphis hosei* and *Orcaella brevirostris*; and the Dugong *Dugong dugon*; Birds: *Polystictus pectoralis pectoralis*, *Sporophila ruficollis*, *Pseudocolaptes auratus*; and
6. *Instructs* the Scientific Council to review the current practice in relation to the identification and implementation of cooperative actions for Appendix II species and to agree, at its 12th meeting, an amended procedure in this regard, taking into account the comparable review undertaken at its 11th meeting with respect to Concerted Action species, to be submitted to the Eighth Meeting of the Conference of the Parties.

SPECIES DESIGNATED FOR COOPERATIVE ACTIONS BY THE 5th, 6th and 7th MEETINGS OF
THE CONFERENCE OF THE PARTIES TO CMS

Year of adoption	Recommendation	Scientific name
1997	5.2	<i>Crex crex</i>
	5.2	<i>Coturnix coturnix coturnix</i>
	5.2	<i>Cygnus melanocorypha</i>
1999	6.2	<i>Macronectes halli</i>
	6.2	<i>Macronectes giganteus</i>
	6.2	<i>Procellaria aequinoctialis</i>
	6.2	<i>Procellaria conspicillata</i>
	6.2	<i>Procellaria cinerea</i>
	6.2	<i>Procellaria parkinsoni</i>
	6.2	<i>Procellaria westlandica</i>
	6.2	All Albatrosses
	6.2	<i>Rhincodon typus</i>
	6.2	<i>Acipenser baerii baicalensis</i>
	6.2	<i>Acipenser gueldenstaedtii</i>
	6.2	<i>Acipenser medirostris</i>
	6.2	<i>Acipenser mikadoi</i>
	6.2	<i>Acipenser naccarii</i>
	6.2	<i>Acipenser nudipectus</i>
	6.2	<i>Acipenser pericus</i>
	6.2	<i>Acipenser ruthenus</i>
	6.2	<i>Acipenser schrenckii</i>
	6.2	<i>Acipenser sinensis</i>
	6.2	<i>Acipenser stellatus</i>
	6.2	<i>Acipenser sturio</i>
	6.2	<i>Huso dauricus</i>
	6.2	<i>Huso huso</i>
	6.2	<i>Pseudoscaphirhynchus fedtschenkoi</i>
	6.2	<i>Pseudoscaphirhynchus hermanni</i>
	6.2	<i>Pseudoscaphirhynchus kaufmanni</i>
	6.2	<i>Psephurus gladius</i>
	6.2	<i>Loxodonta africana</i>
	6.2	<i>Spheniscus demersus</i>
	6.2	<i>Pontoporia blainvillei</i>
	6.2	<i>Lagenorhynchus australis</i>
	6.2	<i>Lagenorhynchus obscurus</i>
	6.2	<i>Phocoena spinipinnis</i>
	6.2	<i>Phocoena dioptrica</i>
	6.2	<i>Cephalorhynchus commersonii</i>
	6.2	<i>Cephalorhynchus eutropia</i>
2002	7.1	<i>Neophocoena phocaenoides</i>
	7.1	<i>Sousa chinensis</i>
	7.1	<i>Tursiops aduncus</i>
	7.1	<i>Stenella attenuata</i>
	7.1	<i>Stenella longirostris</i>
	7.1	<i>Lagenodelphis hosei</i>
	7.1	<i>Orcaella brevirostris</i>
	7.1	<i>Dugong dugon</i>
	7.1	<i>Polystictus pectoralis pectoralis</i>
	7.1	<i>Sporophila ruficollis</i>
	7.1	<i>Pseudocolaptes auratus</i>

* * *

RECOMMENDATION 7.2

IMPLEMENTATION OF RESOLUTION 6.2 ON BY-CATCH

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Concerned that, notwithstanding recent developments addressing the problem, by-catch remains one of the major causes of mortality of migratory species from human activities in the marine environment;

Noting that the Sixth Meeting of the Conference of the Parties adopted Resolution 6.2 (By-catch) with a view to stimulating remedial measures by Parties; and

Encouraging proper implementation of Resolution 6.2 in the shortest possible period of time and an adequate assessment of its outcomes;

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

Calls on Range State Parties, working through regional fisheries management organizations and agreements, as appropriate, to:

- (a) Compile information and take action regarding fishing activities in waters under their jurisdiction, or by flagged fishing vessels under their jurisdiction or control, as the very first step to address the problem, covering:
 - i. resources targeted;
 - ii. resources being caught accidentally;
 - iii. effects on the resource being caught accidentally (estimate total by-catch in the fishery(ies) and population impact); and
 - iv. implementation of mitigation measures;
- (b) Implement appropriate schemes (including, where appropriate, onboard observers) for fisheries within waters under their jurisdiction, or carried out by flagged fishing vessels under their jurisdiction or control, in order to determine the impact of fisheries by-catch on migratory species. Where relevant, this should be carried out in the context of FAO's International Plans of Action on Seabirds and Sharks;
- (c) Encourage research proposals in geographical areas in which there is a particular lack of information and that, at the same time, are not covered by currently existing CMS Agreements. In particular, information is needed on:
 - i. artisanal fisheries, generally;
 - ii. pelagic and bottom trawling, and purse seine fisheries;

- iii. in the case of cetaceans, special attention is to be paid to South, Southeast and East Asia and West Africa;
 - iv. for turtles, these include long-line fisheries in the Pacific Ocean and impacts on Olive ridley turtles in South Asia;
 - v. for birds, South America and northern gillnet fisheries; and
 - vi. for sharks, all fisheries; and
- (d) Consider and implement ways and means to reduce the amount of discarded and lost nets and other detrimental fishing gear both within their maritime zones and on the high seas, as well as ways and means of minimising such losses from vessels flying their flag.

* * *

RECOMMENDATION 7.3

**REGIONAL COORDINATION FOR SMALL CETACEANS AND SIRENIANS
OF CENTRAL AND WEST AFRICA**

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Noting the results of the Conakry Workshop on the Conservation and Management of Small Cetaceans of the African Coast (8-12 May 2000);

Noting in particular the inclusion of the West African manatee *Trichechus senegalensis* on Appendix II of CMS;

Noting that coastal communities of the Atlantic Ocean and those living along inland waters value these small cetaceans and sirenians for their heritage, economic, scientific, tourism and educational value as a significant component of the world's biodiversity;

Aware that threats to these species, notably destruction or modification of habitats by the development of coastal areas and of the riverbanks of inland waters, pollution, agriculture, increasing mortality and by-catch could, if not properly managed, lead to further decline in their populations;

Further aware that these migratory species can move between national jurisdictions;

Acknowledging the initiatives that have been undertaken by several national and international institutions in the Range States with a view to improving the knowledge on these species and on the threats to them;

Recognising that the conservation and sustainable management of small cetacean and sirenian populations in the riparian countries and of sirenian populations in the landlocked countries, as well as of their habitats in the Central and West African region, is a responsibility that needs to be shared; and

Noting the keen interest in promoting the transfer of the experience gained within CMS and its relevant Agreements;

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

1. *Encourages*, on the basis of the recommendations of the Conakry Workshop and of the main concerns expressed by the landlocked countries, all Parties in the distribution range to consider the establishment of a memorandum of understanding on these species and the implementation of collaborative actions, notably through action plans, which would consider the particular characteristics of inland and marine waters;

2. *Encourages* the participation of all stakeholders, including government agencies responsible for the conservation and management of small cetaceans and sirenians, as well as relevant non-governmental organizations and the international scientific community;
3. *Recognises* the need to promote the conservation of these species with the actors of civil society including those outside the area, such as oil companies, fish and aquaculture industries, and tourist operators;
4. *Recommends* the countries of the region to designate as soon as possible a coordinator for the preparatory phase of the memorandum of understanding; and
5. *Recommends* multilateral and bilateral technical and financial partners to facilitate the implementation of this recommendation.

* * *

RECOMMENDATION 7.4*

**REGIONAL COORDINATION FOR SMALL CETACEANS AND DUGONGS
OF SOUTHEAST ASIA AND ADJACENT WATERS**

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Noting the outcome of the Second International Conference on Marine Mammals of Southeast Asia conducted in Dumaguete, Philippines (22-26 July 2002);

Noting in particular the inclusion of several small cetacean species (*Neophocaena phocaenoides*, *Sousa chinensis*, *Tursiops aduncus*, *Stenella longirostris*, *S. attenuata*, *Orcaella brevirostris*, and *Lagenodelphis hosei*) and the Dugong (*Dugong dugon*) on Appendix II of CMS and on the list of species for cooperative action;

Noting that coastal communities of Southeast Asia and adjacent waters and those living along inland waters value these species for their socio-economic, cultural, scientific, tourism, ecosystem, and educational significance;

Recognising that whales and dolphins play a major role in the maintenance of population dynamics, balance, and functionality of the food web;

Recognising further that illegal and indiscriminate catch of these and other large marine animals continues in Southeast Asian countries, thereby jeopardizing the integrity and viability of the marine ecosystem;

Aware that threats to these species include most notably incidental and deliberate mortality, habitat destruction and modification due to coastal and river bank development, and pollution;

Recognising that these species are migratory and can move across national boundaries and jurisdictions;

Acknowledging the initiatives on small cetacean and sirenian conservation that have been undertaken by countries in the regions, including in Australia, Cambodia, India, Indonesia, Malaysia, Philippines, Singapore, Thailand, and Vietnam;

Recognising the need for shared responsibility for the conservation and sustainable management of small cetacean and sirenian populations and their habitats in Southeast Asia and adjacent waters; and

Noting the interest in promoting the transfer of the experience gained within CMS and relevant Agreements;

* The original draft of this recommendation, considered by the Conference of the Parties, was numbered 7.8.

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

1. *Encourages*, on the basis of the recommendations of the Dumaguete conference, all Parties and Range States in the distribution range to consider the establishment of an appropriate instrument of cooperation for the conservation of these species, which would consider the particular characteristics of inland and marine waters;
2. *Encourages* the participation of all stakeholders, including government agencies responsible for the conservation and management of small cetaceans and sirenians, as well as non-governmental organizations and the international scientific community;
3. *Recognises* the need to promote the conservation of these species with various sectors of society including oil companies, fish and aquaculture industries, and tourist operators;
4. *Recommends* that the countries of the region designate as soon as possible a coordinator for the preparatory phase of the appropriate instrument; and
5. *Recommends* multilateral and bilateral technical and financial partners to facilitate the implementation of this recommendation.

* * *

RECOMMENDATION 7.5*

**RANGE STATE AGREEMENT FOR DUGONG (*Dugong dugon*)
CONSERVATION**

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recognising that Article II of the Convention requires all Parties to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II of the Convention;

Noting that Dugongs have a large range that spans some 37 countries and territories, and includes tropical and subtropical coastal and inland waters;

Recalling that Dugongs are long-lived with a low reproductive rate and high investment in each offspring, making the species vulnerable to over-exploitation;

Noting that throughout much of its range the Dugong remains in relict populations, many separated by large areas where its numbers have been greatly reduced or where it is already extirpated;

Aware that Dugongs are vulnerable to anthropogenic influences because of their life history and distribution along coastal habitats, where they are often under pressure from human development and hunting activities;

Acknowledging that Dugongs are culturally significant to communities throughout their range and are still traditionally hunted in a number of areas;

Aware that Dugong products, such as meat, oil, medicaments, amulets and other products, are still highly valued over parts of the species' range; and

Recalling that all populations of the species are listed under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) prohibiting international trade in the species and its parts;

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

1. *Urges* Parties that are Range States for Dugong to take action to identify the conservation status of populations and to determine the nature and scope of threats to those populations within their national jurisdictions;

* The original draft of this recommendation, considered by the Conference of the Parties, was numbered 7.7.

2. *Requests* Parties that have known breeding and habitat sites for Dugong within their national jurisdictions to cooperate for the conservation and management of Dugong throughout the species' range;
3. *Recommends* that all Range States of Dugong cooperate among themselves, as appropriate, and participate actively to develop and conclude a memorandum of understanding and an action plan for the conservation and management of Dugong throughout the species' range;
4. *Calls upon* the Standing Committee and the Scientific Council to review progress and to propose any appropriate urgent actions required to the Conference of the Parties at its Eighth Meeting; and
5. *Further urges* international organizations and non-governmental organizations, including regional economic organizations, having biodiversity conservation in their mandate, to provide appropriate assistance, including technical and financial support, for the conservation and management of the Dugong.

* * *

RECOMMENDATION 7.6

**IMPROVING THE CONSERVATION STATUS OF THE
LEATHERBACK TURTLE (*Dermochelys coriacea*)**

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Recognising that the Leatherback turtle (*Dermochelys coriacea*) is listed in Appendix I and Appendix II of CMS and is also categorised as endangered in the IUCN Red List (2001);

Concerned that recent surveys of *Dermochelys coriacea* in the Pacific Ocean indicate that breeding populations have declined by more than 90% over the last two decades and that these population declines are continuing;

Noting that fisheries by-catch, including that from distant water fishing fleets, has been identified as one of the most significant impacts contributing to the *Dermochelys coriacea* population declines in the Pacific Ocean;

Recognising the intent of Resolution 6.2 (Cape Town, 1999) to reduce fisheries by-catch on migratory species of concern to the Parties to the Convention;

Noting that the distribution and current status of *Dermochelys coriacea* in the eastern Atlantic, Indian and Western Pacific Ocean regions have not been comprehensively monitored;

Concerned that the harvest of *Dermochelys coriacea*, whether it be turtles or their eggs, by coastal communities is widespread and unsustainable in many countries, including some Range States within the western Pacific, Indian and eastern Atlantic Oceans; and

Acknowledging that the Leatherback turtle is culturally significant to some communities and that some harvesting may be permitted within the context of traditional harvest in accordance with Article III, paragraph 5, of the Convention;

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

1. *Urges* the Range States of the Pacific Ocean, Indian Ocean and eastern Atlantic Ocean regions:
 - (a) to implement Resolution 6.2 and Recommendation 7.2;
 - (b) to identify the breeding sites for *Dermochelys coriacea* and to quantify the size of these breeding populations;

- (c) to identify a suitable index site within each recognized management unit and establish a monitoring program at such index sites to determine population trends and responses to management actions;
 - (d) to monitor the traditional harvest and prevent commercial harvest of *Dermochelys coriacea* turtles and/or eggs, within national waters and on nesting beaches;
 - (e) to promote activities to enhance the maintenance of secure and safe nesting habitat and to increase the nesting success for *Dermochelys coriacea*;
 - (f) to promote activities that will increase the production of healthy, correctly imprinted *Dermochelys coriacea* hatchlings of both sexes into the sea; and
 - (g) to engage in cooperative activities with neighbouring countries to promote sustainable management of this shared resource, including conducting training workshops to enhance the conservation and management of *Dermochelys coriacea* nesting beaches;
2. *Invites* the CMS Scientific Council to develop guidelines for managing sustainable and humane harvests of *Dermochelys coriacea* turtles and/or their eggs by traditional communities;
3. *Urges* the Signatory States to the Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa and the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia to give a high priority within the respective Conservation Plans to the implementation of projects to enhance the conservation status of *Dermochelys coriacea*; and
4. *Further urges* non-governmental organizations and international organizations that have the conservation of biodiversity within their mandate to provide appropriate technical, logistical and financial assistance for the conservation and management of *Dermochelys coriacea*.

* * *

RECOMMENDATION 7.7*

AMERICA PACIFIC FLYWAY PROGRAMME

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

Noting the various ongoing activities in the Central (Panama) and South American Region for the protection of migratory species of waterbirds, such as the Western Hemisphere Shorebird Reserve Network, the Neotropical Waterbird Census, as well as projects under the auspices of CMS such as those concerning Andean flamingoes and the Ruddy-headed goose;

Noting the original initiative by the late Lic. Pablo Canevari to bring many activities together and to establish an America Pacific Flyway Agreement under the Bonn Convention;

Further noting the work undertaken by the Government of the Netherlands and Wetlands International to develop the original initiative further into a programme proposal: “Wetlands and Birds of the Americas” published as a draft in June 2001, also known as the “The America Pacific Flyway Programme”, and presently subject to an intensive consultation process in the region as well as in North America;

Aware of the great importance of the region for migratory waterbirds and their habitats, as cited in “Wetlands of South America: An Agenda for Biodiversity Conservation and Policies Development” (Wetlands International, 2001) and of the great need for conservation of the entire flyway, preferably within the framework of a multilateral flyway Agreement on the basis of Article IV of the Convention;

Noting the important habitat changes in wintering grounds, particularly for shorebirds, and the indications of a decrease in numbers for almost all species;

Aware also of the strong emphasis in the draft programme on capacity building, community involvement, international co-operation and the gathering of important data for the management of waterbird populations and their habitats, such as the South American Wetland Assessment and the Neotropical Waterbird Census; and

Anxious to see the programme being implemented in due time as an important contribution to the general aims of CMS and with a view towards the possible development of a more formal flyway Agreement such as that developed for African-Eurasian migratory waterbirds;

* The original draft of this recommendation, considered by the Conference of the Parties, was numbered 7.4.

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

1. *Calls* on the Range States involved, whether or not a Party to CMS, to support further the development of the America Pacific Flyway Programme;
2. *Calls* on the Secretariat to support this initiative as appropriate; and
3. *Encourages* interested Parties to further support the development process together with the CMS Parties in the region and to consider funding once the programme's development has been finalised and the programme is ready for implementation.

* * *

Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex XI

SPECIES ADDED TO APPENDICES I AND II
BY THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES TO CMS*

LISTE DES ESPÈCES AJOUTÉES AUX ANNEXES I ET II LORS DE LA SEPTIÈME
SESSION DE LA CONFÉRENCE DES PARTIES A LA CMS*

LISTA DE ESPECIES AÑADIDAS A LOS APÉNDICES I Y II EN LA SÉPTIMA REUNIÓN
DE LA CONFERENCIA DE LAS PARTES*

APPENDIX I / ANNEXE I / APÉNDICE I

Scientific Name / Nom scientifique / Nombre Científico	Common name / Nom commun / Nombre común			Proponent / Partie / Parte
Ordo/Familia/Species	English	Français	Español	
MAMMALIA				
CETACEA				
Balaenopteridae				
<i>Balaenoptera physalus</i>	Fin whale	Baleinoptère commun, Rorqual commun	Ballena aleta, Rorcual común	AUSTRALIA
<i>Balaenoptera borealis</i>	Sei whale	Rorqual Sei, Baleinoptere de Rudolphi	Ballena sei, Rorcual boreal	AUSTRALIA
Physeteridae				
<i>Physeter macrocephalus</i>	Sperm whale	Cachalot	Ballena esperma	AUSTRALIA
Platanistidae				
<i>Platanista gangetica gangetica</i>	Ganges river dolphin			INDIA
ARTIODACTYLA				
Camelidae				
<i>Camelus bactrianus</i>	Wild or Bactrian camel			MONGOLIA

* Other references to taxa higher than species are for the purpose s of information or classification only.
Les autres références à des taxons supérieurs à l'espèce sont données uniquement à titre d'information ou à des fins de classification.
Las demás referencias a taxones superiores a las especies se incluyen exclusivamente a título informativo o con fines de clasificación.

Scientific Name / Nom scientifique / Nombre Científico	Common name / Nom commun / Nombre común			Proponent / Partie / Parte
Ordo/Familia/Species	English	Français	Español	
AVES				
PROCELLARIIFORMES				
Procellariidae				
<i>Puffinus creatopus</i>	Pink-footed shearwater		Fardela de ventre blanco, Fardela blanca	CHILE
Pelecanoididae				
<i>Pelecanoides garnotii</i>	Peruvian diving petrel	Puffinure de garnot	Pato yunco	CHILE, PERU
CICONIIFORMES				
Ardeidae				
<i>Gorsachius goisagi</i>	Japanese night heron			PHILIPPINES
Threskiornithidae				
<i>Platalea minor</i>	Black-faced spoonbill			PHILIPPINES
ANSERIFORMES				
Anatidae				
<i>Anser cygnoides</i>	Swan goose	Oie cygnoide		MONGOLIA
<i>Anas formosa</i>	Baikal teal	Sarcelle elegante, Canard de Formose	Cerceta del Baikal	MONGOLIA
FALCONIFORMES				
Accipitridae				
<i>Haliaeetus leucoryphus</i>	Pallas' sea-eagle, Pallas' fishing eagle	Pygargue de Pallas	Pigargo de Pallas	MONGOLIA
GRUIFORMES				
Gruidae				
<i>Grus vipio</i>	White-naped crane	Grue a cou blanc	Grulla cuelliblanca	MONGOLIA
<i>Grus monacha</i>	Hooded crane	Grue moine	Grulla monjita	MONGOLIA
CHARADRIIFORMES				
Scolopacidae				
<i>Tringa guttifer</i>	Spotted greenshank			PHILIPPINES
<i>Eurynorhynchus pygmeus</i>	Spoon-billed sandpiper			PHILIPPINES

Scientific Name / Nom scientifique / Nombre Científico	Common name / Nom commun / Nombre común			Proponent / Partie / Parte
Ordo/Familia/Species	English	Français	Español	
Laridae				
<i>Sterna bernsteini</i>	Chinese crested- tern			PHILIPPINES
PSITTACIFORMES				
Psittacidae				
<i>Brotogeris pyrrhopterus</i>			Perico macareño	PERU
PASSERIFORMES				
Emberizidae				
<i>Sporophila palustris</i>	Marsh seedeater		Capuchino pecho blanco	PARAGUAY
Tyrannidae				
<i>Alectrurus tricolor</i>	Cock-tailed tyrant		Yetapá chico	PARAGUAY
ELASMOBRANCHII (PISCES)				
LAMNIFORMES				
Lamnidae				
<i>Carcharodon carcharias</i>	Great white shark, White shark	Grand requin blanc, le grand requin	Jaquetón blanco, Marraco, Gran tiburón blanco	AUSTRALIA

APPENDIX II / ANNEXE II / APÉNDICE II

Scientific Name / Nom scientifique / Nombre Científico	Common name / Nom commun / Nombre común			Proponent / Partie / Parte
Ordo / Familia / Species	English	Français	Español	
MAMMALIA				
CETACEA				
Balaenopteridae				
<i>Balaenoptera bonaerensis</i>	Antarctic minke whale	Petite rorqual de l'Antarctique	Rorcual enano del antartica	AUSTRALIA
<i>Balaenoptera edeni</i>	Bryde's whale; Tropical whale	Rorqual de Bryde, Rorqual tropical	Ballena de Bryde	AUSTRALIA
<i>Balaenoptera physalus</i>	Fin whale	Rorqual commun, Baleinoptère commun	Ballena aleta, Rorcual común	AUSTRALIA
<i>Balaenoptera borealis</i>	Sei whale	Rorqual Sei, Baleinoptère de Rudolphi	Ballena sei, Rorcual boreal	AUSTRALIA
Neobalaenidae				
<i>Caperea marginata</i>	Pygmy Right Whale	Baleine pygmée	Ballena franca pigmea	AUSTRALIA
Physeteridae				
<i>Physeter macrocephalus</i>	Sperm whale	Cachalot	Ballena esperma	AUSTRALIA
Delphinidae				
<i>Orcinus orca</i> ¹	Killer whale, Orca	Orque, Epaulard	Orca	AUSTRALIA
CARNIVORA				
Otariidae				
<i>Otaria flavescens</i>	South american sea lion	Lion de mer d'Amérique du Sud	León marino sudamericano	PERU
<i>Arctocephalus australis</i>	South american fur seal	Otarie d'Amérique du Sud	Lobo fino sudamericano	PERU
SIRENIA				
Trichechidae				
<i>Trichechus senegalensis</i>	West african manatee	Lamantin ouest-africain		GHANA
<i>Trichechus inunguis</i>	Amazonian manatee		Manatí amazónico	PERU

¹ All populations not already listed.

Scientific Name / Nom scientifique / Nombre Científico	Common name / Nom commun / Nombre común			Proponent / Partie / Parte
Ordo / Familia / Species	English	Français	Español	
PERISSODACTYLA				
Equidae				
<i>Equus hemionus</i> ²	Asiatic wild ass	Ane sauvage de l'Asie, Hémione	Asno salvaje asiático	MONGOLIA
ARTIODACTYLA				
Bovidae				
<i>Gazella subgutturosa</i>	Goitered or Black-tailed gazelle	Gazelle à goitre		MONGOLIA
<i>Procapra gutturosa</i>	Mongolian or White-tailed gazelle			MONGOLIA
<i>Saiga tatarica tatarica</i>	Saiga Antelope			UZBEKISTAN
AVES				
PASSERIFORMES				
Emberizidae				
<i>Sporophila ruficollis</i>	Dark-throated seedeater		Capuchino garganta café	PARAGUAY
Tyrannidae				
<i>Pseudocolopteryx dinellianus</i>	Dinelli's doradito		Doradito pardo	PARAGUAY
<i>Polystictus pectoralis pectoralis</i>	Bearded tachuri		Tachurí canela	PARAGUAY
COLUMBIFORMES				
Columbidae				
<i>Streptopelia turtur turtur</i>	Turtle dove	Tourterelle des bois ou Tourterelle européenne		SENEGAL
ELASMOBRANCHII (PISCES)				
LAMNIFORMES				
Lamnidae				
<i>Carcharodon carcharias</i>	Great white shark, White shark	Grand requin blanc, le Grand requin	Jaquetón blanco, Marraco, Gran tiburón blanco	AUSTRALIA

² The listed taxon refers to the whole complex 'Equus hemionus', which includes three species: *Equus hemionus*, *Equus onager* and *Equus kiang*.



Convention on the Conservation of Migratory Species of Wild Animals



Proceedings of the Seventh Meeting of the Conference of the Parties: Part II

Opening Ceremony

- **Programme**
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Opening Statements

- **CMS Parties**
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Reproduced in the form submitted to the Secretariat.

**7th Meeting of the Conference of the Parties to the
Convention on Migratory Species
and
2nd Meeting of the Parties to the
African-Eurasian Waterbird Agreement**

JOINT OPENING CEREMONY

Wednesday, 18 September 2002, 9:30 h am
International Congress Centre Bundeshaus Bonn
15 Görresstrasse, Bonn, Germany

Statement by Mr. Jürgen Trittin
Federal Minister for the Environment of Germany

Welcoming address by Ms. B. Dieckmann
Lady Mayor of Bonn

Welcoming Statement by the CMS Standing Committee Chair
Mr. Demetrio L. Ignacio
*Undersecretary, Department of Environment & Natural Resources,
Philippines*

Welcoming Statement by the AEWA Technical Committee Chair
Dr. Yousoof Mungroo
Director National Parks, Mauritius

Statement on behalf of the NGO community by WWF International
Dr. Claude Martin
Director General, WWF International

Key Note Address by Mr. Shafqat Kakakhel
Deputy Executive Director, UNEP

Welcoming Address by HRH The Prince of Wales
read by: Arnulf Müller-Helmbrecht
Executive Secretary, CMS

**Seventh Session of the Conference of the Parties
to the Convention on Migratory Species**

and

**Second Session of the Conference of the Parties
to the Agreement on the Conservation of
African-Eurasian Migratory Waterbirds**

Speech delivered by

**Federal Minister for the Environment,
Nature Conservation and Nuclear Safety**

Jürgen Trittin

18 September 2002, Bonn

Check against Delivery

Mr Kakakhel,
Ms Dieckmann,
Mr Müller-Helmbrecht,
Mr Lenten (Executive Secretary of the AEWA Secretariat),
Mr Ignacio (President of the Permanent Committee),
Mr Mungroo (President of the Technical Committee AEWA),
Mr Martin (WWF),
Ladies and gentlemen,

Migrants and visitors are treated with hospitality in all cultures, as they - unlike those who have settled - do not have the same traditional entitlements. Visitors are dependent on the locals to provide food and shelter for a while. The needs of those who do not 'belong' are most liable to be overlooked. But this is a very short-sighted way of thinking: if everywhere were to be occupied by those who have settled, if hotels, residential and industrial areas or monocultures were to arise along the coasts and in meadows, visitors such as our feathered friends would eventually stay away.

For this reason, 38 countries adopted the international Convention on the Conservation of Migratory Species of Wild Animals in Bonn in 1979. The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) was elaborated within this framework, targeting the protection of

waterbirds, storks, ducks and geese migrating to the West and Eastern Atlantic. The Secretariats of both Conventions are in Bonn. It is a great pleasure for me to welcome you here today to the Conferences of the Parties of both Conventions.

The seasonal migration of animals, in particular birds, has captivated us humans for centuries. How do turtles find their way back to where they were born to lay their eggs? How can a tiny bird weighing two grams fly 800km? How can the Ruppell's vulture fly at heights of 11,500 m when man needs an oxygen mask to climb Mount Everest? How does the Arctic gull reach its breeding ground 30,000 kilometres away? Without a compass, without a map, and, of course, without a global positioning system, without Galileo, without any sustenance other than tiny fat reserves in their small bodies.

We know, and we are researching into how complicated bird migrations are, and how many conditions have to be right in our country and in many other countries for these beautiful birds to survive the winter and migration and for us to have the opportunity to admire them. Even the smallest changes disturb bird migration. The migration routes across the oceans remain - like the oceans themselves - a neglected area of research.

The habitats of animals are changing as a result of climate change. Here in central Europe, temperatures are rising and rainfall is increasing. In other countries, droughts are occurring more frequently and lasting longer. Migratory species are losing the security of clearly defined seasons. This directly affects their migratory patterns and the species distribution. For example, the cold, rainy summer has led to massive mortality among the Schreiber's bent-winged bat in southern Europe. These animals died of starvation because they found too little food, too few beetles, moths and insects. Researchers also trace the increased Kuhl's pipistrelle bat population in southern Germany back to climate change. Previously, the Kuhl's pipistrelle was only found in the Mediterranean.

Will fewer species fly South in winter in future, and will more species be subjected to risk of a sudden cold front in the North? Will others relocate their habitats further north? Or will they have to - and will they be able to? - fly further because snow is no longer a rare occurrence in the Mediterranean? How will climate change affect their feeding and breeding grounds located on the coast? Will some animals settle?

Climate change is a huge threat to migratory species. We must do every possible to limit this change. To this aim, the German Government has adopted an ambitious climate protection programme. But we need a new direction in energy policy all over the world, not just in Germany.

To counteract climate change, our primary goal must be to increase the market share of solar and wind power. We must also launch and develop off-shore wind power. To ensure that the fauna remains unharmed, we have designated zones for economic use as well as protected areas in our new Federal Nature Conservation Act. The German Government plans to install 2000 to 3000 MW in the North and Baltic Seas by 2010 in a step-by-step process. We are starting with small wind parks, and from the very start we will investigate the impacts on birds, marine mammals and fish to limit these impacts as much as possible. This will enable us to gain experience that can be drawn on when considering the construction of further wind parks.

Animals also require improved protection against oil tanker accidents. We need adequate monitoring and warning systems. We must make our contribution to keeping the damage resulting from the leaked oil as low as possible with effective technology, equipment and training. I am delighted that 66 countries have now acceded to the International Convention on preparedness, response and cooperation in the area of oil pollution.

We have set up a sensitivity register for the German Wadden Sea coast to define ecologically oriented criteria and priorities to be applied in emergencies. But such registers are needed even more urgently for coasts in the tropics that take much longer to recover from oil spills than coasts in the North.

These two examples - climate change and oil spills - illustrate the *fundamental* need to globally coordinate nature conservation. This is even more crucial for the protection of migratory species such as red knots and common cranes, antelopes and gazelles, and particularly for migratory species in our oceans, such as whales, turtles, seals, penguins and dolphins.

There is little benefit if these animals are only protected by the country in or off the coast of which they rear their young or winter. All transit countries and the wintering roosting sites must also be actively involved. If, for example, we ban common cockle fishing in the East-Friesian Wadden Sea, we can provide the Northern red knot with the food supplies it needs on its journey to Africa. This illustrates how bird protection measures in East Frisia can contribute to bird conservation in Siberia and Africa. Without this contribution, the measures taken in Siberia and West Africa would probably be doomed to fail. And vice versa.

I am very pleased that further migratory species are to be included in Annexes I and II of the Bonn Convention. Australia has proposed, among others, six large whale species.

South Africa wishes to include several bird species in the AEWA. I welcome the fact that all migratory water bird species are now to be covered by the AEWA - no longer, as was previously the case, the particularly vulnerable species only. We should also consider the possibility of extending the AEWA to Central Asia.

We must cooperate even more closely at international level. I am therefore very grateful for your commitment, Mr Müller-Helmbrecht, to signing up further contracting parties to the Bonn Convention.

Many migratory species are dependent on the poor countries in the South also providing enough land and food for them to shelter. However, if nature is the only reliable resource for survival for a large majority of the population of a country there is a justified conflict of interests and conflicting goals for the country's government. Starving people cannot be expected to leave food for animals in the fields, nor can they be expected to comply with a hunting ban.

Those who wish to protect migratory species in the Sahel zone or in other very poor regions must free the people there from poverty. We must live up to our commitment from Johannesburg to halve the number of poor people by 2015. This is also a prerequisite for successful species and nature conservation projects.

Many measures have been financed by funds from the Global Environment Facility (GEF). I am pleased that it has been possible to provide the GEF with a budget of \$ 2.92 billion for the next four years (2002-2006). I would have liked this amount to be greater, but as you know we could not find a majority for this proposal. Germany, together with several other EU countries, will therefore provide additional funding. This will enable the GEF budget to reach \$ 3 billion. The share of these funds earmarked for nature and species conservation should at least remain the same.

Such decisions are, of course, very dependent on how much potential the submitted projects have. One project that is very likely to be accepted by the GEF is the project for setting up a network of habitats for African-Eurasian waterbirds. The AEWA Secretariat has developed this project in cooperation with the Ramsar Office and Wetlands International. It provides for capacity-building measures in Eastern Europe, the Orient and on the African continent. One goal of this project is to create and maintain sources of income for the local population that are linked to the species populations. For example eco-tourism.

The level of funding envisaged for this project is \$ 6 million. The same amount must be raised as complementary funding. I am willing to provide a total of EUR 1 million from my budget for this project in the period 2004 to 2008 (*main duration of the project*). I will also strive to ensure that the necessary budgetary prerequisites are created. I hope that other contracting parties to the Bonn Convention and the Agreement on the Conservation of African-Eurasian Migratory Waterbirds will follow my example.

This leads me to addressing the measures Germany has taken for nature and species protection, and for migratory species in particular, by highlighting a few examples.

The German Environment Ministry, in cooperation with the Federal Agency for Nature Conservation and the Federal Länder, has comprehensively documented the populations of migratory species in Germany. According to this information, these populations are stable, and in some cases, particularly waterbirds, there is even a very welcome slight increase.

The Federal Länder were successful in their efforts to protect the white-tailed eagle: 380 pairs now live in Germany. A further success story is that ferruginous pochards have been breeding here once again since 1995, even if in very small numbers. In contrast, the aquatic warbler is sadly only rearing its young in the Lower Oder valley in Brandenburg. The Länder of Brandenburg and Saxony-Anhalt were only able to maintain the populations of great bustards with a great deal of effort and commitment. I am delighted that the Memorandum on the protection of the great bustard can finally be signed during this Conference.

Since 1998, the German Government has been supporting 32 major nature conservation projects with more than EUR 80 million. A further 220,000 hectares of land in eastern Germany were also designated new nature conservation areas. North-Rhine Westphalia, the most densely populated Federal Land, is currently working on the designation of a new Kermeter/Vogelsang national park.

In spring this year, the German Government implemented an amendment to the Federal Nature Conservation Act, despite considerable opposition. It ensures nature conservation in a densely populated industrialised country whose population makes extensive use of nature in its leisure time.

Nature conservation cannot succeed in the 21 century on the sidelines - it can only succeed if a balance of interests can be achieved between all groups of users.

The new Federal Nature Conservation Act commits the Länder to creating a biotope network on at least 10% of the surface area of the respective Land. It also commits the agriculture, forestry and fishery sectors to a code of practice. It provides for the retrofitting of power lines - a lifesaving provision for large migratory birds such as storks and cranes. This will protect young birds in particular from being killed by electricity. I would recommend such bird-protection measures on power lines to all countries, and therefore submit a proposal for a recommendation.

Finally, I am happy that we have been able to sign the Headquarters Agreement for the CMS Secretariat today. It replaces the previous agreement which existed since the CMS Secretariat located to Bonn in 1984. The new regulations make some improvements in the legal position both for Secretariat staff and for those participating in events under the Convention. It gives the same status as that accorded to the Secretariats for the Framework Convention on Climate Change and the Convention to Combat Desertification. The new agreement is also open to the Secretariats of regional agreements located in Bonn. Due to the extensive concessions with regard to immunity regulations, this agreement must be brought into force in Germany with a legal Act. I consider it realistic for the Act sanctioning the Agreement to enter into force in about one year's time.

I now wish both Conferences every success, and wish you all a pleasant stay here in Bonn in the former governmental quarter, which we intend to transform into a German centre for the United Nations over the coming years.

Thank you.

Welcome address of the Lady Mayor of Bonn

Mrs. Bärbel Dieckmann

on the occasion of the Opening Ceremony of the
7th Meeting of the Conference of the Parties
(COP 7) of the Convention on the Conservation of Migratory Species of Wild Animals on Wednesday, September 18, 2002, at 9.30 am in the
International Congress Centre Bundeshaus Bonn

– check against delivery –

Federal Minister Trittin
Chairman of the CMS Standing Committee
Chairman of the AEWA Technical Committee
Deputy Executive Director of UNEP
Excellencies
Distinguished Delegates
Executive Secretary
Dear Guests

The two meetings of CMS and AEWA are the first Conferences of the Parties which take place after the Johannesburg-Summit.

We are particularly proud that they take place in Bonn, where all the Rio-Secretariats” of the United Nations have their headquarters, except one.

In this sense as Mayor of the City of Bonn I most warmly welcome you to Bonn.

The worldwide protection of migratory wild animals and my city are closely linked. Here in Bonn your Convention was founded and signed 23 years ago. This is why it is also called the Bonn Convention.

For more than a hundred years, Bonn has been the home to the Zoological Museum Alexander Koenig. It is at present being refurbished and rearranged according to a completely new concept. I am particularly happy that scientists of this Museum and of the newly founded Center for Development Research of our University with the support of the Ministry for the Environment have developed a global register of migratory species of wild animals. It will be handed over to the Secretariat on the occasion of this conference. This has been an excellent example for networking in our city.

Bonn as an United Nations seat has the right size for networking and it is one of our aims to encourage networking between the numerous international institutions in Bonn. Many of them work in the field of environment and development.

Your conference takes place in the Plenary Hall of the former German Bundestag building, where the Parliament of the Federal Republic of Germany met and worked for many years.

Now it functions as a Congress Centre, especially as a Centre for international dialogue.

A second even much larger congress hall which will meet the requests of the United Nations and of world conferences will soon be erected. And in the immediate vicinity the United Nations Campus will be set up.

All this has been laid down in an agreement signed in the presence of the Secretary General of the United Nations, Mr. Kofi Annan, and the President of the Federal Republic of Germany, Mr. Johannes Rau, in February this year.

With about 500 UN-staff members, Bonn still ranks as a small UN-city. However, it is growing all the time.

The organizations which at the moment have their headquarters in House Carstanjen will all move to the new UN-Campus within the next few years.

This Conference is one of a series of important events that have been held here in Bonn:

- Conferences of the Parties of the Climate Convention and of the Desertification Convention
- Conferences on Food Security, Biological Diversity, Fresh Water, Media, Peace and Conflict, just to name a few, and not to forget the UN-talks on Afghanistan. And immediately after this migratory species meetings Germany and Bonn will host the INC 9 PIC-meeting here in the same building.

Since 1991, Berlin is the German Federal Capital again. And as the capital, Berlin is the main stage for German politics. The City of Bonn, however, has developed into a place of global dialogue, a centre of international cooperation and science. Here in this city, the issues that determine our future are discussed and decided.

Many partners contribute to this process: - six German Ministries that have remained in Bonn - twelve United Nations Organizations located here

- the German Development Agencies
- a series of non governmental organizations,
- scientific organizations, and
- the Media,

to mention only a few.

And a number of embassies are still in Bonn while other countries have established outposted offices or consulates.

In addition, Germany's international broadcaster, Deutsche Welle, will also soon be relocating to Bonn.

Bonn is also a city of international culture.

I would like to bring to your attention the International Beethoven Festival which at the moment takes place in Bonn. Just have a look into the event's guide which the City of Bonn has prepared for you and which you can collect at the Bonn information desk.

I only hope that you will have a little spare time to make use of the offer.

We will meet again on Friday evening, when the Federal Parliamentary State Secretary of the Ministry for the Environment and I have the pleasure to invite you to a boat trip on the Rhine.

I wish you a good and successful conference here in Bonn. Let me welcome you once more with all my heart here in the UN-city on the banks of the Rhine.

Demetrio L. Ignacio

CHAIRMAN, STANDING COMMITTEE

OPENING REMARKS

CMS-COP, Sept. 17, 2002

Amenities:

Distinguished delegates, our honored guests and partners in conservation, ladies and gentlemen.

First of all, I would like to thank the Government of Germany for the excellent facilities and arrangements provided to this meeting of the Conference of Parties.

It is only fitting that we hold COP7 in this beautiful City of Bonn where the Convention of Migratory Species of Wild Animals was born 20 years ago, in 1979. I would also like to commend the Government of Germany for all the support that it has given the CMS all through this years. The headquarters agreement just signed this morning with Germany will further strengthen the secretariat to provide more and even better support to the CMS. Germany has also been consistent in providing financial assistance to the convention through its assessed and voluntary contributions and has initiated a number of proposed resolutions, which will be discussed during this conference.

The past two decades of CMS:

The Convention on Migratory Species has evolved substantially over the past two decades, especially during the last three years. Nearly 100 countries are now involved in CMS activities through the parent convention or its related agreements for birds, marine species and terrestrial mammals.

The extent of the issues covered by the CMS Scientific Council over the past four days demonstrate the maturity of the convention as it tackled the fundamental threats to migratory species posed by unsustainable exploitation, by-catch and habitat loss. I also understand that the discussions during the meeting of the Council the past four days have been very progressive and the participants very enthusiastic.

The CMS has been recognized by the Convention on Biodiversity COP6 to be its lead partner in conserving and sustainably using migratory species. A comprehensive CBD-CMS Joint Work Program is now an evolving cornerstone of the CBD-CMS partnership. We have also witnessed a number of very important agreements recently on albatross and petrels, marine turtles, great bustards and bukhara deer. Many more agreements are in process.

But while we have done much, there are still more to do. The figures on migratory species are still worrying. The number of Pacific leatherback turtles has been reduced to about 5,000 from 90,000 just two decades ago. The BirdLife International has estimated about 1,186 bird species at risk worldwide.

The Philippine experience:

We, in the Philippines, in our little corner of Southeast Asia, we have actively initiated and collaborated with our neighbors in protecting and conserving our biodiversity. The Philippines ranks number 8 in the world in total diversity. The Philippines is also an important passageway of migratory

marine species like Humpback whales, Whale sharks, dolphins and several species of turtles and migratory birds like Spoon bill and the Chinese crested tern.

We have established a network of 85 protected areas, many of which are passageways of migratory species. It may be noted that these passageway areas are among our successful protected areas.

We are also concentrating now on what we call the rainforest of the sea ... the coral reefs and the marine ecosystem. We have just delineated an area of 15 kilometers from the shoreline in all of our 7,105 islands, during high tide, where commercial fishing are now banned. We expect this to result in increased income for our small fishermen and, at the same time, allow the recovery of our marine ecosystem to support the food supply for migrating mammals, reptiles and birds.

We are proud of our agreement and active collaboration with Malaysia to save migrating marine turtles in a border area where we jointly established the turtle island heritage protected area, with the assistance of WWF. We found out that these same turtles migrate across the Indian Ocean. Last year therefore, we hosted the signing of the Indian Ocean – Southeast Asia Memorandum of Understanding on the Conservation of Marine Turtles attended by 21 countries. During the conference, a memorandum of understanding, under the framework of the CMS, was drawn up.

We are achieving little victories in our conservation efforts, as we know that our colleagues in this conference are also achieving theirs. Many little victories amount to a big victory for our migratory species and, eventually, for our people.

The road ahead:

In the course of our meeting the next few days, we will be discussing many issues, which, we expect, will lead to even bigger victories. And a bigger part of these victories will be based on our ability to follow through existing and initiate new partnerships with our neighbors, our NGO partners and the various multilateral environment agreements.

The challenge before us is to enhance and strengthen our conservation efforts amidst the challenge posed by the agreement in the world summit on sustainable development in johannesburg to significantly reduce the loss of biodiversity by 2010.

With this challenge, I would like to welcome you all to this Seventh Meeting of the Conference of Parties and I know that we will be more enthusiastic and progressive than our colleagues in the Scientific Council.

Thank you very much.

Yousoof Mungroo
AEWA Technical Committee Chair

Your Excellency, the Federal Minister for Environment
Lady Mayor of Bonn

Distinguished delegates

Dear Colleagues

Ladies and Gentlemen

It is a pleasure and honour for me as Chairman of the Technical Committee of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds to address this august assembly today.

It is evident that through the years the important role of the CMS as well as the AEWA has been recognised by the Range States. The growing number of Parties to the Convention and the Agreement is clear evidence of this. The number of Parties to AEWA has doubled since MOP1 in 1999 to reach 34 at present. It is foreseen that in coming years this number will grow steadily as the Secretariat is actively working on getting the remaining countries of the AEWA migratory flyway to join the Agreement.

My own home country Mauritius signed and ratified the AEWA in 1999. Just before this meeting the Ambassador of Mauritius in Germany signed the MOU on Marine Turtles for the Indian Ocean and South East Asia. Currently the accession of Mauritius to CMS is in an advance stage. This shows the commitment of my country, which is convinced of the important role the CMS and its Agreements play in the conservation of part of our biodiversity.

As Chairman of the Technical Committee of the AEWA, I would like to urge all Range States to the CMS and the AEWA to join the Multilateral Agreements as soon as possible.

Over the last few years the AEWA Secretariat did its utmost to implement the decisions taken by the previous MOP.

The Secretariat will give a full report on its activities during the MOP. At this stage I will just mention the implementation of many projects foreseen in the AEWA International Implementation Priorities 2000–2004.

This was possible mainly due to the generous financial support from several Contracting Parties and some organisations.

On behalf of the Secretariat, I would like to express our gratitude to these benefactors.

Another substantial project developed during the last three years is the African-Eurasian GEF project. Just after MOP1, Wetlands International received a grant to develop a full size project proposal. Currently this project proposal is being finalized and will be submitted to the GEF Secretariat in early 2003. If everything goes as we expected, an amount of up to US \$ 12 million for the full size project will be approved by mid 2003. This would mean a huge step forward regarding the implementation of the RAMSAR Convention and the AEWA.

With very limited human and financial resources and in spite of its relatively young the Agreement Secretariat has done an excellent job over the last three years. The AEWA Secretariat has become an

interesting Party for example the Ramsar Bureau and Wetlands International. Joint Programmes are under preparation between the Secretariat and these organisations.

Many other activities are under way, unfortunately the limited time allocated to me to address you prevents me to go in more detail on these activities.

At the last AEWA Technical Committee Meeting held earlier this year in Tanzania, the representative of Germany, Mr. Gerhard Adams, made a presentation of the proposal arrangements for the COP7 and MOP2 to the members of the Technical Committee. The Technical Committee was impressed by the effort made by the German Government to make the necessary logistical arrangements available.

Right from the beginning, the Secretariat has had the full collaboration and cooperation of the representatives of the German Government and as indicated by the Executive Secretary everything was organised 'grundlich', which means perfect. All of us can witness it in the excellent venue and facilities. Therefore, also on behalf of the Agreement Secretariat, I would like to sincerely thank the Government of Germany for all the efforts made to host this meeting.

I would like to thank the Agreement Secretariat for the incredible amount of work they put in over the last few months. The efforts made by the Government of Germany and the Secretariat form the basis for a good meeting, it is now up to us the participants to give our input and to set the priorities for the Agreement for the next triennium.

Finally, I wish you all a nice and fruitful meeting and a pleasant stay in Bonn.

CMS COP7 – Opening Ceremony Address, 18 September 2002, Bonn
Dr Claude Martin
Director General
WWF International

Excellencies,
Distinguished Delegates,
Ladies and Gentlemen.

The CMS recognises the role and contribution of NGOs in the fulfilment of its Mission, as well as in the AEWA and other agreements explicitly. I am thus addressing you on behalf of a wider community of civil society organizations active in the relevant fields. More specifically I am today representing the:

- World Conservation Union (IUCN)
- Birdlife International
- Wetlands International
- and of course my own organization WWF–The World Wide Fund For Nature

However, I am aware that the Convention has established a fruitful cooperation with a number of other specialized NGOs such as:

- International Crane Foundation
- Whale & Dolphin Conservation Society
- European Natural Heritage Foundation (EURONATUR)
- Global Nature Fund
- Gesellschaft zum Schutz der Meeresäugetiere
- Gesellschaft zur Rettung der Delfine

and a number of others.

Today, it is exactly two weeks since the WSSD in Johannesburg came to a close with a Plan of Implementation, which many NGOs criticized as disappointing, and even government representatives questioned whether we had reached the limits of the multilateral system. On the positive side of the Summit, however, we witnessed an unseen number of forward-looking partnerships between governments, intergovernmental institutions, corporations and NGOs addressing sustainable development and poverty reduction needs in practice, and where the negotiated text fell short of expectations. Johannesburg will primarily be remembered for these new alliances.

A number of these initiatives specifically addressed transfrontier conservation issues – the European Water Initiative or the Congo Basin Partnership are but two examples of such cross-sectoral and trans-frontier initiatives. Somewhere, there was this spirit of "let's do it despite all" – in addition to a fairly ambiguous part in the official text referring to halting the degradation of biodiversity. We have yet to see what comes out of that, but what is increasingly clear, biodiversity loss cannot be stopped without looking at the wider geographic context, the ecoregions, river basins, the global commons and the transfrontier migration of species. If the world community is to become serious about the declarations

made in Johannesburg, it has to invest in cross-border cooperation, support UNEP, the Biodiversity Convention, CITES, Ramsar, the Bonn and Bern Conventions. We all talk of the advantages and downsides of a globalized economy, but environmental thinking and understanding globalized much earlier, when these vitally important multilateral instruments were created. The time has come when governments have to become serious and provide them with the financial means to fulfil their missions, as Germany has demonstrated this morning, to mitigate the negative effects of a globalized economy – and "walk the talk" of Rio and Johannesburg. I am sure the replenishment of the GEF, for which we have been fighting, will help with project funding, e.g. for the AEWA proposal, but the Parties to the Conventions must not use this as an excuse for not providing adequate core budgets.

There are many things the Secretariats of the Convention, or CMS in this case, can do to more effectively address international cooperation and communications, e.g. through the joint Workplan with Ramsar, through the implementation of the recommendations of the Performance Working Group, or the improvement of the evaluation of project proposals – but Secretariats are as effective as they are given the means and are supported by the Parties – not just with words.

The CMS provides a sound basis for transboundary cooperation not least with NGOs, which since Rio alone have invested many hundreds of millions of USD in biodiversity conservation, through its instruments of regional agreements, such as the ones on albatross and petrels, sea turtles and cetaceans. It seems to me that the AEWA in particular, in which Birdlife and Wetlands International have invested with scientific input, offers a real chance in this period after Johannesburg. There remain a number of structural issues to be resolved, such as the International Implementation Priorities and Register of Projects. This is the time to get it right.

According to WWF's Living Planet Report, we have lost one third of the Earth's natural wealth in the last 30 years and the ecological footprint may rise to twice the regenerative capacity of the biosphere in the next 50 years. We don't have much time left to save the bulk of this planet's biodiversity.

Thank you.

**Key Note Address of
UNEP Deputy Executive Director S. Kakakhel
at the Joint Opening Ceremony for the
Seventh Meeting of the Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals and
the Second Meeting of the Parties to the
African-Eurasian Waterbird Agreement,
International Congress Centre, Bundeshaus Bonn,
Germany, 18 September 2002**

Excellencies, Distinguished Delegates, Ladies and Gentlemen,

1. I am honoured to represent Dr. Klaus Töpfer, Executive Director of UNEP, this morning at the joint official opening ceremony of the CMS COP-7 and the AEWA MOP-2 being held here in Bonn.
2. Honourable Minister, Mr. Jurgen Trittin - we are grateful for your personal involvement in hosting this conference.

And through you we extend to your Government and the people of the Federal Republic of Germany our thanks for the warm welcome and generous hospitality accorded us since our arrival in -- and I happy to say it in your presence, Lady Mayor, dear Ms. Dieckmann -- this beautiful city, Bonn, and for the excellent arrangements made for our deliberations here in this historic building.

3. I wish to thank you as well, Honourable Minister, for your personal attention in bringing about the conclusion of the Headquarters Agreement for the CMS Secretariat reaffirming Germany's support for the Bonn Convention on Migratory Species.
4. Just this morning, You and I signed the Agreement along with Mr Mueller-Helmbrecht, the Executive Secretary. The Agreement formally places the Convention and the Secretariat on equal legal footing with the other UN-based conventions located in Bonn.

Ladies and Gentlemen,

5. The Seventh CMS COP and the Second AEWA MOP are significant events on the global biodiversity agenda, as these are the first major United Nations meetings since the World Summit on Sustainable Development (WSSD) concluded, exactly a fortnight ago.

The international community has its first opportunity to seize on the momentum generated at Johannesburg where the conservation and sustainable use of biodiversity figured prominently.

At the WSSD, Governments agreed to achieve by 2010 a significant reduction in the current rate of loss of biological diversity. It is important that CMS contributes to this as well as other WSSD targets, such as the initiatives for hotspot areas, the development of regional corridors, the

establishment of marine protected areas by 2012, and a UN process for reporting the status of the marine environment by 2004.

We need to consider how exactly CMS will contribute to achieving these targets, and what measures we will put in place to materialize that contribution.

6. One of the important outcomes of the WSSD was a renewed awareness of and commitment to fostering partnerships for achieving the goals of Agenda 21 and now the Johannesburg Plan of Implementation.

The CMS family of instruments is an example of how international Agreements can catalyze partnerships, in this case between States that share migratory species as a common natural heritage. CMS provides the international legal framework for countries to take individual actions on endangered species. But uniquely this Convention combines this with the opportunity for individual actions on endangered and other migratory species to be coordinated through specialized Agreements and action plans.

CMS is the only global UN-based mechanism addressing comprehensively all migratory species.

7. Despite CMS's small size with 80 Parties to date, I wish to stress that the CMS family is actually significantly bigger. Altogether approximately 100 countries in total - both Parties and non-Parties - cooperate in CMS through the main convention and associated Memoranda of Understanding.

The African-Eurasian Water Bird Agreement (AEWA) is a great example of the value the international community places on CMS Agreements.

It is practically a mini-Biodiversity Convention for African-Eurasian Waterbirds. AEWA came into force in 1999 with 14 ratifications and three short years later it has tripled and grown to 35 Parties.

8. Perhaps the best example of how CMS is "ahead of the curve" on a major WSSD outcome is in respect of Africa's sustainable development. African migratory species have always figured prominently in CMS's work.

Six of CMS's thirteen instruments comprise African Range States as Parties or State signatories.

CMS Instruments address 6 species of Sahelo-Saharan Antelopes in Africa through an Action Plan; 7 species of marine turtles on the western and eastern coasts through two MoUs; 10 species of cetaceans off the North African coast through ACCOBAMS; and through AEWA over 100 species of migratory waterbirds moving within Africa and between Africa and Eurasia. Future work to develop additional CMS Instruments will include the African elephant and the Monk seal.

CMS is also actively participating in UNEP's conservation and development initiative "GRASP" for the great apes of Africa and the communities in the range states.

9. A second important WSSD outcome was a new political consensus that significantly reducing the loss of biodiversity “is a priority to achieve sustainable livelihoods for all”.

When he last spoke to this forum in 1999, Dr. Klaus Töpfer stressed that CMS and AEWA must concern themselves deeply with the human dimensions of biodiversity conservation and sustainable use, because biodiversity is closely correlated with both cultural and spiritual values.

He also noted that species conservation and the conservation of their ecosystems must be linked to the eradication of poverty, which he described as the “most poisonous commodity in the world.”

CMS is also contributing to this goal.

10. It is gratifying that CMS is working globally to make the link with the issue of poverty and acting upon it.

I would like to give two examples. First, we in UNEP share CMS’ concerns about the apparent collapse in the numbers of Saiga Antelope - from over a million animals only a decade ago to perhaps less than 90,000 today. The CMS publication for WSSD “*Biodiversity in Motion*” describes how poaching, illegal trade in the horns of Saiga antelope and uncontrolled hunting, have contributed to its recent decline.

The case of the Saiga also illustrates another issue which remains high on the international agenda following WSSD – the need for collaboration between international agencies, especially those working in related fields. CMS and CITES are well-placed to take a major role not only by giving protection to this species in the species listing under the Conventions, but as members of a global partnership to implement the necessary action to halt the headlong decline of this species which is valuable from both economic and conservation standpoints.

11. The second example is the CMS Action Plan for the Conservation and Restoration of Sahelo-Saharan Antelopes.

This Action Plan will not only benefit the species and the ecosystems where they are found but most importantly it will also benefit the people that coexist with these animals in some of the most extreme conditions on the planet through improved rangeland, the supply of meat and possibly eco-tourism dollars.

The French GEF has recently contributed financially to this Action Plan which will help 7 of the 14 Range States organize their collective and individual activities to restore the range and numbers of 6 highly endangered antelopes. I wish to express UNEP's and CMS's deep appreciation to the French Government for the contribution.

In short, CMS demonstrates that migratory species conservation and sustainable use can make tangible contributions to poverty eradication.

12. Another major WSSD outcome was the renewed political recognition that the world's marine fisheries are unsustainable exploited. There is a new political commitment to achieve sustainable fisheries, especially the restoration of depleted stocks, by 2015. Gauging the sustainability of a fishery must be based not only on direct impacts on the fish themselves, but also the impacts the fishery has on other animals.

13. It is gratifying to note that since the Capetown COP in 1999, CMS has been at the forefront of efforts to minimise by-catch of seabirds and marine turtles, both within a coastal State's maritime zones and on the high seas.

For example, MoUs and comprehensive Conservation and Management Plans addressing by-catch have been finalised for turtles of the West African Coast and in the Indian Ocean as well as Southeast Asia.

What's more, since Capetown, the Agreement on the Conservation of Albatrosses and Petrels (ACAP) was concluded to protect these magnificent birds in the Southern Hemisphere.

III. CMS Then and Now: An ever Growing Convention with a Clear Focus on Implementation

Distinguished Ladies and Gentlemen,

14. The picture of CMS that emerges is that of an evergrowing Convention with a clear focus on, and a steady resolve towards implementation.

It may be recalled that in 1992, when the international community met in Rio, CMS was seven years old. Only three Agreements had been concluded under its auspices by then: Wadden Seals, EUROBATS and ASCOBANS.

Today, ten years later, and two weeks after Johannesburg, there are six formal CMS Agreements, and six (less formal) Memoranda of Understanding and one Action Plan.

These are important stand-alone achievements. But CMS cannot and does not work alone. CMS instruments cut across almost all of the CBD thematic programmes and crosscutting themes with a high level of complementarity. A comprehensive draft joint CBD/CMS work programme is before you. CBD COP 6 has recognised CMS as "lead partner" on migratory species conservation and sustainable use.

15. Since 1999, CMS has been working hard to "formalise" relationships with other instruments such as the International Whaling Commission. MoUs with CITES and UNESCO will be signed this evening.

In all cases, CMS brings to these other fora a comprehensive approach for migratory species conservation and sustainable use.

In essence, CMS broad-based, yet focussed approach takes over where other instruments may be too general to be specific-enough for migratory species, or focus on a single threat or habitat type.

16. CMS has been hard at work to better link information technologies and management to its activities to support implementation. In this regard, UNEP/WCMC has played a key role in realising the potential of information management for CMS work. The concrete evidence of all this work is before you at this meeting.

17. Another major example of information technology for conservation management is the Global Register of Migratory Species (GROMS).

Honourable Minister, I am very happy to acknowledge that your government has played the lead role in the research and development phase of the Global Register.

Accordingly, GROMS is well-placed to serve as:

- (i) a specialised CMS database;
- (ii) a publicly accessible information platform;
- (iii) a tool for any research work on migratory species; and
- (iv) a specialised database for other international instruments and programmes.

18. CMS has also been a strong proponent of harmonization of reporting and information management for the global biodiversity-related treaties, and continues to work closely with UNEP. The early results of our pilot studies in harmonization of reporting are available at this Conference, but we will need support, including financial support, if we are to create genuine synergies within the system.

IV. Moving Beyond the WSSD

Distinguished Delegates,

Before and during the WSSD, the press was filled with all shades of views about the achievements or redemption of promises of governments since Rio.

Of course, there have been achievements, frustrations and even failures.

But a closer examination would have found that Rio catalysed a wealth of awareness and action globally.

It is my belief that in the final analysis, it may well be stated with due justification that the CMS has led the charge for global action on migratory species.

I wish all of you a most productive and intellectually stimulating conference.

Thank you very much.

WELCOMING ADDRESS – HRH THE PRINCE OF WALES

The Convention on the Conservation of Migratory Species of Wild Animals, or simply the CMS, has for more than 20 years now been a splendid champion of those species, often especially vulnerable, which cross and re-cross the planet on their regular migrations. In carrying out this work, the Convention was one of the first of a handful of global treaties that focus on the conservation and sustainable use of biodiversity and play a major role in helping to maintain the natural base of human life. For these reasons, the CMS deserves the full support of us all, and I am delighted to be able to send this message of support at the beginning of its Seventh Meeting of the Conference of the Parties.

The CMS came into being thanks to the leadership of the Federal Republic of Germany, with the mandate of the United Nations Environment Programme and with the assistance of the World Conservation Union. Germany, and the city of Bonn, have continued to make a generous commitment to the Convention, acting as the Depositary, housing the Secretariat since its establishment in 1984 and hosting the first Meeting in 1985. Now the Conference of the Parties has returned to the city of Bonn once more, and I am confident that its business will prosper as a result.

So, what has been achieved in these 20 years or so? Clearly, a great deal. We have only to look at the several Agreements reached under the Convention, and the direct conservation action that they have enabled. As one example, I would cite the Agreement on the Conservation of Seals in the Wadden Sea - that biologically rich, marine area shared by Denmark, Germany and the Netherlands. In the late 1980's, the Agreement played a vital role in helping to control the ravages of distemper, which regularly affects this population of seals. Indeed, the continuing efforts of the Agreement are needed again now as the disease has recurred this year. Other successful Agreements covering mammals, concluded over the years, are those on European Bats and on Small Cetaceans of the Baltic and North Seas, and these are acting as models for the creation of regional agreements in other parts of the world, such as an Agreement on the Cetaceans of the Mediterranean and Black Seas.

Birds have certainly not been neglected. The African Eurasian Waterbird Agreement is the largest and most important instrument of flyway conservation worldwide, and a model of how an international treaty can gain momentum in its implementation. Its Second Meeting of the Parties will follow immediately on from this meeting of its parent convention here in Bonn.

I have taken particular note of the recent development, under the leadership of the governments of Australia and South Africa, of an Agreement on the Conservation of Albatrosses and Petrels. These sea-wanderers have developed their astounding powers of navigation over millions of years, but are now threatened by man - in particular, by (and I quote the Preamble of the Agreement) "use and abandonment of non-selective fishing gear and by incidental mortality as a result of commercial fishing activities". BirdLife International has had my support for its campaign to find solutions to these problems. I am pleased to sustain that support by calling upon the world community, and especially the governments of the Range States and those with relevant fishing fleets, with the help of international organisations, to ratify the Agreement and to get it working so as to reduce as soon as possible the factors which have brought these splendid birds to the brink of extinction.

The development of these Agreements, and a great deal of other work, relating to both endangered and non-endangered migratory species, is greatly to the credit of the Convention. There is, however, a lot more to do. Of some five thousand known migratory species, only a few hundred so far benefit from the organised, cross-border approach of the CMS. Furthermore, as we are all aware, the pressure on the natural world is growing relentlessly. According to the estimates of a recent study, the biosphere now needs a year and three months to renew what humanity takes from it in a single year. Whatever the accuracy of such estimates, I have the feeling that the trend indicated is correct. All countries should do their utmost, for the sake of our children and grandchildren, to reverse that trend and to return to a situation where we keep our consumption within the Earth's regenerative capacity - in other words, to return to sustainability.

CMS has a prominent role to play in this, by working to guarantee the survival of migratory species. It can help to conserve vital habitats, combat over-exploitation and guard against man-made obstacles along the migration routes. It can bring species back to a favourable conservation status, both for their own sakes and so that they may contribute to humanity's needs, including poverty alleviation and equal and shared use of natural resources in a world at peace. Your work is of vital importance to all who care about the planet.

My best wishes go to those assembled at this seventh Conference of the Parties - from governments, international organizations, NGOs and other bodies. Your energy and determination is urgently needed to ensure the future of our migratory species.

CONVENCIÓN SOBRE LA CONSERVACIÓN DE LAS ESPECIES MIGRATORIAS DE ANIMALES SILVESTRES

SÉPTIMA REUNIÓN DE LA CONFERENCIA DE LAS PARTES

BONN, ALEMANIA, 18 - 24 DE SEPTIEMBRE DE 2002

Declaración de la República Argentina

El Gobierno de la República Argentina desea manifestar, en primer lugar, su especial satisfacción por estar representado en esta Séptima Reunión de la Conferencia de las Partes y por la circunstancia de que este encuentro tenga lugar en la histórica ciudad de Bonn, en la cual se concluyó, en el año 1979, la Convención sobre la Conservación de las Especies Migratorias de Animales Silvestres.

La Argentina expresa su agradecimiento al Gobierno de la República Federal de Alemania y a las autoridades de Bonn por la cordial bienvenida que han brindado a la Conferencia y por el apoyo que han proporcionado para la organización y el desarrollo de la misma.

La Argentina comparte plenamente los propósitos y principios fundamentales que inspiran esta Convención y ha participado activamente, desde la negociación de la misma, en las iniciativas de la comunidad internacional para articular mecanismos de cooperación que aseguren la más adecuada protección y conservación de las especies migratorias de animales silvestres.

Es motivo de particular complacencia constatar que la aplicación de la Convención, desde su entrada en vigencia hasta el presente, ha progresado en forma continua y ha contribuido significativamente a la difusión de la investigación y los conocimientos, la coordinación de medidas gubernamentales y la articulación de una más efectiva acción internacional en defensa de las especies migratorias.

La Delegación argentina deja asimismo constancia de su reconocimiento a la labor de la Secretaría por su constante empeño en la implementación de la Convención y por haber facilitado a expertos argentinos la posibilidad de participar en diversas reuniones y proyectos, incluyendo la presente Reunión de la Conferencia de las Partes y la 11^{va} Reunión del Consejo Científico.

La Argentina presenta en su elenco faunístico un importante número de especies migratorias. En el Informe que presenta a esta Conferencia se detallan las medidas adoptadas por el país para proteger y conservar diferentes especies de aves, peces, reptiles, mamíferos terrestres y marinos, para aplicar las convenciones y reglamentaciones internacionales y para coordinar crecientemente, mediante talleres y acuerdos con otros países de la Región, políticas adecuadas.

En este mismo sentido, veríamos con sumo agrado una mayor participación de estados latinoamericanos en las actividades de la Convención y apoyaremos toda propuesta e iniciativa de la Conferencia que tienda a promover esa más amplia participación.

Como es bien conocido, la Argentina soporta en estos momentos una profunda crisis económica, que lamentablemente reduce en gran medida su capacidad de contribuir financieramente a las actividades de los organismos internacionales. En tal contexto, el Gobierno argentino espera que la Conferencia tenga en cuenta la necesidad de ajustar en todo lo posible las obligaciones presupuestarias a cargo de los países en desarrollo hasta que las dificultades presentes sean superadas.

La Argentina continuará firmemente comprometida con las estrategias y objetivos de la Convención y seguirá desplegando todos los esfuerzos que estén a su alcance para realizarlos.

AUSTRALIA'S OPENING STATEMENT

7th Conference of Parties to the Convention on the Conservation of Migratory Species of Wild Animals

The Government of Australia would like to thank the Government of Germany, and particularly the people of Bonn, for their wonderful welcome to the CMS and their warm and friendly hospitality.

Australia has made a significant contribution to the conservation of migratory species since the 6th Conference of Parties. We are particularly proud of our contribution to the Regional Agreement on the Conservation of Albatrosses and Petrels, including our role as the interim secretariat.

Australia has also signed the Memorandum of Understanding on Marine Turtles of the Indian Ocean and South East Asia, and continues to promote this agreement to our south-east Asian neighbours. Australia has commenced planning sub-regional implementation of the marine turtle agreement, and looks forward to pursuing initiatives and ideas with other signatories at the first meeting of parties, which we hope will be held before the end of 2002.

Australia considers it has an important role to play in regional efforts to conserve migratory marine species. We are a large island developed country with mega-biodiversity status and many species of this biodiversity are migratory, including the great whales Australia is nominating to Appendix I and II. In this regard, Australia notes that great whales face a range of threats that include shipping strikes, climate change, seismic and sonar activities, and entanglement in fishing gear. All of which could further impact on already uncertain populations. As human activities such as shipping and industrial exploitation of marine resources increase, the significance of these impacts are also likely to increase.

Appendix I listings aim to conserve and restore populations of migratory species that are endangered, and Appendix II listings specifically provide for the listing of a migratory species with either an unfavourable conservation status, or those that could benefit from regional conservation measures. Australia considers the great whales it has nominated fall into both these classifications. We therefore encourage all of you to support our proposals to list the great whales (Fin, Sei, Bryde's, Antarctic Minke, Pygmy Right, and Sperm) under the appendices of the CMS.

While the International Whaling Commission (IWC) provides protection for the great whales from commercial whaling through its moratorium, it doesn't provide protection against these other threats being faced by the great whales. Nor does it provide habitat protection. And the South Pacific provides critical breeding habitat for the great whales being proposed for inclusion on the Appendices.

Australia considers that regional cooperation is an important aspect of the CMS. And in particular for conservation in the South Pacific region which is a huge area which is populated by many small island developing states. In many instances regional cooperation is the most effective mechanism to develop conservation arrangements for marine species.

Australia considers that through the listing of the great whales, and the potential such listings provide for cooperation in the South Pacific for the protection of migratory marine mammals, including the

great whales, along with important conservation measures such as the moratorium on commercial whaling established by the International Whaling Commission, we achieve important synergies in conservation of the great whales.

Australia has also nominated the great white shark for listing under Appendices I and II. It is clear that the great white shark is migratory. It is also listed under the IUCN Red List as vulnerable to extinction. Threats to the migration, and hence long term survival of white shark populations include direct and indirect fishing pressure, protective beach meshing, intensified targeted commercial and sports fisheries for trophies, incidental catch of the species in commercial and artisanal fisheries, and habitat degradation.

Finally, Australia has nominated the killer whale for listing under Appendix II of the CMS. Two populations of the killer whale are already listed under Appendix II of the CMS, and this nomination is provided to complete the listings to cover all populations of this species. Threats to the migration, and hence long term survival of killer whale populations include hunting, prey depletion by fisheries, fishing gear entanglement, live trade, unregulated whale watching, organic and noise pollution, oil spills, and ship strikes.

Australia also encourages Parties to the CMS to support the nominations to list the great white shark and the killer whale on the appendices of the CMS.

DECLARACION DE LA REPUBLICA DE CHILE

Discurso inaugural

Sra. Presidenta de la 7a. Reunion de la Conferencia de las Partes de la CMS:

En representacion del Gobierno de Chile, primer pais de las Americas en adherir a la CMS, deseo expresarle mis felicitaciones por su designacion en el cargo de presidenta de esta COP y hacerle llegar al Gobierno de la Republica Alemana y al Ministerio de Medio Ambiente mis agradecimientos por la calida bienvenida y hospitalidad que nos han brindado en esta hermosa ciudad de Bonn. Asimismo, deseo extender mis agradecimientos a la Secretaria de la CMS por darme la oportunidad de participar en esta septima reunion de la Conferencia de las Partes de la CMS.

La politica medioambiental de mi pais orienta su accionar en la senda de la sustentabilidad de sus recursos naturales renovables y, en el caso especifico de las actividades en el marco de la CMS, esta permanentemente preocupada de la conservacion de sus especies migratorias y sus ecosistemas. Es asi como destacamos los proyectos abordados con la colaboracion de la CMS, tales como el de conservacion de los flamencos altoandinos; trabajo que han llevado a cabo conjuntamente Chile, Argentina, Bolivia y Peru. Igualmente, es de resaltar el trabajo que han estado realizando Chile y Argentina, en procura de la conservacion del Cauquen Colorado, proyecto que ha contado con la colaboracion financiera de la CMS. Tenemos intencion de iniciar nuevas acciones concertadas con Peru en mamiferos marinos y con Argentina sobre el huemul y nutria de rio.

Tambien confiamos continuar desarrollando programas nacionales y regionales de conservacion de nuestras especies y de nuestros ecosistemas y, asi, contribuir a alcanzar la meta propuesta por la Cumbre Mundial de Desarrollo Sostenible (Johannesburgo, 2002) de avanzar en el proceso de revertir la perdida de la biodiversidad hacia el ano 2010.

Para ello precisamos no solo de la participacion activa de las instituciones nacionales gubernamentales y de la sociedad civil en general, sino tambien del apoyo financiero de las organizaciones internacionales y de la transferencia de tecnologia; elementos necesarios para cumplir nuestras metas y compromisos, a nivel nacional e internacional.

Sra. Presidenta de la COP7, junto con desearle exito en su labor, hago votos para que con la voluntad de todos los paises aqui reunidos logremos llevar adelante las tareas que en conjunto con la CMS nos hemos propuesto en esta septima reunion de las Partes.

Bonn, septiembre de 2002.

REPUBLIC OF CROATIA
GOVERNMENT OF THE REPUBLIC OF CROATIA

STATEMENT

at the Seventh Meeting of the parties to the Convention on the Conservation of Migratory Species of Wild Animals

Bonn, Germany, 18-24 September 2002

September, 2002

Mr. Chairman, Honorable Ministers, Distinguished Delegates, Ladies and Gentlemen,

Allow me to extend the gratitude on behalf of the Government of Republic of Croatia to the Government of the Federal Republic of Germany, for hosting the Seventh meeting of the Conference of the Parties to the Convention on the conservation of Migratory Species of Wild Animals (*Bonn Convention*).

Migratory species of wild animals, more than any other group of species, represent a common natural heritage of all mankind. These species cross vast areas that extend over national jurisdictional borders and depend entirely on specific routes and habitats. It is this fact that makes them so valuable and sensitive to the threats of rapid human development. Recognizing the importance of conservation of migratory species of wild animals and the need for strong international cooperation in all protection efforts, the world community adopted the Bonn Convention more than 20 years ago, followed by the conclusion of several regional Agreements and Memoranda of Understanding.

Following the objectives of the Convention on Biological Diversity, the Republic of Croatia developed and adopted the *National Strategy and Action Plan on the Protection of the Biological and Landscape Diversity (NSAP)* in 1999. This is the first document by which the Republic of Croatia has tried to chart systematically and to plan comprehensively the nature protection activities. The analysis carried out during the development of this document showed the great diversity of migratory fauna in Croatia and pointed out the threats. As a result, the NSAP laid down elaboration of a number of action plans concerning the protection of migratory wild animals and their habitats. The activities that have been undertaken so far mostly include inventorying of the parts of biological diversity and threat assessment, as a basis for formulation of action plans for the protection of certain migratory species of wild animals. In this regard, Croatia recognized the significance of the Bonn Convention, its Agreements and Memoranda of Understanding for the implementation of the NSAP and joined the Convention as a full party in October 2000.

I would like to express the commitment of the Republic of Croatia to continue its work and to contribute to the further implementation of the Bonn Convention. We believe that the new Nature Protection Law, that is in the official enactment procedure, will improve the regulation of this problem area, in accordance with the provisions of the Bonn convention, as well as other international agreements covering protection of biological diversity.

Mr. Chairman, Ladies and Gentlemen,

Once again, I would like to stress that the Republic of Croatia will continue to put all its efforts to preserve migratory species of wild animals as an irreplaceable part of biological diversity. This exceptional natural value requires utmost attention of all countries that share it and benefit from it.

I would also like to point out the work of all bodies that contribute to the enforcement of the Convention. In this regard, let me once again extend our gratitude to the Government of the Federal Republic of Germany, that kindly agreed to host the Meeting and United Nations Environmental Programme, that provide the Secretariat of the Bonn convention, and the excellent work in the organization of the Meeting.

Let me finish by saying that the Bonn Convention gives the opportunity for effective protection of migratory species and obliges us to put joint efforts and cooperate in reaching this common goal.

Thank you, Mr. Chairman.

A la haute attention du Secrétariat de la CMS et Comité Scientifique CMS

L'APPLICATION DE LA CMS EN GUINEE

La Convention sur la Conservation des Espèces Migratrices appartenant à la Faune sauvage (connue également sous le nom de la Convention de Bonn ou de CMS) est entrée en vigueur le 1^{er} novembre 1983, la Guinée a y adhéré le 24 septembre 1992.

En 1998, le secrétariat de la CMS, en rapport avec le PNUE accorde à la Guinée une subvention de 25.000 US \$ pour organiser un atelier International sur la « Conservation et la Gestion des Petits Cétacés de la Côte Atlantique d'Afrique ».

La Direction Nationale des Eaux et Forêts avec le Conseiller Scientifique à l'époque Mr. K. BAN-GOURA organisent cet atelier à Conakry du 12 au 16 mai 2000 sous la conduite technique de deux experts internationaux de la CMS.

A l'issu des recommandations, l'atelier a retenu entre autres:

- la Création du Réseau Régional sur les Cétacés de la Côte Atlantique d'Afrique, dont
- la coordination est assurée par la Guinée ;
- la Création dans chaque Etat de l'aire de répartition de comités nationaux sur les
- Cétacés ;
- la formulation d'actions concertées à titre de projets.

Malheureusement, ces recommandations n'ont pas été suivies par le conseiller scientifique et correspondant national d'alors.

Consciente de l'importance de la Conservation de la Faune sauvage, la Direction Nationale des Eaux et Forêts, institution responsable de la faune dans notre pays, a décidé de prendre ses dispositions pour une meilleure conservation de la faune en assurant le suivi efficace des recommandations issues de cet atelier.

Nous sollicitons humblement, la réactualisation des fiches techniques déjà approuvées par le comité scientifique de la CMS qui sont:

- la création du réseau national sur la conservation et la gestion des petits cétacés ;
- le projet sur la conservation des espèces de tortues marines de la zone littorale
- guinéenne menacées de disparition ;
- l'étude sur le Lamantin de l'Afrique de l'Ouest pour le Sénégal, la Côte d'Ivoire, la Gambie, la Guinée Bissau, le Mali et la Guinée.

Nous formulons le vœu d'organiser un atelier national sur le Plan d'Action (APCOTWAF).

Nous profitons de cette occasion, pour réaffirmer notre position de toujours continuer à coordonner la négociation de l'Accord Régional sur la Conservation des Petits Cétacés de la Côte Atlantique d'Afrique, en tant que tête de file du plan régional.

La législation nationale, Loi L/97/038/AN portant code de Protection de la faune Sauvage et Réglementation de la Chasse, en son chapitre 2 : Conservation de la Faune Sauvage et ses habitats et ses articles 3, 4, 5 répondent parfaitement aux exigences nécessaires à l'application de la CMS.

Mamadou DIA Correspondant National CMS

**NEW ZEALAND STATEMENT
TO THE SEVENTH MEETING OF THE PARTIES
TO THE CONVENTION ON MIGRATORY SPECIES**

Bonn, Germany
Wednesday 18th September 2002

Thank you Mr. Chairman

New Zealand wishes to take this opportunity to thank the Government of Germany and the City of Bonn for hosting the Convention on Migratory Species and to congratulate the Parties for their achievements in conserving migratory species over the two decades since the CMS entered into force.

This is the first CMS COP that New Zealand has attended as a Party to the Convention on Migratory Species.

New Zealand's decision to accede to the Convention on Migratory Species, in 2000, sprang out of an urgent need to work cooperatively with other countries to protect Southern Hemisphere albatrosses and petrels that pass through New Zealand's territory.

Some forty-seven albatross and petrel species breed in New Zealand and twenty of these species are endemic. The rarest endemic albatross is the Chatham albatross. It breeds on a single rock face and has a world population of about five thousand breeding pairs.

Recent research suggests that these species are declining at staggering rates. In one of the worst examples to date, a study of the grey-headed albatross shows that it has declined by 90 percent since the 1940s. We are consequently very grateful for the cooperation that has led to the conclusion of the CMS Agreement for the Conservation of Albatrosses and Petrels.

In this context, Mr. Chairman, we would like to take this opportunity to express our thanks to the Government of South Africa for their hospitality and support during the negotiation of this agreement, and our appreciation to the Government of Australia for the excellent coordination provided by them as the interim secretariat for the agreement.

We would like to take this opportunity to urge other signatories and range states to ratify this Agreement in the near future so that we can begin the very necessary international cooperation that will help to reverse this species' decline.

New Zealand is also the part-time home of many other migratory species, including approximately 80 species of sea-birds, five endangered species of marine turtles, a number of wading birds such as the "Godwit", and over 30 species of whales and dolphins. In this context, Mr. Chairman, we note and would support Australia's proposals for the addition of six species of whales to the appendices to this Convention.

New Zealand knows that many of these species face an uncertain future because of global warming, habitat loss, accidental capture and other human activities. Within our territory, we have initiated research and conservation activities to minimize the accidental capture of seabirds and marine mammals in commercial fishing, we have established protected reserves for bird populations under the Ramsar Convention of Wetlands, and have researched the migratory patterns of seabirds through a national leg-banding and tracking scheme, which has been in operation since 1967.

We know that more action is needed and we re committed to working with other range states to identify conservation strategies for these species that will extend beyond borders.

With this in mind, Mr. Chairman, we wish to congratulate the Parties to the Convention on Migratory Species for the work done to date, and convey our sincere wish that this seventh Conference of the Parties is a resounding success.

Thank you Mr. Chairman

OPENING STATEMENT BY PAKISTANI DELEGATE IN CMS COP

Thank you Mr. Chairperson. Since I am taking the floor for the first time, I wish to congratulate the Government of Germany and CMS Secretariat for excellent arrangement of the COP and to facilitate our participation.

On behalf of Government and People of Pakistan, I wish to assure this august gathering that we are committed to fulfill our obligations under the CMS and other international treaties. God has blessed Pakistan with a range of diverse habitats for migratory as well as resident avifauna (birds). Since Pakistan is located on Indus flyway, a good number of migratory waterfowl and other birds take this route to their wintering and back to breeding sites. The endangered species which are listed on CMS Appendix-I enjoy complete protection in all the provinces and an effort is being made to protect their habitat. We are thankful to the Global Environment Facility (GEF) which is augmenting our efforts for conservation of global assets such as Pakistan Wetlands Project and Protected Areas Management Project.

We wish to work together with the member countries of our region and save the migratory species for future generations.

REPUBLIC OF UGANDA, CHAIRMAN OF AMCEN**Opening Statement to the Conference of Parties to the 7th Conference of Parties to the Convention on Conservation of Migratory Species (CMS) held at Bonn**

Bonn, Germany

Wednesday 18th September 2002

The Government of the Republic of Uganda and Chair to the African Ministerial Conference on Environment (AMCEN) wishes to thank the Government of Germany for hosting the 7th Convention of Parties, and for the hospitality extended to the delegations to COP7. Uganda's delegation also extends appreciation to the CMS Executive Secretary and his team for the highly innovative preparation put in place for the 7th Conference of Parties. Particular Consideration in this regard is made on behalf of the delegates from the Africa Region, for the affirmative action extended, considering the role the region plays in conservation of migratory species and the capacity available to Parties to undertake various obligations, including attending decision making meetings like the COP7.

Uganda is conscious of the importance of cooperative approach to conservation of resources that make regular movements across national borders at some stage in their lifetime. It is notable that Africa plays a key role as home for many species with ranging levels of localised, regional and global movement of particular populations and species. Aware that migration of any of the populations or species is not any nations choice, but a natural and spontaneous phenomenon in this regard, the only sustainable and effective role mankind and nations can play, geographical and/or jurisdictional location notwithstanding, is to cooperate fully with other nations and development partners to ensure protection and sustainable conservation of these species and the associated ecological processes and life support functions of nature.

For Africa, we have always honourably played this role through the cultures and traditions of the people that identify as one across almost all the borders. This is why the continent still remains as pristine as it is, and is home to many migratory species. Uganda wishes to appeal to the 7th Conference of Parties to give Africa chance, and within the prevalent circumstances, enable the continent further its capacity to consolidate the cooperative effort in ensuring that all the migratory species within and associated with the continent are protected for the good of Mother Nature and the known sustainable interests of mankind.

Uganda wishes all distinguished delegations fruitful participation in all the decision making meetings of the 7th Conference of Parties.

Justus Tindigarukayo-Kashagire,

Uganda Delegation, Chair AMCEN

Opening Statement

of **Ukraine** to the 7th Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals and 2nd Session of the Meeting of the Parties to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds, Bonn, Germany, 18–27 September 2002

Convention on the Conservation of Migratory Species of Wild Animals, its particular regional agreements and Memoranda of Understanding have been more and more recognized as the most effective international tools for the conservation of migratory species worldwide.

Ukraine, as a country that supports quite a number of habitats for migratory species, has made a substantial progress towards the conservation of this group of animals.

Conservation of biodiversity is formally declared as a priority of the national ecological policy and the Government of Ukraine takes efforts to develop and adopt relevant legislative acts enabling to enhance and improve nature conservation system and wildlife management in the country.

Law of Ukraine “On the All-State Programme on Establishment of Ecological Network for the period 2001–2015” has been adopted by the Parliament in the year 2000. One of the main functions of the ecological network to be established is the conservation of habitats for migratory species and promoting their migration. In December of the year 2001 Ukrainian Parliament had adopted a largely amended Law of Fauna where individual provisions and articles touch upon the migratory animals. In the year 2002 Law of Ukraine “On the Red Data Book of Ukraine” has been adopted thus enhancing the conservation status of endangered species at the national levels and quite a number of migratory species among them. On the 4th of July 2002 the Parliament of Ukraine adopted a Law on Ratification of African-Eurasian Waterbird Agreement (AEWA) thus taking commitments for improvement of the conservation of more than 100 species of migratory birds, which are in the Appendix to that Agreement and occur in Ukraine.

In the margins of the 6th Meeting of the Conference of the Parties to the Convention on Biological Diversity held in the Hague, The Netherlands, in April 2002, Ukraine had signed the Memorandum of Understanding on the Conservation Measures of the Middle-European Population of the Great Bustard.

From 28 February to 2 March 2002 the First Session of the Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean and Contiguous Atlantic Area (ACCOBAMS) was held in Monaco and Ukraine actively participated in preparation of that meeting. The Government of Ukraine is now taking efforts in finalizing accession procedure to ACCOBAMS and Ukraine’s formal accession to the Agreement is expected to be in the first half of the year 2003.

Being a Member-State to EUROBATS much work have been done in Ukraine in cooperation with neighboring countries aimed at clarification of the current status of bat species in Ukraine. A lot of new data have been obtained on biology and migratory patterns of bats in Ukraine which are intended to be used by decision-makers for adoption of appropriate measures for the conservation of that group of animals.

Ukraine has essential scientific potential and well-developed environmental legislation to effectively implement Bonn Convention, its particular agreements, and Memoranda of Understanding. Ukraine is open for fruitful and mutual cooperation on that matter and appreciates proposals for joint initiatives, programmes, activities and action plans that contribute to the conservation and rehabilitation of migratory species of wild animals.

We thank very much the Secretariats of the CMS and regional agreements and all involved Parties and organizations for their efforts in promoting conservation of the migratory species that are our common natural heritage. We also thankful to Germany, host country of the CMS COP7 and AEWA MOP2, for excellent arrangement of the conferences and making them successful.

Ukrainian Delegation

**The Convention on the Conservation of Migratory Species of Wild Animals
seventh meeting of the Conference of the Parties, Bonn, Germany,
September 2002**

Opening statement by the United Kingdom

The Delegation of the United Kingdom of Great Britain and Northern Ireland would like to record its gratitude to the Government of the Federal Republic of Germany for its enduring commitment to the Convention on the Conservation of Migratory Species of Wild Animals and for providing this excellent venue for the seventh session of the Conference of the Parties.

We should like to acknowledge the significant part played by the City of Bonn in the history and development of the Convention. The permanent secretariat was established in Bonn in 1984, the first of many UN organisations to make the decision to locate here. CMS is of course also known as the “Bonn Convention” because the negotiations were concluded not far from this building back in 1979.

It is seventeen years since the first Conference of the Parties met in Bonn. That Conference was attended by 49 delegates - a few of whom are here at COP7 – and all of the then nineteen Parties were represented. At that time the Secretariat comprised two members - a Secretary-General/Coordinator and a secretary. It is gratifying to see how the Convention has developed beyond all recognition since then. It has matured into a respected and important player on the conservation stage, and given rise to a number of regional Agreements which enjoy an enviable reputation in their own right, including of course, the African-Eurasian Migratory Waterbird Agreement, the second Meeting of Parties of which immediately follows this COP.

The United Kingdom will continue to play an active part in the Convention and support its activities in the Agreements, the Memoranda of Understanding and the Scientific Council. Most recently, the UK signed the Memorandum of Understanding on the Conservation and Marine Turtles of the Indian Ocean and South East Asia, in March of this year.

The United Kingdom is delighted to be able to announce its intention to ratify the Agreement on the Conservation of Albatrosses and Petrels once its Parliament is sitting again in the autumn, and in any case by the beginning of 2003. This has proved to be a matter of some complexity – the UK qualifies as a range state through its Overseas Territories, and through long-line fishing activities by vessels registered in the metropolitan UK itself. Ratification in respect of the Overseas Territories depends not only on their support for the proposal. It also depends on an assessment of whether their own legislation is capable of delivering implementation of the obligations contained in the Agreement, or whether it needs to be changed in order to be able to do so.

At the same time, the metropolitan UK is a member of the European Union and has had to consider its ability to take on the obligations of the Agreement, given that the Agreement itself recognises that responsibility for meeting these obligations can be split between a Regional Economic Integration Organisation and its member States. In this particular case we conclude that the metropolitan UK is in a position to implement the Agreement, but will need to enter a reservation in respect of the specific provision in its Action Plan, which requires the prohibition of trade in albatrosses and petrels, their

eggs, and parts or derivatives thereof. The UK wishes to make it clear, however, that this reservation is made necessary only because of the constitutional implications of ratification by the UK in advance of ratification by the European Community (which we hope will happen in due course). It is not seeking to preserve any such trade and indeed is aware of none.

The UK's initial ratification will be in respect of the metropolitan UK and at least one of its Overseas Territories within the range of albatrosses and petrels covered by the Agreement. Extension of this ratification to the remaining Territories within the range is planned as soon as possible. The UK looks forward to being able to participate fully in the working of the Agreement on the Conservation of Albatrosses and Petrels as soon as the necessary number of ratifications has enabled it to enter into force, and the first Meeting of its Parties to take place. We urge other range states to ratify this important Agreement as soon as possible.

As the sponsors of the Resolution on by-catch adopted at COP6 in 1999, the United Kingdom will follow with particular interest the debate on this issue. We are pleased to have been able to assist the Secretariat's work on by-catch through sponsorship of a research project.

We look forward to a stimulating week of constructive discussions to plan the way ahead for the Convention.

CMS COP7

Opening Statements of Non-Parties^{*}

- **Afghanistan**
- **Armenia**
- **Bangladesh**
- **Burundi**
- **Central African Republic**
- **Côte d'Ivoire**
- **Djibouti**
- **Gabon**
- **Indonesia**
- **Islamic Republic of Iran**
- **Liberia**
- **Nepal**
- **Syrian Arab Republic**
- **The former Yugoslav Republic of Macedonia**
- **Timor-Leste**
- **Viet Nam**
- **Yemen**

^{*} The alphabetic order follows the order of English country short names. / L'ordre alphabétique suit l'ordre des noms abrégés des pays en anglais. / El orden alfabético sigue el orden de las abreviaturas de los nombres de países en Inglés.

Address: by Abdul Samea Sakhi
General Director of National Parks
Kabul
Afghanistan

I am glad that I find my self among my colleagues and I appreciate the host of this wonderful event that did a lot. As delegate of my country Afghanistan. I want to declare the condition of wildlife in Afghanistan.

Afghanistan is one of the Asian mountainous countries that are surrounded by Iran, Pakistan, Turkmenistan, Uzbekistan, Tajikistan, and China.

In fact the country has no outlet to water dominated by continental climatic condition. The weather is generally dry, warm in the summer, cold in the winter. The different forests are composed of coniferous, cupressus spruces in Rosacea, which are located in the North, North east, west, south cast, the forest are covered about 1,7 million hectare in the pasture about 54 million hectare.

Kind of trees that exist there are

Conifer	Pinus	helepens	
	Pinus	wallichiana	East- south east
	Pinus	geradiana	
Cedrus	Cedrus deodara	East	
	Abies	spectabilis	
	Picea	smithiana	East
Cupressus	spp	South east	
Juniperus	spp	North west	
Quercus	spp	East-south	

These different forests are good habitats for most kind of wild life. There are six protected areas with rich natural resource, these area provide suitable habitat for wild various animals and birds. There are six protected areas that are important to be mentioned.

1. Big Pamir

Total area 6793 hectare located in Badakhshan province between 3250-6203 above the sea level

Wild animals

Ovis ammon polii
Peophgus grunniens
Unica unica
Capra aegagrus
Ibex ibex

Birds

Ancer albifron
Columbaevers manni
Gyps fulvus
ducks
Ger falcon

2. Band Amir

Total area 41000 hectare, located in Bamian Province with 4000 m above the sea level.

Wild animals

Capra ibex Sibericus
Canis aureus
Meles meles

Birds

Buteo lagopus
Pycnomotus spp
Aquila chrysaetos

3. Hajer - valley

Total area 4000 hectare, located in Bamian province with 1800 m above the sea level.

Wild animals

Capra ibex ibex
Unica unica
Canis lupus
Felis lybica
Ovis orientales

Birds

Falco peregrinus babylonica
Ciconia nigra
Sitta tephronata
Columba livia

4. Abe-Istada and Newar desert

Abe Istada: Total area 27000 hectare, with 2100 m above the sea level. Nawar desert: Total area 7500 hectare with 3200 m above the sea level. They are both located in Ghazni province.

Wild animals

Canis aureus
Canis lupus
Meles meles
Vulpes Vulpes

Birds

Siberian crane
Demoseal crane
Uresion crane
Phoenicoptus rubr roseus
Ancer ancér
Pelecanus crispus

5. Coli Hashmat Khan

Total area 191 hectare, located in Kabul province with 1700 m above the sea level.

Wild animals

Vulpes vulpes
Canis aureus
Martis foina
Meles meles

Birds

Ance spp
Anatid spp
Phoenicoptus formes
Pelecanus crispus

6. Sari mountain, Panjshir valley and Naghlo dam

These are located in Parwan province.

Wild animals

Panthbera paradus
Canis lupus

Birds

Ancer ancér
Ciconia nigra

Vulpes vulpes

Ger falcon

Canis aureus

Buteo lagopus

Capra falconeri megcenos

Sitta tephronata

From all six protected areas that mentioned most migratory water birds are living in two areas, one is Abe Istada in Ghazni province and other Coli Hashmat Khan in Kabul province. Mostly Siberian crane, phoenicopteri forms, Demoseal crane, Uresion crane, Anatid spp are living there.

Unfortunately during two decades of war in 3 - 4 years steady drought wild life especially migratory water birds suffered from difficulties, so these wild animals traveled from the border of country to other countries or they died. By coming of this year ministry of agriculture forestry dept could announce the law that prevents hunting in all of provinces, we observe a number of migratory water birds that had to escape from Coli Hashmat Khan in Kabul province they can be seen this year in that place such as pe-lecan, Heron. At the end as you know that Afghanistan in period of reconstruction. Like other sections, we require help and cooperation of international society and the organization that are having activities in conservation of wild life.

Furthermore we need

1. Training of experienced personnel of wild life.
2. Evaluation of wild life areas.
3. Inviting of wild life's personnel to international seminars and meetings.

Thanks from your attention

Statement of the Delegation of the Republic of Armenia to the 7th Meeting of the Conference of the Parties to CMS

The Madam Chair, Executive Secretary, distinguished guests, ladies and gentlemen,

The Delegation of the Republic of Armenia is very pleased to have this opportunity to address the 7th Meeting of the Conference of the Parties to CMS.

After the Soviet economic policy, the environmental problems has been further deteriorated by the transitional period hardship, energy and economy crisis. Despite the difficulties, the Government facilitates the socio-economic reforms, putting more stress on environmental issues. A new environmental policy is actually being formulated on the basis of reorganization of management structure, improvement of legislation and international cooperation. Regretfully, unfavorable economic conditions and lack of funds from national sources restrict largely practical implementation of environmental conservation activities.

Armenia sees as a main strategy goal the developing and broadening of international cooperation, directed to the integration into the world community. Armenia is ready for collaboration with all countries on the issues representing mutual interest through the bilateral contacts as well as through the multilateral treaties.

After the Rio Armenia is actively involved into international cooperation process and already has ratified 11 international environmental conventions. First environmental treaty that Armenia joined is Convention on Wetlands. Armenia became a Contracting Party to the Ramsar Convention in July 1993, less than two years after independence from the USSR, and first among former Soviet Republics. Currently the country is the Member of the Ramsar Standing Committee.

Armenia ratified Convention on Biodiversity and Convention on Climate Change in 1993, Convention on Combat Desertification in 1997.

Madam Chair, Armenia is located at the turn of Europe and Asia, on the crossroad of main inland migratory routes Europe - West Asia - Africa and Europe - India. Being a mountainous country, due to folded relief, unique variety of natural conditions, and in spite of small size (less than 30 thousands square kilometres), Armenia supports a great number of wild migratory species: bats, waterfowl, birds of prey, etc.

No wonder of course, that Armenia pays great attention to the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention, 1979). Armenia was represented by an Observer at the 5th and 6th COPs to CMS. Armenian representatives also attended the meetings of AEWA and Eurobats agreements, played active role in Indian-European Flyway Meeting held in Uzbekistan in 2000.

I have to inform you that the process of joining the CMS and relevant agreements currently is under the consideration of the Ministry of Nature Protection. After this conference the Ministry will provide additional information to the Cabinet of Ministers for further consideration. During 2003 the Government of the Republic of Armenia will inform the CMS Secretariat about official position.

Finally, the Delegation of Armenia takes this opportunity to thank the CMS Secretariat for financial support in order to attend this very important meeting and the Government of Germany for excellent hospitality.

Speech of the Honorable State Minister, Ministry of Environment and Forests of the Government of the Peoples Republic of Bangladesh in the Opening Session of the Seventh Meeting of the Conference of the parties

Bismillahir Rahmanir Rahim

Chairman of the Opening Session of the Seventh Meeting of the Conference of the Parties

Chief Guest

Distinguished Guests, Experts, Resource persons and Participants of the Member and Observer States

Journalists and Representatives of Mass Media

Ladies and Gentlemen

Good Morning

I am very glad to attend the Seventh Meeting of the Conference of the Parties of the Convention of Migratory Species of Wild Animals. I am grateful to the CMS Secretariat for giving us opportunities to attend the Convention. I also thank the Government of the Peoples Republic of Bangladesh for giving necessary support for attending the convention, which reflects the sincere effort of the Government of Bangladesh in the conservation of wildlife nationally and internationally.

Honorable Guests and Participants

There are 240 species of migratory waterbirds in Bangladesh due to its unique geographical location. Some of them are threatened globally. There are 5 flyways of migratory waterbirds in the Asia-Pacific region. Bangladesh is linked with 2 important flyways that is Central Asian-Indian Flyway and East Asian-Australian Flyway. Bangladesh at the present moment is conserving the wildlife of the country with the implementation of The Wildlife Preservation (Amendment) Act, 1974. The Sundarbans and the Tanguar Haor has been declared as Ramsar Site. The Asia-Pacific Migratory Waterbird Conservation Strategy was implemented in Bangladesh from 1996 for a period of 5 years with the cooperation of Wetland International - Oceania. The objectives of the programme was to develop network and cooperation between sites and flyways.

Ladies and Gentlemen

Bangladesh has been actively working for the conservation of waterbirds since 1987. It participated in the preparation of the Directory of Asian Wetlands Inventory, and has been participating and contributing in the waterfowl census, a routine annual activity of the Wetland International - Oceania. Very interesting information on some populations of globally threatened species of migratory waterbirds have been discovered through this census. As for example, a very significant number of individuals of the entire populations of the globally threatened Spoon-billed Sandpiper visit in the estuaries of Noakhali and Chittagong area every winter. Besides, quite a large population of the Indian Skimmer is found to occur in the same area particularly in the estuaries of Noakhali. Bangladesh is presently implementing marine turtle conservation program at Saint Martins island and Sundarbans.

Distinguished Guests

Bangladesh became Party to the Ramsar Convention in 1992 and ratified CBD in 1994. Bangladesh is yet to be Party to the CMS. It has not signed any convention of migratory wild animal.

Some international NGOs are directly involved in the conservation of migratory waterbird in the Asia-Pacific Region, and these are:

- Birdlife International
- International Crane Foundation
- Wetlands International
- World Conservation Union (IUCN)

IUCN has a Country office in Bangladesh.

Ladies and Gentlemen

Creation of a national wetland site network based on available current information. The sites should cover or should represent wetlands of both flyways in Bangladesh. The site selection may also be on the basis of broad wetland ecosystem areas in the country. Apparently, coastal areas from Saint Martin's Island to Sundarbans; Haor Basin including Tanguar Haor, Hakaluki Haor and Hail Haor; and the Padma-Brahmaputra-Jamuna river systems are the best wetlands for conservation of waterfowls and migratory waterbirds. Therefore, 6 to 10 places of these wetlands could be included in the proposed national network of wetland sites.

Preparation of an authentic list of migratory waterbirds and other waterfowls of the country including their habitat requirements and migration pattern.

Capacity building of official and staff of government and Non Government Organizations on conservation and management of waterbirds and their habitats.

Local community organization in the proposed network of wetland sites towards participatory conservation of waterbirds and wetlands.

Awareness building program among people at all levels as well stakeholders.

Distinguished Participants

Expressing its intention to participate in bilateral/multilateral agreements for management of wetland sites now exist or to be included in the Asia-Pacific Migratory Waterbird Conservation Strategy, Bangladesh may propose for

- a Bird Ringing project/programme to study the migration of waterbirds in the Asia-Pacific Region, and
- organising an international meeting for adoption of an intergovernmental agreement for conservation of migratory waterbird in the Asia-Pacific Region.

Ladies and Gentlemen

Bangladesh is yet to be a Party to the CMS. However, as per provisions of the CMS, being non-Party Country, Bangladesh could contribute to achieve the objectives of the CMS by signing agreement (s) for conservation of migratory species of wild animals.

I am grateful to the CMS Secretariat for inviting me to attend the COP7 as a Member of the Observer States.

I wish the Seventh Meeting of the Conference of the Parties a great success.

Allah Hafez

BANGLADESH ZINDABAD

Déclaration Liminaire du Burundi

Monsieur le Président,

La délégation du Burundi saisit cette opportunité pour remercier le secrétariat de la CMS et d'AEWA ainsi que le gouvernement de la République Fédérale d'Allemagne qui ont bien voulu assurer la participation des délégués des états non parties à ces instruments.

En effet, la participation des pays considérés comme observateurs à cette conférence des parties est l'un des moyens efficaces pour promouvoir la CMS et AEWA en témoigne le nombre de pays qui ont adhéré à la CMS et AEWA depuis la dernière conférence de Cape, Afrique du Sud (1989).

Etant déjà partie de la famille des pays qui ont signé les instruments internationaux sur le développement et la gestion durable des ressources naturelles dans le but de préserver l'environnement, à savoir:

La convention sur la diversité biologique, la convention CITES, la convention de RAMSAR, la convention cadre sur les changements climatiques, la convention sur les polluants organo-persistants et la convention sur la lutte contre la désertification.

S'agissant de la CMS et AEWA, le Burundi a déjà entrepris les démarches pour que les instruments soient signés dans les meilleurs délais après le premier atelier national au Burundi sur les conventions CMS et AEWA prévu au début de l'année 2002.

Pour conclure, le Burundi garde donc sa volonté d'adhérer à ces instruments qu'il juge très importants pour la gestion éclairée des espèces migratrices et la protection de leurs habitats pour les générations présentes et futures.

La délégation du Burundi
Ir. Jean-Marie Bukuru

Position de la République Centrafricaine sur la Ratification de la Convention

La délégation de la République Centrafricaine remercie la CMS pour l'invitation qu'elle a bien voulu lui adressée et le Gouvernement Allemand pour son accueil.

La République Centrafricaine a ratifié bon nombre de conventions et d'accords relatifs à l'environnement notamment sur la diversité biologique, sur la désertification, les zones humides etc.

Il y a deux mesures en vigueur en RCA pour la ratification de ces conventions et accords.

- 1) par l'Assemblée Nationale (qui est la procédure la plus longue)
- 2) par le biais du Ministère des affaires étrangères.

Le processus a été déclenché et c'est la procédure la plus rapide qui a été retenue, à savoir par le biais du Ministère des Affaires Etrangères.

En effet, c'est aussitôt après la 6^{ième} Conférence des Parties à la CMS qui s'est tenue au Cap en Afrique du Sud que nous avons initié une correspondance à la signature du Ministre de l'Environnement et des Eaux et Forêts pour inviter le Ministre des Affaires Etrangères à donner mandat à notre Ambassadeur à Bonn à signer la Convention.

Cela a traîné car le Ministre des Affaires Etrangères a transmis ce dossier à ses conseillers juridiques pour études. Toutefois, une note a été préparée à la signature du Ministre des Affaires Etrangères pour saisir l'Ambassadeur de la RCA à Bonn pour des instructions nécessaires.

Il s'agit maintenant pour nous de vérifier auprès de l'Ambassadeur ici à Bonn si cette correspondance est bien parvenue à destination.

COMMUNICATION RELATIVE A LA L'ADHESION DE LA COTE D'IVOIRE A LA CONVENTION SUR LA CONSERVATION DES ESPECES MIGRATRICES (CMS)

Bonn, 18 Septembre 2002

I- EXPOSE DES MOTIFS

La politique de la Côte d'Ivoire en matière de protection de la faune, suivant la loi n° 65-255 du 04 août 1965, tend à assurer la conservation et l'enrichissement qualitatif et quantitatif d'animaux d'espèces sauvages vivant naturellement dans le pays, tant sur les surfaces relevant du domaine de l'Etat que sur les terrains des particuliers. Les principes fondamentaux énoncés dans cette loi sont les suivants :

- Constitution et entretien de réserves totales ou partielles de faune établie, soit pour toute la faune, soit pour certaines espèces seulement ou dans certaines conditions ;
- Education globale de la population, tant par l'enseignement à différents niveaux que par des moyens audiovisuels, en vue de susciter une prise de conscience nationale de la notion de protection de la nature ;
- Protection intégrale ou partielle des espèces animales rare ou menacées d'extinction, ou présentant un intérêt scientifique, ou nécessaires à l'équilibre biologique, ou particulièrement utiles à l'homme, ou dont l'exploitation, pour le tourisme cynégétique ou visuel, comporte un intérêt économique ou éducatif.

La Convention des espèces migratrices appartenant à la faune sauvage, dite Convention de Bonn, s'inscrit dans les deux derniers principes de la loi ivoirienne en matière de protection de la faune. Elle fournit un cadre dans lequel les pays participent à la conservation des espèces migratrices et de leurs habitats en effectuant des travaux de recherche, de surveillance et de formation.

Il convient de noter, à cet égard, que la Côte d'Ivoire dispose d'une variété d'espèces migratrices appartenant à la faune sauvage, notamment les oiseaux migrateurs, les tortues marines et les petits cétacés des eaux côtières ivoiriennes, qui ne font pas actuellement l'objet d'études scientifiques appropriées pour leur conservation et le maintien de leur habitat. Ces espèces pourraient bénéficier des actions de la convention en ce qui concerne les études suivantes :

- Description de l'aire de répartition et de l'itinéraire de migration de chaque espèce migratrice ;
- Examen périodique de l'état de conservation de l'espèce migratrice concernée et identification des facteurs susceptibles de nuire à cet état de conservation ;
- Elaboration de plans de conservation et de gestion coordonnés ;
- Réalisation de travaux de recherche sur l'écologie et la dynamique des populations de chaque espèce migratrice ;

- Echange d'informations relatives aux résultats de la recherche scientifique, ainsi que statistique relatives à cette espèce.
- Adoption et mise en œuvre des mesures s'appuyant sur les principes écologiques bien fondés visant à exercer un contrôle et une gestion des prélèvements effectués sur l'espèce migratrice concernée ...

De ce fait, la Convention sur les espèces migratrices appartenant à la faune sauvage contribuerait, de façon considérable, à la conservation et à la bonne gestion des espèces migratrices ivoiriennes, essentiellement en ce qui concerne les oiseaux d'eau migrateurs et les tortues marines qui font déjà l'objet d'un accord au niveau de la CMS et petites cétacés des eaux côtières ivoiriennes.

La Convention sur la conservation des espèces migratrices appartenant à la faune sauvage apparaît, dès lors, comme un complément parfait de la CITES et de la convention Ramsar.

De plus, la CMS peut être considérée comme un outil spécialisé permettant d'appliquer les dispositions de la convention sur la diversité biologique.

En conclusion, deux (2) motifs ont justifié la ratification de la convention sur la conservation des espèces migratrices appartenant à la faune sauvage (CMS) par la Côte d'Ivoire :

- La CMS, grâce à ses principes et ses objectifs, fournirait à la Côte d'Ivoire des moyens adéquats pour une conservation et une gestion durable de ses espèces migratrices, à savoir : Les oiseaux, les tortues marines et les petits cétacés des eaux côtières ivoiriennes...
- La CMS permettrait à la Côte d'Ivoire, de renforcer sa législation en matière de protection de la faune sauvage en ce sens qu'elle renforcerait de façon considérable l'application de certaines dispositions des conventions déjà ratifiées par notre pays (Convention Ramsar, CITES, Convention sur la Biodiversité).

II- ACTIVITES ANTERIEURES

2-1 Processus de ratification et d'adhésion

Le Processus, débuté en 1999, avec l'adoption, avec avis favorable, de la Convention en Conseil des Ministres et devant la Cour Constitutionnelle a pris fin en 2000 après la prise d'un décret portant ratification de la CMS signé et publié au Journal Officiel de la République de Côte d'Ivoire (voir copie du journal en annexe).

2-2 Participation aux activités de la Convention

Mai 1999 : Organisation de la Conférence Internationale sur les tortues marines de la côte atlantique de l'Afrique avec l'élaboration d'un mémorandum d'accord sur les tortues marines

Novembre 1999 : Participation de deux délégués ivoiriens à la 6^{ème} Conférence des Parties au Cap Town, en Afrique du Sud

III- PERSPECTIVES

3-1 Adhésion

Les instruments de ratification sont à la signature du Président de la République. Renseignements pris auprès du Ministère des Affaires Etrangères, le traitement du dossier ne devrait pas excéder deux mois.

Personne contact au Ministère des Affaires Etrangères :

Monsieur Fiogolo au 00 225 20 32 50 01/ services des Affaires juridiques et consulaires

3-2 Projets

mise en place du réseau dans les aires protégées

formation des personnes ressources sur les oiseaux et tortues marines

REPUBLIQUE DE COTE D'IVOIRE

Union-Discipline-Travail

MINISTERE DE L'ENVIRONNEMENT ET DU CADRE DE VIE

DIRECTION DE LA PROTECTION DE LA NATURE

Préparé par :

BEUGRE Eric

Coordonnateur national CMS

Septembre 2002

**REPUBLIQUE DE DJIBOUTI
UNITE – EGALITE- PAIX**

**CONVENTION SUR LA CONSERVATION DES ESPECES MIGRATRICES APPARTENANT
A LA FAUNE SAUVAGE (CMS)**

**ACCORD SUR LA CONSERVATION DES OISEAUX D'EAU MIGRATEURS D'AFRIQUE
– EURASIE (AEWA)**

(7^{ème} Conférence et 2^{ème} Réunion des Parties, Bonn, République fédérale d'Allemagne,
18-28 septembre 2002)

**Ministère de l'Habitat, de l'Urbanisme,
De l'Environnement et de l'Aménagement du Territoire
BP : 11 –Djibouti, République de Djibouti
Tel :+253 35 00 06
Fax :+253 35 16 18**

DECLARATION DE LA REPUBLIQUE DE DJIBOUTI

Monsieur le Secrétaire Exécutif de la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage,

Monsieur le Secrétaire Exécutif de l'Accord sur la conservation des oiseaux d'eau migrateurs d'Afrique –Eurasie,

Chers participants, Mesdames et Messieurs,

La délégation Djiboutienne voudrait saisir l'occasion qui lui est offerte pour s'acquitter d'un agréable devoir, celui bien sûr de présenter ses vifs remerciements d'une part à la République fédérale d'Allemagne pour son accueil combien chaleureux depuis notre arrivée dans cette merveilleuse ville de Bonn et d'autre part aux organisateurs, plus particulièrement les secrétariats PNUE/CMS/AEWA qui ont bien voulu inviter notre pays pour prendre part pour la première fois aux travaux de la présente session qui revêt une importance capitale pour la conservation des espèces migratrices appartenant à la faune sauvage en général et aux oiseaux d'eau migrateurs d'Afrique –Eurasie en particulier.

Comme vous le savez, la République de Djibouti est un de plus petits Etats d'Afrique avec une superficie de 23 000 km² et une population à peine supérieure à un demi million. Elle est située dans une zone biogéographique très importante dans l'embouchure nord du Rift Valley africain. Elle abrite une variété d'écosystèmes et d'espèces uniques, rares et spécifiques des zones arides de la Corne d'Afrique. Aussi,

elle est reconnue pour une multitude d'espèces de faune et de flore sur lesquelles s'exercent d'énormes pressions humaines mettant en péril la pérennité de ces espèces.

Egalement, Djibouti souhaite par le biais de ma présence ici aujourd'hui, d'attirer votre attention sur le fait que son territoire sert de terre d'accueil ou d'escale à des milliers d'oiseaux couverts par la CMS et l'AEWA de par sa position géographique trait d'union entre l'Europe, l'Afrique et l'Asie.

Etant déjà Partie à un certain nombre d'instruments internationaux ou régionaux garantissant la préservation des ressources biologiques comme la Convention sur la Diversité Biologique, la Convention de CITES, la Convention sur la lutte contre la Désertification, la Convention –Cadre sur le Changement Climatique, le Programme d'Action Stratégique pour la conservation de la mer Rouge et du golfe d'Aden, la République de Djibouti est en phase finale de ratification de plusieurs autres conventions.

Aussi et avec l'appui technique et financier du Bureau Ramsar, nous avons organisé le mois d'août dernier avec beaucoup de succès, un atelier de vulgarisation et de sensibilisation sur le concept de la Convention de Ramsar et j'ai l'heureuse nouvelle à vous annoncer que mon pays vient de ratifier le 9 septembre dernier la Convention de Ramsar.

Nous avons déjà entrepris les procédures nécessaires et préparatoires pour adhérer à la CMS et à l'AEWA comme en témoigne notre présence ici et les contacts permanents entretenus avec les deux secrétariats depuis plusieurs mois. Nous tenons à dire et à répéter aujourd'hui que notre pays reconnaît le rôle prépondérant joué par la CMS et l'AEWA quant à la conservation des espèces migratrices et à la protection de leurs habitats dans l'optique d'une gestion rationnelle et durable. C'est la raison pour laquelle la République de Djibouti souhaite rejoindre très prochainement les pays Parties pour participer activement et effectivement à la conservation des espèces migratrices et des oiseaux d'eau migrateurs.

Dans l'optique de se joindre aux efforts entrepris dans ce domaine par les pays Parties, la République de Djibouti voudrait initier très rapidement, avec le concours et l'expérience de la CMS et de l'AEWA, une étude complémentaire sur l'inventaire national des sites d'importance pour la conservation des espèces migratrices en général et des oiseaux d'eau en particulier. Nous lançons un appel à votre appui pour nous assister à la formulation d'une stratégie nationale en matière de conservation des espèces migratrices et de leurs habitats car comme un certain nombre de pays en développement, Djibouti ne dispose ni d'études scientifiques suffisantes ni de rapports écologiques sur les espèces couvertes par la CMS et l'AEWA, ni non plus des ressources humaines adéquates avec les connaissances scientifiques requises, ni même des équipements appropriés pour évaluer ou assurer un suivi régulier des oiseaux ou des espèces migratrices transistant ou hivernant sur notre territoire.

Les financements d'infrastructures, d'équipements de recherche, de formation et de sensibilisation sont inexistantes actuellement. Notre pays n'a jamais sollicité ni bénéficié spécifiquement pour la réalisation des programmes axés sur les oiseaux ni sur les zones importantes pour leur conservation.

Voilà pourquoi aujourd'hui, je profite au nom de mon pays de l'occasion qui m'est offerte devant cette honorable assemblée, pour solliciter un appui financier, matériel et scientifique pour réaliser des études scientifiques suffisantes sur les espèces migratrices en général et sur les oiseaux d'eau d'Afrique – Eurasie ainsi que leurs habitats en particulier afin de combler le vide d'éléments scientifiques de base.

En outre, pour anticiper et faire face à certains des problèmes sus mentionnés, mon pays compte réaliser dans les limites de ses moyens ainsi qu'avec le concours de la communauté internationale en général et des secrétariats CMS/AEWA en particulier, les actions suivantes.

- Inventorier sur l'ensemble du territoire, les espèces couvertes par la CMS et par l'AEWA.
- Inventorier et réaliser des études approfondies des sites d'importances pour les espèces migratrices et pour les oiseaux d'eau.
- Promouvoir et assurer la formation et la détection des écologistes, particulièrement des ornithologues au niveau national.
- Identifier et désigner des ZICO.

Considérant l'importance de son patrimoine naturel spécifique en matière de Diversité Biologique et face aux multiples pressions qui pèsent sur les ressources biologiques déjà insuffisantes, mon pays ne manque pas de volonté. Mais sans l'expérience et le concours des communautés internationales, tous nos efforts resteraient aléatoires et sans résultats probants.

La République de Djibouti, en tant qu'Etat escale, corridor et terre d'accueil d'un nombre considérable d'espèces d'oiseaux migrateurs, des tortues marines et autres mammifères marins et terrestres, souhaite aujourd'hui exprimer sa volonté d'adhérer à la CMS et à l'AEWA en vue d'apporter sa contribution aussi peu soit-elle, à la sauvegarde des espèces migratrices appartenant à la faune sauvage.

Pour finir, je voudrais réitérer mes remerciements personnels et celui de mon autorité de tutelle en l'occurrence le Ministre de l'Habitat, de l'Urbanisme, de l'Environnement et de l'Aménagement du Territoire, au Gouvernement allemand qui a hébergé ces deux grandes rencontres et aux secrétariats respectifs CMS/AEWA qui n'ont ménagé aucun effort pour assurer la participation effective de mon pays à l'instar des nombreux délégués des Etats non Parties à ces instruments.

Je vous remercie.

Délégation de la République de Djibouti

Houssein Abdillahi Rayaleh

Assistant du Secrétaire Général

Point focal national de la Convention de Ramsar

Correspondant national de la CMS/AEWA

Tel : +253 35 26 67

Tel : +253 35 16 18

Email : assamo@caramail.com

**Ministère de l'Économie Forestière, des Eaux, de la Pêche,
Chargé de l'Environnement et de la Protection de la Nature de la
République Gabonaise**

Convention sur la Conservation des Espèces Migratrices appartenant à la Faune Sauvage (CMS)

Accord sur les Oiseaux d'Eau d'Afrique-Eurasie (AEWA)

Etat des Lieux du Gabon face à la CMS et à l'AEWA

La délégation Gabonaise saisit de l'opportunité qui lui est offerte pour remercier d'une part la République Fédérale d'Allemagne pour l'accueil aussi bien chaleureux qu'elle a été l'objet, et d'autre part les deux secrétariats exécutifs de cette grande rencontre ainsi que les organisateurs desdits travaux pour avoir invité encore une fois le Gabon aux présentes assises en qualité d'observateur.

Le Gabon profite par la même occasion pour éclairer rapidement l'assistance sur les efforts déployés par le Gabon en matière de gestion de ses ressources naturelles conformément à l'esprit de ces deux protocoles d'accord.

Le Gabon, de par sa situation géographique au cœur du centre d'endémisme régional Guinéo-Congolais et du massif forestier du bassin du Congo, s'ouvre largement à l'Océan Atlantique sur 800 km de côtes, bénéficiant ainsi d'un capital naturel riche et diversifié.

Son potentiel forestier est considérable et abrite plusieurs espèces animales (primates, éléphants, félins, gazelles, oiseaux, reptiles et insectes) il va de même pour son vaste espace maritime et fluvial riches en mammifères marins et en espèces halieutiques (baleines, dauphins, lamantins, tortues marines, sardinelles, thonides, crustacés etc.).

Cette situation fait du Gabon un véritable couloir et un site par excellence de beaucoup d'espèces migratrices aussi bien au niveau terrestre qu'aux niveaux marin et aquatique.

Quoique riche et varié le patrimoine Gabonais souffre des menaces dues aux exactions des activités extractives basées sur la capacité de la nature à fournir de plus en plus de la viande de brousse, des produits halieutiques, des oeufs de tortues etc.

Ces profondes mutations sociales et économiques ont beaucoup affecté les populations en favorisant un affaiblissement des comportements respectueux de l'environnement, lequel s'accompagne des actes irresponsables dans l'utilisation des ressources naturelles et des écosystèmes fragiles.

Conscient des menaces qui pèsent sur ces différents milieux naturels aux conséquences parfois irréversibles, le Gabon a entrepris depuis plus d'une décennie des activités de recherche et de gestion durable grâce à la participation effective des départements publics concernés, des instituts de recherche

et des organisations non gouvernementales internationales et locales (WWF, ECOFAC, MICS, Carpe, ADIE et ASF etc.)

Toujours au niveau national, des mesures législatives ont été adoptées aussi bien dans le code de l'environnement que dans les nouveaux codes forestier et minier, afin de rendre pérennes nos différents écosystèmes avec tout ce qui les compose.

Bien que ce faire peu, le Gabon à lui seul ne peut venir à bout des maux qui affectent ses ressources naturelles. C'est pourquoi soucieux de mieux gérer ce patrimoine exceptionnel, il a renforcé sa coopération en matière d'environnement en adhérant tour à tour à:

- la convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction
- la convention sur les zones humides
- la convention sur les changements climatiques
- la convention sur la désertification
- la convention sur la diversité biologique.

Ouvrant sans relâche dans les missions qu'il s'est assigné et conscient du rôle salubre et indispensable que jouent la CMS et l'AEWA dans la sauvegarde de toutes ces espèces menacées, le Ministère de l'Économie forestière, de la Pêche, Chargé de l'Environnement et de la protection de la Nature s'attelle à faire aboutir dans un très proche avenir à la signature de la convention des espèces migratrices appartenant à la faune sauvage et à l'accord sur les oiseaux d'eau d'Afrique-Eurasie.

Je vous remercie.

La Délégation Gabonaise

Jean Hilaire Moudziegou, Directeur des Études

**STATEMENT BY THE GOVERNMENT OF INDONESIA
AT THE 7TH MEETING OF THE
CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

Honorable Chairman,
Distinguished Delegates, Ladies and Gentlemen,

Firstly, on behalf of the Government of Indonesia, I would like to express my sincere gratitude to the Government of Germany and the Secretariat of CMS for making Indonesia possible to be represented as an observer at this important meeting.

Indonesia is geographically unique. It is an archipelago, which consists of about 17,000 islands. It is situated in between two continents, namely Asia and Australia and between two oceans, namely Indian Ocean and the Pacific. A mega-diverse country with the warm and humid climate of the tropic has made the country as an important place for “stop over” by the migratory species along their migration routes. The country may provide habitats with abundant food and shelter for the migrating population during their temporary stops, essential for migration and crucial to their survival and well-being. Therefore, Indonesia has become range state to many important species, such as whales, dolphins, sharks, marine turtles, and migratory water birds, which are regulated by the Convention on the Conservation of Migratory Species of Wild Animals (CMS).

Even though Indonesia is not Party to CMS some management and protection measures have been undertaken to conserve migratory species. Almost all migratory species, which occur in Indonesia, have been nationally protected. This means that no capture, possession, and trade are allowed. Indonesian legislation also provides protection of habitats important for conservation of wildlife species. Therefore, migratory species in Indonesia receives sufficient protection.

In addition, Indonesia is Party to some related Conventions, notably Convention on Biological Diversity (CBD), Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and Convention on Wetlands (Ramsar Convention), which directly relevant to the conservation of migratory species.

Indonesia is aware of the importance of the CMS, which provides guidance to the Parties concerning the effective conservation and management of migratory species of wild animals. Indonesia has accordingly, been considering the possibility to accede the Convention, however, there are some internal problems, such as economic, politics and other internal conditions, hindering the process of accession.

Recognising the importance of the Convention, the Government of Indonesia is undertaking a cross-sectoral internal consultation, among others through a workshop, which will be undertaken in few months. Meanwhile, consultation with local authorities will also be undertaken in order to obtain more supports from local communities and local Governments.

After these consultation processes, the Government of Indonesia will, proceed with the formalities required for accession. At this juncture, Indonesian Government is unable to establish the time frame on when Indonesia would be able to officially accede the Convention.

Thank you,

I MADE SUBADIA
Director General

Islamic Republic of Iran**“Preparations for Accession to the CMS”****Seventh Meeting of the Conference of the Parties (COP7)
of the Convention on the Conservation of Migratory Species of Wild Animals
Bonn, Germany, 18-24 September 2002****Introduction**

The Islamic Republic of Iran is located in southwest Asia, bordering in the south with Persian Gulf and Oman Sea and from the north with the Caspian Sea. Iran possesses an extremely diverse fauna and flora, partly because of its great range of habitats from permanent snows to deep deserts and from lush deciduous forests in the north to palm groves and mangroves in the south - and partly because of its position at a crossroads between three major faunal regions. The greater part of the country is situated in the Palearctic Region, with typically Western Palearctic species predominating throughout the northwest, west and central parts of the country and some typically Eastern Palearctic species extending into northeastern Iran in the highlands of Khorasan. In southern Iran, two other faunal regions have a pronounced influence: the Indo-malayan Region in the southeast, and the Afro-tropical Region in the extreme southwest. About 125 species of mammals and 500 species of birds have been recorded, while at least 270 species of fish (including 33 endemic species) are known from the Persian Gulf and Caspian Sea. A recent checklist records over 1,000 species of fish as being known to occur or potentially occurring in Iranian fresh and salt waters.

The Islamic Republic of Iran has constantly played a significant role in regional and international activities in order to protect the environment. Iran hosted an international conference in the city of Ramsar in 1971, which adopted an important environmental instrument on wetlands so called: “Ramsar Convention on Wetlands.” By the end of 2001, a total of 21 wetlands with an area about 1.5 million hectares were included in the Ramsar List. Iran participates in the UNESCO Man and the Biosphere Program, and in 1976 had designated nine Biosphere Reserves covering a total of 2,775,096 hectares. Four of these Biosphere Reserves namely: Arjan, Hara, Uromiyeh and Miankaleh are of international importance. The Islamic Republic of Iran has also acceded to the Regional Convention for Cooperation on the Protection of the Marine Environment so called ROPME in the Persian Gulf, and accepted its Action Plan for the Protection and Development of the Marine Environment and the Coastal Areas. Iran also signed an agreement with the Caspian Sea littoral states (CEP) to combat pollution in the Caspian Sea in 1992. The Iranian government is happy to announce that during the 7th meeting of the littoral states of the Caspian Sea, held in July 2002 Tehran, the text of Convention for the Protection of the Marine Environment of the Caspian Sea was finalized and the coastal states prepare themselves to hold signing ceremony in the near future.

The environmental protection law enacted in 1974 is the major legal instrument for environmental conservation in Iran. According to this act four categories of natural protected areas have been established in Iran, which are managed by the Department of Environment. By August 2002, the system of protected areas in Iran included 16 National Parks, 31 Wildlife Refuges, 89 Protected Areas,

13 National Nature Monuments and five Protected Rivers, totaling at least 11,717,195 hectares covered over 6.8% of the country. In addition, until now there are 88 Non-Hunting areas under management of DoE, with a total area of 5,205,212 hectares.

Iran is a country home to 3 migratory species currently listed on CMS Appendix I, about 150 species listed on Appendix II and 13 species listed on Appendix I & II. Of particular interest to CMS, Iranian coasts constitute an important nesting ground for the sea turtles. Iran also has important staging, breeding and wintering sites for a considerable number of bird species migrating across between Eurasia and Africa. These include the Siberian Crane *Grus leucogeranus*, Lesser Kestrel *Falco naumanni* and the Ferruginous Duck *Aythya nyroca*, both listed in Appendix I and II

Animal Groups	Appendix I	Appendix II	Appendix I/II	Total
Aves		128	15	143
Mamala	3	19		22
Aquatic		2	4	6
Grand Total	3	149	19	171

In March 1997, the Islamic Republic of Iran began to formulate a National Biodiversity strategy and Action Plan. Iranian government policy formulation and implementation has been guided by a series of Five-year Development Plans. The current Five-year National Socio-Economic Development Plan was initiated in March 2000 and gives more prominence to environmental issues than the previous plans.

Iran has joined, a *Memorandum of Understanding concerning Conservation Measures for the Siberian Crane* (MoU) in 1993 and another MoU for Slender-billed Curlew, both, under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) to help further protect and conserve these important endangered species. Under the CMS MoU (updated in 1998), the participating Range States have committed to identify and conserve wetland habitats essential to the survival of Siberian Cranes, to co-operate with international organizations and other Range States and to develop a long-term Conservation Plan (updated at the Fourth Meeting of the Parties to the MoU in May 2001). Since the MoU entered into force, the CMS Secretariat has convened four fruitful meetings of experts from the Range States in Russia (May 1995), India (November 1996), Iran (December 1998) and USA (May 2001) respectively. The Governments requested CMS and ICF to co-ordinate implementation of the Conservation Plan, and to undertake the necessary preparatory work for a study of the environmental situation in the ecosystems inhabited by this migratory species. To date, resources allocated for implementation of the Conservation Plan have been inadequate to include the broader aspects of wetland ecosystem management, a shortfall that this project seeks to address.

GEF project on Wetlands for Siberian Cranes

Following a period of intensive preparation led by the International Crane Foundation (ICF), a Global Environment Facility (GEF) project on the Conservation of the Globally Significant Wetlands and Migratory Corridors required by Siberian Cranes and other Globally Significant Migratory Water birds began in March 2000. Project proposal discussed at the third Siberian Crane range country meeting held at Ramsar, I.R. Iran in December 1998, and a preliminary draft of work plan approved by the

meeting and appended to the proposal. The PDF B phase of the project, which covers China, the Islamic Republic of Iran, Kazakhstan and the Russian Federation, completed in March 2001 with the submission of a comprehensive six-year Full Project proposal. The project is being implemented through UNEP, and is being coordinated by ICF and the Convention on Migratory Species. The Project aims at conserving the critical sites that are used by Siberian Cranes for breeding (in Russia), staging during migration (all four countries), and the main wintering grounds (in China and Iran). Plans will be developed to conserve the overall biodiversity at selected wetlands, most of which are of international importance for a variety of reasons. The project will focus on specific management activities at these sites, and will also strengthen co-ordination of the flyway site networks used by the Siberian Cranes in Eastern and Central Asia, in cooperation with existing initiatives including the CMS MoU concerning Conservation Measures for the Siberian Crane, North East Asia Crane Site Network, and the Asia Pacific Migratory Waterbird Strategy.

Activities towards Accession to the CMS

In order to pave the way for accession to the CMS and related agreements such as AEWA, The Iranian government has rendered several endeavors, which are as follows:

1. According to the constitution, accession to any multilateral agreement requires adequate justifications and needs legal proceedings, such as signing the instrument by a high-level governmental official and ratification by the parliament. To this end, the Department of Environment and the Ministry of Foreign Affairs have prepared and presented necessary reports to the cabinet for its approval. It is hoped that in 2003 the Convention on Migratory species will be ratified by the Parliament and therefore Iran joins the other parties to the CMS.
2. Two years ago, a new national project namely, National Project on Wetlands have been launched in Iran with the financial assistance of the GEF and cooperation of Ramsar Convention on Wetlands and UNDP. The document project is at the stage of finalization. It covers 4 sites so called: Orumyeh, Miankaleh, Arjan and Parishan, and Khour-e-Khouran which will be managed in 2 phases.
3. A project under the title of “Wetlands’ Inventory” was initiated last year in Iran, which was financed completely by the government and supported by several national NGOs. In this project all pieces of information on the wetlands across the country will be collected and kept in a database.
4. Recently a project has been drafted with the cooperation of UNDP in order to recover Hamoon Wetlands, which was dried up in recent years due to drought and damming in Afghanistan. It is worthy of attention that Hamoon wetlands are surrounded by large desert areas and recognized as a major waterfowl habitat of international importance. It is hoped that with the assistance of the International environmental bodies, donor communities and finally with the cooperation of the neighboring country, we would be able to recover these wetlands.

In conclusion, the Iranian government makes every effort to accede to the convention. However, like every other commitment there is a need for enabling activities and enhancing the national capacity to meet the expectations arising from the joining the Convention. Therefore, we welcome any contribution from the international community particularly the CMS secretariat and the donor community for the better implementation of the provisions of the Convention. We really believe that cooperation and coordination among the parties to the Convention is the only way to conserve our endangered natural resources.

**Statement by the head of the Liberian delegation,
Hon. Abraham B. Krome, Jr.,
Deputy Minister for Sectoral and Regional Planning,
Ministry of Planning and Economic Affairs**

To: Minister of Environment Germany
Deputy Executive Director UNEP
Executive Secretary CMS
Director of AEWA
Delegates

On behalf of the government of Liberia it is a pleasure to participate in the Seventh Meeting of the Conference of the Parties of CMS and the Second Meeting of the Parties to the Agreement of African and European Water birds.

We strongly support the concept of building innovative partnership between government, private sector and civil society for financing and fostering growth and development. The Government of Liberia is strongly committed to the aims and objectives of the CMS. We are party to six major environmental conventions: CITES, Convention on Biodiversities, CCD, POP, RAMSAR and Convention World Culture and Historic Heritage

I wish to inform that Liberia wishes to join the Conference of the Parties of CMS through accession and ratification of the CMS Convention. It is our hope that before the end of next year the government and people of Liberia will complete the task.

We thank you.

Mr. Chairman
Distinguished Participants
Ladies and Gentlemen

It is a great honor for me to address the distinguished participants. And I would like to thank the organizers for providing me the opportunity to participate in this important convention. Moreover, I feel honored to have the opportunity to share experiences with the distinguished participants present here about Nepal's initiatives on biodiversity conservation.

Nepal is a small, land-locked mountainous country between China and India. Separating the Tibetan highland in the north and the fertile Gangetic Plains to the south, Nepal (Area: 147,181 sq. km., 26° 20' N – 30° 27' N and 84° 4' E-88°12' E), with its diverse topography (elevation range: 60-8,848 m) and climatic zones (subtropical-arctic), harbors biological riches of both the Indo-Malayan and Palaeoarctic realms, including endemic Himalayan floral and faunal elements. Nepal supports a variety of ecosystems that are globally scarce. The country has 29 % forested area, 10.6 %; shrublands and degraded forest and 12 % grasslands. Seventy-five vegetation types have been identified. Estimates on the number of plants and animal species vary, but there are over 6,500 species of flowering plants; over 1,500 fungi species; and over 350 species of lichens. About 370 species of flowering plants are considered endemic to Nepal and about 700 species are known to possess medicinal properties. Faunal diversity in these habitats is equally impressive, as they contain about 181 mammal species, 858 bird species including 6 species of endemic pheasants, 147 reptile and amphibian species, 180 species of fish, 640 species of butterfly, and approximately over 6,000 species of moth. Of these 26 mammals, 9 birds and 3 reptiles are endangered, vulnerable or threatened (National Parks and Wildlife Conservation Act 1973). Examples are the:

Gharial (*Gavialis gangeticus*),
Bengal florican (*Eupodotis bengalensis*),
Lesser florican (*Sypheotides indica*),

Gangetic dolphin (*Platanista gangetica*),
Hispid hare (*Caprolagus hispidus*),
Red panda (*Ailurus fulgens*),
Clouded leopard (*Neofelis nebulosa*),
Snow leopard (*Panthera unicia*),
Tiger (*Panthera tigris*),
Asian elephant (*Elephas maximus*),
One-homed rhinoceros (*Rhinoceros unicornis*),
Musk deer (*Moschus crysogaster*),
Swamp deer (*Cervus duvauceli*), and
Wild buffalo (*Bubalus bubalis*).

Owing to their unique natural and cultural characteristics, of nine, two National Parks have been declared World Heritage Sites. Likewise, the Koshi Tappu Wildlife Reserve that lies in the floodplains of the Sapti-Koshi in East Nepal is the first Ramsar Site in Nepal. Besides, being an important winter-

ing ground for migrating birds, the reserve shelters the last surviving population of the wild water buffalo.

Despite biological richness and scenic splendors, Nepal faces some of the most serious conservation threats besetting any nation in the world today. Nepal is also one of the least developed countries in the world. Due to the country's fragile geological structure, soil erosion and landslides are common phenomenon. Fragmentation of pristine wildlife habitat and human induced activities pose threats to populations of tigers, rhinoceros, wild Asian elephant.

Nepal entered into the modern era of wildlife conservation with the enactment of the National Parks and Wildlife Conservation Act in 1973. The Department of National Parks and Wildlife Conservation presently works with 16 Protected Areas covering more than 18 percent of the country's land and representing 80 out of 118 forest ecosystems. The conservation policy has evolved from strict protection of species and habitats to landscape approach to promote ecoregional conservation. The 10th Five Year Plan of His Majesty's Government of Nepal also places high priority to the sustainable management of the natural resources and biodiversity conservation to promote sustainable development in the country.

With the objective of reducing biotic pressure in the PAs and fulfilling local people's needs of forest products, the government has made the legal provision of establishing bufferzones around the protected areas. The objective of having BZ is to generate local people's support in biodiversity conservation. The long-term objective is to win local people's support and stewardship in conservation.

The Bufferzone Regulation has the provision of plowing back 30-50 percent revenue generated by the park/reserve into community development activities in the bufferzone of the respective parks/reserves.

At the international level, Nepal has signed several conventions including CITES, RAMSAR, WHS, CBD etc.

Since that, the convention on the conservation of migratory species of wild animal focuses on conservation and sustainable utilization of migratory species over their entire range, Nepal also recognizes migratory species of wild animals as a globally important resources as well as an important component of global biological diversity.

We are also concerned about the protection of migratory species in its entire range. We all are aware that, very often, national effort is not enough to save certain species of wildlife. So, Nepal is seeking international support for the conservation of globally important biodiversity in the country. Our past and current national policies also advocate conservation and wise use of biodiversity while combating the threats to migratory species of wild faunas.

The status and conservation efforts of wildlife may be different in different range states. Therefore, we feel the need for strong and comprehensive measures to enhance effective conservation across the range states. We believe CMS is playing a great role by providing leadership to consolidate international cooperation for the effective conservation of migratory species throughout its range states. I am optimistic about Nepal joining the international convention to conserve the migratory species by the next COP.

Thank you.

Statement of Syrian Arab Republic to the CMS

Syria has ratified the most Conventions and Agreements related to Biodiversity components protection:

- Convention on Biological Diversity.
- RAMSAR Convention.
- Desertification Combat.
- ACCOBAMS Agreement.
- Barcelona Convention.

And on 14/9/2002 Syria ratified AEWA.

Syria has finished:

- National Country Study on Biodiversity.
- National Strategy and Action Plan on Biodiversity, which had been ratified by the High Council for Environment Protection on 13/5/2002.

Syria has declared 16 protected areas, which represent different ecosystems and have high importance for many migratory species of birds.

More than 5 medium and big projects had been begun in these protected areas.

Re-habitation of Arabian Oryx and Arabian Gazelle happened in 3 protected areas.

Many procedures, activities and projects have been implemented to conserve and protect the forests, Steppe, freshwater and marine Biodiversity.

Many public awareness campaigns related to the importance of the Biodiversity components have been implemented.

Syria and CMS:

Syria had prepared all national necessary steps to sign and ratify the CMS convention. It is sure that Syria will ratify the CMS Convention no later than the end of December 2002.

**7-th Meeting of the Conference of the members of the Bonn Convention
(Bonn, Germany: 18-24.09.2002)**

Addressing to the participants of the Conference

I would like to address you and greet you on the behalf of the President of the Republic of Macedonia, the Macedonian Government, the Minister of Environment and Physical Planning, the Minister of Foreign Affairs, the Macedonian Committee of Migratory Wild Species and on my behalf as a National Focal Point for the Bonn Convention.

Taking part at this Conference in Bonn today, I would like to express my gratitude to the German Government - Depositor of the Bonn Convention, the Executive Secretary of the Secretariat of KMV for the invitation and the financial support they give to our country.

As you already know, the Republic of Macedonia ratified this Convention by Law adopted in 1999, and it entered into force for our country on November 1st, the same year.

In the past three years our members in CMS have actively participated in the work of the committees and the expert groups of UNEP/CMS and the meetings of the members of the two regional Agreements which were also ratified by Macedonia: the Hague Agreement (AEWA) and the London Agreement (EUROBATS).

Today we can conclude with pleasure that the implementation has been successfully realized and that is a stimulus to continue participating in this process.

Although the Bonn Convention, together with the other 5 international Conventions for biodiversity management (CBD, CITES, WHC, Ramsar, Bern) are not in the sphere of the economy, the attitude of the Macedonian Government is that they are of a special significance for the future sustainable development of our country, for they are based on higher civilization principles equally for all the countries in the world. In these frames we see the perspective for integral protection, conservation and development of the migratory wild animal species and their natural habitats. We consider that only by joint appearance of all the member countries of this Convention and the other international documents, our partners (specialized agencies of UN, Council of Europe, EU and other) we would be able to implement the components of the ambitious Action Plan.

Guided by these principles, the Macedonian Government through the responsible ministries, together with the scientific and expert institutions, the Agencies of the units for local self-government and the non-governmental organizations will continue intensifying the activities for full implementation of the provisions from the Bonn Convention in our national legislation. The Strategic Action Plan would be realized through quality programmes and projects for conservation of the bio centres and bio corridors of the wild life. The Ministry of Environment and Physical Planning is the main bearer of the project for preparation of the National Strategy and Action Plan for Biodiversity. There are special chapters in them on the integral protection, conservation and development of the basic components of the biodiversity, with a special review of the rare, autochthonous, relict and endangered wild animal species.

Having in mind that after the successful overcoming of the last year war crisis in Macedonia, the Macedonian Government has signed more bilateral, sub-regional and other international Agreements, especially with our neighbours and the members of EU, we consider that good conditions were created for realization of projects from our area: studying, monitoring, proclaiming especially significant areas, creating national bases of relevant information and other data on the numerical value of the populations

and the status of protection of the wild migratory species, issuing joint publications, CD-Roms and other materials.

With a special respect to your increased interest for our activities in this area, I would like to inform you that you can get relevant data and information by visiting the web-site of UNEP/CMS and our web-site on the Internet.

Although a country in transition, with modest financial resources, we are rich with natural resources and biodiversity - significant for the future sustainable development on a regional and global level.

Once again we call for all the parties of the agreement and the international scientific, expert and financial institutions for cooperation in order to achieve the common goals.

I wish you a successful work at the Conference.

Thank you for your attention.

Bonn: 18 September 2002

Aleksandar Nastov, M. Sc.
Delegate of the Republic of Macedonia
National Focal Point for CMS
Executive Secretary of MBC



REPÚBLICA DEMOCRÁTICA DE TIMOR LESTE
MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES
Dili, Timor-Leste
STATEMENT FOR EAST TIMOR'S ACCESSION TO THE CONVENTION ON THE
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

On behalf of the government of the República Democrática de Timor-Leste, I would like to formally express our intention to become one of the signatories of the Convention on the Conservation of Migratory Species of Wild Animals. The República Democrática de Timor-Leste believes in the Fundamental Principles of the convention that all migratory species of wild animals needs to be protected and conserved.

Timor-Leste, being one of the islands in the Asia pacific region, serves as migration point for bird species from neighboring countries such as Australia and Indonesia. In the same way, marine species in Timor-Leste seawater also migrates to Australia and the neighboring Province of Indonesia.

Timor-Leste, being the newest country of the millennium is currently developing policies and strategies for sustainable management of its natural resources. One of the main objectives is also to protect and conserve migratory species. Some of the actions that Timor-Leste government had undertaken through the Department of Forestry of the Ministry of Agriculture, Forestry and Fisheries are as follows:

1. Education of communities adjacent to the forest and protected areas where the migratory birds temporarily stays;
2. Declaration of migratory bird's habitat into National Park and Protected Area; and,
3. Integration of the protection and conservation of migratory species in the National Forestry Policy Statement.

The accession of Timor-Leste to the Convention on the Conservation of Migratory Species of Wild Animals can be materialised in two (2) years time. This period will give enough time to the Government to finalise its natural resource policies and management strategies.

Signed:

ESTANISLAU ALEIXO DA SILVA
Minister of Agriculture, Forestry and Fisheries
República Democrática de Timor-Leste
Date: _____

STATEMENT
of the Observer Delegation of Viet Nam
to the Seventh Conference of the Parties
to the Convention on Migratory Species
of Wild Animals
(Bonn, 18 - 24/9/2002)
Delivered by: Dr. Dao Manh Son, Head of the Delegation

Madam Chairperson,
Ladies and Gentlemen,

First of all, please allow me to congratulate you upon your unanimous election.

As you all may know that Viet Nam is located in the tropical region and is one of the top ten centers in the world in terms of bio-diversity. Viet Nam's bio-diversity is seen in the numbers of plants, species with some very special and new ones to the world, including big animals discovered recently; the diversity of various landscapes and ecosystems. The Government of Viet Nam pays much attention to the protection of bio-diversity and has issued a number of policy documents and legal instruments to this end. Viet Nam has also ratified or acceded to a number of international legal instruments to protect or conserve bio-diversity, such as the following conventions:

- Convention for the Protection of the World Cultural and Natural Heritage.
- Convention on Wetlands of International Importance (Especially as Waterfowl Habitat).
- Convention on Biological Diversity.

Convention on International Trade in Endangered Species of Wild Fauna and Flora in the region, Viet Nam is a signatory to the Memorandum of Understanding on ASEAN Sea-Turtle Conservation and Protection and the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia.

Viet Nam is not yet a party to the CMS, but it has participated in some activities sponsored by CMS and CMS has supported Viet Nam to hold a training workshop on marine turtle conservation and conduct a survey on the distribution of small cetaceans in Viet Nam's coastal waters. The Deputy Executive Secretary of the CMS Secretariat, Mr. Douglas Hykle also visited Viet Nam in 2001 to give a briefing session on the Convention to staff of the concerned ministries/agencies. With financial assistance from Danish International Development Agency, IUCN - The World Conservation Union in Viet Nam, WWF Indochina and TRAFFIC Southeast Asia-Indochina are cooperating in the development of a marine turtle conservation programme for Viet Nam. Through the above-mentioned activities, Viet Nam understands more about the roles played by CMS in the development and conservation of bio-diversity, particularly of the migratory species of wild animals.

Viet Nam is a range state for a number of migratory animals, such as bird, mammal and reptile species. Therefore, Viet Nam will accede to the CMS in the VERY NEAR FUTURE. We do hope that in the next meeting of the Conference of the Parties, Viet Nam will participate as a Party, not as an observer anymore.

Thank you very much Madam Chairperson.

STATEMENT OF THE REPUBLIC OF YEMEN

Mr Chairman,
Distinguished Ladies and Gentlemen,

Firstly, on behalf of the Government of Yemen, I would like to express my sincere gratitude to the Government of Germany and the CMS Secretariat for enabling Yemen to be represented as an observer at this important meeting.

It is an excellent opportunity to be able to attend this meeting and to participate in all the discussions and activities throughout the meeting.

I would like to inform you that the Prime Minister of Yemen signed the legislation regarding accession to the Bonn Convention in April this year. Unfortunately it was mistakenly sent to the wrong address and thus there has been some delay in the final processing.

As you are aware, Yemen is situated in South-West Asia. It has a varied topography which includes coastal areas, deserts and mountains ranging from sea level to more than 3000m above sea-level. Yemen also has a rich biodiversity including migratory species which require local, regional and international conservation efforts and cooperation.

I would like to inform you that Yemen has signed several conventions including CBD, CITES etc. We are sure that CMS is playing an important role in providing leadership to consolidate international co-operation for the conservation of migratory species.

I am grateful to the Executive Secretary of the Convention of Migratory Species for inviting Yemen which will soon be a fully-fledged Party to the Convention to attend COP7. This is a good opportunity to learn and to make first contacts for Yemen's future involvement in the Convention's implementation.

I wish the 7th Meeting of the Conference of Parties every success.

Bonn, 18 September 2002

CMS COP7

Opening Statements of Observer Organizations

- **BirdLife International**
- **Humane Society International Inc – Australian Office**
- **International Council for Game and Wildlife Conservation**
- **Whale and Dolphin Conservation Society**

Convention on the Conservation of Migratory Species of Wild Animals
Seventh meeting of the Conference of the Parties - Bonn, 18-24 September 2002



WELCOMING STATEMENT

by

BirdLife International

BirdLife International welcomes all delegates to this significant milestone in the story of the CMS. Significant because of the huge development of scientific work through the Scientific Council, with technical input from collaborating bodies such as BirdLife. Significant also because of the maturing of this Convention's institutional structures, institutionally and regionally, and its cooperation arrangements with other Conventions. Significant perhaps most of all because of the spotlight shining on multilateral environmental agreements and what they have to deliver in the "post-Johannesburg Summit" political climate of the 21st Century.

We urge Parties at this COP to approve an adequate budget for the crucial work the Convention must do for the benefit of migratory species with urgent conservation needs.

We look for improvements in the processes the Convention has for seeking and evaluating worthwhile project proposals, and in particular for efficiently releasing grant allocations for those projects.

We urge Parties to support the specific proposals in front of this meeting for addition of bird species to the Convention Appendices, for more specific performance measurement of the activities of the Convention, and for actions on bycatch, electrocution of birds on power-lines, impact assessment, wind-turbines and other cross-cutting issues affecting migratory species.

BirdLife is a central partner in the work of the Convention, providing expert advice and data resource services at global level, but also involvement in on-the-ground implementation by Contracting Parties and others at national and local level. This benefits from our worldwide network of member organisations, volunteers and civil society.

We look forward to working with you this week, and in the coming triennium, to making a visible difference to the fortunes of migratory birds – and doing this in away that will give the world some confidence in what a well -organised intergovernmental instrument can do.



Humane Society International Inc - Australian Office

P O Box 439, Avalon NSW 2107 Australia

www.hsi.org.au

Telephone: +612 9973 1728 Facsimile: +612 9973 1729

Opening Statement to CMS COP 7

Bonn 18-24 September 2002

Humane Society International (HSI) is pleased to attend the 7th Conference of the Parties to the Convention on the Conservation of Migratory Species in Bonn, Germany. HSI commends all participating governments for the excellent work that is being carried out under the auspices of the CMS. However, the world's migratory species, particularly those that are threatened, still require much additional work and, therefore, HSI urges the parties to continue to enhance protection and conservation of these species.

Since COP 6 HSI has been actively involved in the successful negotiation of the Agreement for the Conservation of Albatross and Petrels and the Memorandum of Understanding for the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-east Asia. HSI is already contributing to concerted action for these species as a member of the Recovery Teams for albatross and petrels and for marine turtles in Australia. We are now looking forward to assisting with regional cooperation for these species through the CMS agreements.

Both of these agreements are of extreme importance for the conservation of the species involved and HSI urges signing and/or ratification by all range states as a matter of urgency. Further, we call on all range states to begin immediate implementation of the measures in each respective Action Plan, regardless of whether formal adherence to these agreements has been finalised.

HSI is also a member of the Australian Recovery Team for the Great White Shark and we strongly congratulate the Australian Government for proposing the listing of this species on Appendix I and II of the CMS Convention. HSI anticipates strong protection for this threatened species across its global range and asks that range States begin cooperative conservation efforts.

HSI has a long involvement and commitment to international marine mammal protection. HSI holds particular concerns for the dugong and we urge the parties to commit to greater regional cooperation to improve its conservation status. Lastly, we welcome the cetacean species that are being proposed for listing in Appendix I and II of the CMS convention. We look forward to the CMS playing an important role in facilitating regional cooperation for the conservation of cetacean habitats and migratory pathways, complimenting protective measures given to cetaceans in other conventions.

CIC

International Council for Game and Wildlife Conservation
Conseil International de la Chasse et de la Conservation du Gibier
Internationaler Rat zur Erhaltung des Wildes und der Jagd



**Convention on Migratory Species:
7th Conference of the Parties, Bonn, 18-24 September 2002**

- Opening Statement of CIC -

Founded in 1930, the CIC is a politically independent advisory body, internationally active on a non-profit basis. With worldwide renown scientific capacity the CIC assists governments, the UN System Agencies and environmental organizations to maintain natural resources by sustainable use. Membership is made up of more than 30 Member States, mostly represented by the Ministry responsible for wildlife management, organizations as well as individuals. The work of the CIC's local Delegations in over 80 countries is supported by Commissions and Working Groups specialized in particular fields (i.e. Migratory Birds, Holarctic Big Game, Tropical Game, Sustainable Use, etc.). Current priorities of CIC's work are Wildlife Management Education, the building of a foundation for indigenous hunters, fishers, gatherers and their habitat as well as cross-border wildlife management programmes.

"Wildlife Management Across Borders" is indeed a cornerstone of all CIC programmes and projects. Bridging borders for wildlife and people: this orientation for actions of CIC comes very close to the aims and purposes of the Bonn Convention on Migratory Species (CMS).

As in the past, CIC continues to promote *CMS* as a practical legal instrument for the conservation of f wildlife and wildlife habitats on a global scale and actively supports the development and implementation of the Convention's tools. Slender-billed curlew, Great Bustard and Bukhara deer are species, for which CIC and CMS cooperated in the past: other joint activities will follow! CMS and CIC share the vision of bridging countries and continents for the conservation of migratory species and their habitat. The sustainable use of these species forms integral part of these conservation efforts. CIC will remain a strong partner of CMS and wishes the Convention best of luck for the future!



Opening Statement

WDCS, the Whale and Dolphin Conservation Society, is the global voice for the protection of cetaceans and their environment. Our objectives are to reduce, and ultimately, eliminate the continuing threats to cetaceans and their habitats, and to raise awareness of cetaceans and educate people about the need to address the continuing threats to their welfare and survival.

WDCS considers the Convention on the Conservation of Migratory Species of Wild Animals (CMS) to be a vitally important Convention. We congratulate CMS, its Parties and dedicated Secretariat on its work to date on cetacean conservation. However, we also recognise that the need to secure a greater level of protection for cetaceans on a global scale has never been greater.

As highly migratory species occurring over the global commons, and often outside of national jurisdictions, cetaceans are particularly vulnerable to change in their critical and often little understood habitats. There is also growing evidence that they are being impacted by climate change, pollution, fisheries and other factors that are most often difficult to monitor. CMS is mandated to address all of these threats through listing on its Appendices, and the development of regional agreements.

WDCS has committed itself to working within CMS and its regional agreements for the conservation of small cetaceans in the North and Baltic Sea (ASCOBANS) and cetaceans in the Mediterranean and Black Sea (ACCOBAMS). Our commitment is reflected by our contribution at various meetings of these Agreements over a number of years and through ongoing provision of essential global information on threats that cetaceans currently face, including fisheries interactions, noise and chemical pollution, direct kills, habitat degradation and global warming. WDCS is also honoured to have been recognised as an official ACCOBAMS Partner organisation.

Over the past decade, WDCS has supported over 80 cetacean conservation field projects in 40 countries, spanning six continents. WDCS is acutely aware that such programs can only be successful with the full support of local people and aims to work with local researchers and policy makers wherever possible, to ensure long-term solutions.

In addition to the core science that is a part of most field projects, WDCS also regularly contributes to a number of important scientific fora, such as the Scientific Committee of the International Whaling Commission and writes substantive research and overview papers on a range of topics for submissions to specialist and peer reviewed journals. WDCS is also involved in the political arenas that determine the fate of many of the world's cetacean populations, and contributes both scientific and policy advice to a range of international bodies.

To be truly effective, WDCS believes that cetacean conservation must take place both within domestic jurisdictions and on the high seas. The logical progression of CMS's current work would be to work towards conservation mechanisms in Southern Hemisphere oceans. WDCS is particularly committed to progressing further conservation work in the Indian Ocean region and will be pleased to contribute to other initiative in areas such as the south and central Atlantic, the Southeast Asia and the South Pacific. This requires preparatory work, commitment to research and mitigation training in many regions. We hope that this can be considered as part of a long term program for CMS, CMS Range States and WDCS, in partnership, as we work towards cetacean conservation in the world's oceans and rivers.

WDCS has developed a number of briefings for this Conference of Parties and we would be pleased to provide these to delegates and discuss with you any of the proposals relating to cetaceans. Our briefings include:

- WDCS Great Whales – Document with information in support of the great whale Appendix I and II nominations
- WDCS Orca - Document with information in support of the orca Appendix II nomination
- WDCS Intro – Introduction to the conservation work of WDCS as it relates to CMS and CMS listed species
- We urge you to support the proposals for listing the seven cetacean species on the Appendices.

We thank the host country for its hospitality and wish all participants a successful and enjoyable meeting.

WDCS UK – Head Office

Brookfield House, 38 St Paul Street
Chippenham, Wiltshire, SN15 1LY
Tel +44 (0)1249 449500 Fax +44 (0)1249 449501

WDCS Deutschland

Goerdelerstr. 41, D-82008, Unterhaching
Tel +49 89 6100 2393 Fax +49 89 6100 2394

WDCS Australia

PO Box 720 Port Adelaide Business Centre
Port Adelaide, South Australia, Australia 5015
Tel +61 (0) 8 8242 5842 Fax + 61 (0) 8 8242 1595

www.wdcs.org

WDCS Reg Charity no: 1014705