



# Convention on the Conservation of Migratory Species of Wild Animals

*Secretariat provided by the United Nations Environment Programme*



## Report of the 31<sup>st</sup> Meeting of the CMS Standing Committee *Bonn, 28-29 September 2006*

### **Agenda Item 1: Opening remarks and introductions**

1. The meeting was opened by Mr Eric Blencowe (United Kingdom), Chair of the Standing Committee, at 9 a.m. on Thursday, 28 September 2006. Mr Blencowe observed that the representative of Saudi Arabia had sent apologies for a late withdrawal from the meeting. It was regrettable that, as a result, no representative of Asia was present. He also regretted the absence of a representative of UNEP/UNON, despite an invitation sent in July 2006, but welcomed the large attendance, in particular that of several representatives of international and national non-governmental organizations, including a number of CMS Partner bodies. He welcomed all the participants (list in document CMS/StC31/Inf.3, at Annex 1), meeting for the first time in the refurbished Langer Eugen facilities, the Secretariat's new headquarters (see Agenda Item 7(d)).

2. Mr Oliver Schall (Federal Ministry of the Environment, Nature Conservation and Nuclear Safety, representing the Host Government, Germany) welcomed participants on behalf of his Ministry and Government. He also drew attention to the fact that the Committee was meeting for the first time in the new building.

### **Agenda Item 2: Adoption of agenda, schedule and Rules of Procedure**

3. The Chair invited the Committee to consider the revised provisional agenda and revised provisional schedule (CMS/StC31/1/Rev.1 and CMS/StC31/2/Rev.1). It was requested that the issue of the Participation of CMS in the Partnership for the Conservation of Migratory Waterbirds and the Sustainable Use of their Habitats in the East Asian-Australasian Flyway should be discussed under Agenda Item 11. Other business would be discussed under Agenda Item 12 and would include discussion of the hunting of endangered antelope species in Niger. It was so agreed.

4. The agenda and schedule as amended were adopted (Annexes 2 and 3).

5. It was proposed that part of Agenda Item 6 (Outcome of ASCOBANS MOP), and all of Agenda Items 7(a) (Secretariat manpower and organization) and 9(b) (Resolution 8.21: Additional Scientific Councillors), should be discussed in a closed session reserved for Members, Observer States and Senior CMS Secretariat Officers. Item 7(a), however, would first be presented to the whole Meeting by the Secretariat before the discussion in closed session. It was so agreed.

6. The Chair invited the Committee to consider its Rules of Procedure (CMS/StC31/Inf.1), which were unchanged since the 30<sup>th</sup> Meeting. In the absence of any comments, the Rules of Procedure were adopted.

### **Agenda Item 3: Adoption of reports of 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> Meetings**

7. The Committee noted the reports of its 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> Meetings.

#### **Agenda Item 4: Report on accession of new Parties to the Convention**

8. Mr Francisco Rilla Manta (Information and Capacity-Building Officer) introduced the subject. He said that there was good reason to believe that Costa Rica, Cuba, Madagascar, Yemen, and possibly the Comoros would all shortly accede to the Convention. Intense work was being done to persuade Brazil to accede. China was another major target country. In the lead-up to the next COP, strong campaigns would focus on Latin America and Asia, with personal letters being addressed to the leaders of all non-Party countries. He announced that the Secretariat was preparing a world map showing CMS membership (a map was already available on the CMS website).

9. The Chair urged the representative of the United Republic of Tanzania to focus on contacts with Botswana, Mozambique and Zimbabwe, which were not Parties, and the representative of Australia to do likewise with regard to Indonesia. He added that Estonia was the only European Union Member State that was not Party to the Convention.

10. Mr Oliver Schall, on behalf of the depositary country, Germany, reported that, since the previous meeting, Algeria, Bangladesh, Cape Verde, Kazakhstan and Cook Islands had acceded to the Convention, bringing the total to 98 Parties. Angola was due to accede on 1 December 2006. Both Costa Rica and Yemen would probably accede very soon. Through bilateral and multilateral contacts, involving the Secretariat and the German Government, the Depositary, contacts were being made with Belize, Botswana, Brazil, Burundi, El Salvador, Equatorial Guinea, Ethiopia, Guatemala, Malawi, Namibia and Nicaragua, in order for them to accede. Bonn was doing all it could to convince the Russian Federation that it should accede and he was optimistic it would. China was another target country and a German representative who had good contacts with China was recommended for lending CMS assistance in that regard. Since the BioDiv COP9 would be taking place in Bonn in 2008 it would be an opportunity for making contacts with other potential new member States and making progress in the matter.

11. Mr Patrick van Klaveren (Monaco) said that his country was using its bilateral relations and focusing on countries that were not Parties in North, Central and South America, such as Colombia.

12. Mr Robert Hepworth (Executive Secretary) announced that he had received a letter from the authorities of Madagascar, stating that the ratification process would be complete once the President signed the legislation. That signature was due shortly and might possibly make Madagascar the 100<sup>th</sup> Contracting Party—depending on other accessions. Not only would that mean that CMS had achieved a major target, but also it would be symbolic in view of Madagascar's special wildlife heritage. Nevertheless, increasing membership was work in progress and he asked for everyone's support. The Secretariat was working hard to ensure that China acceded; a consultant had been brought in for that purpose and he had produced tailored documentation, focusing on species of interest to China. In any case China was already cooperating closely with CMS, for example in the field of avian influenza. He would be visiting Beijing in October 2006, on the occasion of the Eighth Global Meeting of the Regional Seas Conventions and Action Plans, and he would hold talks with all relevant government departments.

13. The Chair welcomed the news that Madagascar might accede to the Convention and urged all regional representatives to step up campaigning to encourage further membership worldwide. The Secretariat could provide any back-up material required.

14. Ms Hildegarda Violeta Valdivieso Milla (Peru/Americas/Caribbean) said that she would try to persuade countries in her region, including Cuba, to accede to CMS.

#### **Agenda Item 5: Secretariat's report on intersessional activities since November 2005**

15. Mr Lahcen El Kabiri (Deputy Executive Secretary) accounted for the Secretariat's efforts since CoP8, including planning and preparing the move to the new premises in Bonn. Emerging priorities and the need to implement Strategic Plan objectives had been impeded by prolonged staff absences for various reasons. Work had been done on the programme of work for the next triennium (2006-2008) and the work plan for 2006, and the Secretariat had also provided time-consuming administrative services to the Co-located Agreements (AEWA, ASCOBANS & EUROBATS). The Administrative and Fund management unit (AFMU), established under the general direction of the CMS Secretariat and financed entirely by UNEP, was the motor with regard to the delivery of the Convention process. Most activities began or ended with finance and/or contractual obligations with a financial undertaking. The main highlights of its work since COP8 were: implementation of audit recommendations; preparation and facilitation of the ASCOBANS and EUROBATS audits; defence of EUROBATS and ASCOBANS budgets in Luxembourg, Slovenia and the Netherlands; and preparation and facilitation of the internship programme, since June 2006. His own programme of work included flagship species projects, such as the SSA Project and the Partnership that CMS had established with NEPAD for Africa. Other specific projects included a partnership between CMS and NEPAD on the conservation of African marine turtles; the follow-up of the Asian Houbara Bustard Agreement with Saudi Arabia; follow-up and run-up of the SSAP (Tunisia-Niger-Chad); follow-up of the new CMS-EC project on SSA and the Desert Biodiversity Convention; participation in the preparation and organization of the Conference on Monk Seal conservation (Antalya, Turkey, September 2006); and participation in a number of external meetings (UNEP, GC, etc.).

16. Ms Paola Deda (Inter-Agency Liaison Officer) began with information on publications: one on wildlife watching and tourism had been distributed at the Eighth Convention on Biodiversity (CBD) COP, while another, on migratory species and climate change, would be launched at the United Nations Framework Convention on Climate Change (UNFCCC) COP in Nairobi in November 2006. A CMS Family Guide should be complete by early 2007. A children's brochure and a private sector brochure would be developed; funds raised to date included donations by the United Kingdom Government. Regular distribution of the CMS bulletin continued, in three languages. The CMS website had been enhanced with news information on partners and ambassadors, while press releases had been regularly issued on all issues. An avian influenza brochure had been prepared and a turtle poster was now available in French and Spanish. Referring to recent activities she mentioned international biodiversity day and other related United Nations events; CMS had attended an outreach workshop for the Arctic region.

17. Turning to planned activities, she informed the Meeting that a Pacific Outreach Workshop would be held in Samoa, to build CMS membership and knowledge in the region. Several activities were planned for the Year of the Dolphin (2007), and a logo had been launched in Monaco – she encouraged its use and the reporting of all related activities. The Patron of the Year of the Dolphin Campaign was HSH Prince Albert II of Monaco. She announced that two CMS Ambassadors had also been appointed: Kuki Galman and Peter Schei.

18. In terms of cooperation, she recalled that CMS enjoyed close relationships with various NGOs and INGOs: WDCS, GNF, Zoological Society of London (ZSL), WAZA, International

Tropical Timber Organization (ITTO), Wildlife Conservation Society (WCS) and WWF. The planned agreement on gorillas, subject to funding, would involve the Institut Royal des Sciences Naturelles de Belgique (IRSNB). CMS had attended the Fifth Meeting of the Biodiversity Liaison Group (CMS/StC31/12), which was becoming more practical in its activities. It had also attended the larger meeting of the Task Force on the 2010 Target (also CMS/StC31/12). CMS had also been working closely with CBD and CITES, UNCCD, UNFCCC and UNESCO, the latter in regard to the United Nations Decade for Education for Sustainable Development (2005-2014). With regard to fundraising she referred to the report on the previous day's meeting and document CMS/StC31/6.

19. Mr Francisco Rilla (Information and Capacity-Building Officer) began with news of countries in the process of accession or ratification: Angola, Antigua and Barbuda, Armenia, , Costa Rica, Cuba, Madagascar, Palau, Yemen and Zimbabwe. Referring to the world map on the website, he pointed out which regions were under-represented (mainly the Neotropical region); currently half the countries in the world were Parties and it was hoped to increase numbers considerably (see Agenda Item 3). In accordance with COP Resolution 8.9, it had been agreed that GROMS would be transferred to the CMS server to enable integration with IMS. A Memorandum of Cooperation/LoA was being prepared under which WCMC would analyze the national reports of COP9. The Secretariat aimed to harmonize assistance at the regional level, focusing on bird migration/avian influenza, scientific information, human resources and financial capacity-building. Key projects included habitat degradation and contamination, and the monitoring of endangered species (e.g. South American grassland birds, High Andean flamingos). He concluded that the main challenges facing CMS were: increased membership, regional promotion workshops (planned in Samoa, Panama and various African countries), increased synergies with other MEAs, and greater cooperation with the partner organizations.

20. Mr Marco Barbieri (Scientific and Technical Support Officer) began with information on avian influenza (see also Agenda Item 9(e)). CMS, in cooperation with AEWA, had continued its coordinating role of the Scientific Task Force on Avian Influenza and Wild Birds: membership of the task force had continued to grow, counting at the time of the meeting 13 members and observers, including Secretariats of relevant MEAs (AEWA, CBD, CMS, Ramsar), UN and other international organizations, NGOs and scientific institutions. The task force had met already 6 times on teleconference since its establishment in August 2005. A major initiative since the beginning of the year had been the organization, in collaboration with AEWA and UNEP, of a Scientific Seminar on Avian Influenza, the Environment and Migratory Birds, held at UNEP Headquarters in Nairobi in April 2006. CMS was pleased with its planned cooperation with Global Nature Fund (GNF) on the organization of a special session on Avian Influenza, Wildlife and Environment within the 11<sup>th</sup> Living Lakes Conference (reported by Mr Stefan Hörmann under item 6). CMS had participated in the FAO/IOE International Scientific Conference on avian influenza and wild birds held in Rome in May 2006, and in a Senior Officials Meeting on Avian and Human Pandemic Influenza in Vienna in June. A CMS brochure on the subject had been made available and he referred to AIWeb, the specific website. CMS had given Wetlands International financial support to develop a project proposal for the establishment of an early warning system, which should be receiving European Union funding shortly. CMS had given Parties advice on the subject, including Georgia and the Islamic Republic of Iran.

21. Turning to the follow-up of COP resolutions he referred to document CMS/StC31/10 for information concerning Resolution 8.7 and Agenda Item 9(c) with regard to Resolution 8.22. Resolution 7.2 on Environmental Impact Assessment would be addressed at the next meeting of the Scientific Council. He said that CBD had issued a new set of guidelines and they were being examined by CMS; they would be jointly analyzed with Ramsar. A questionnaire had been sent to Parties and the answers were being processed. On Resolution 7.4 (Electrocution of migratory birds), in a joint effort with the German Society for Nature Conservation (Naturschutzbund

Deutschland, NABU) a data base and website on the issue had been created, and the guidelines accompanying the COP Resolution had been translated into Russian, Spanish and Portuguese.

22. Two projects were under way, he went on, as part of the CMS Small Grants Programme: migration of the Atlantic Leatherback turtle and three action plans for Asiatic birds: Black-faced spoonbill (*Platalea minor*), Spoon-billed sandpiper (*Eurynorhynchus pygmaeus*) and Chinese crested tern (*Sterna bernsteini*). Several projects had been concluded since COP8: marine turtle by-catch (Peru), cetacean training workshops and surveys (Bay of Bengal), marine turtle information mapping system (Indian Ocean/Australasia), conservation of the Franciscana dolphin (Argentina), small cetacean by-catch (Ghana and Togo), High Andean flamingo (Chile, Peru, Bolivia and Argentina), grassland birds (Argentina and marine turtles (India).

23. Finally, he announced the publication of four new issues in the CMS Technical Series, and the proceedings of the Scientific Seminar on avian influenza on CD-ROM. Other work included a preliminary analysis of the relevance of invasive alien species for the conservation of migratory species listed on CMS appendices, and symposium/workshop on the conservation of small cetaceans along the coast of West Africa.

24. Mr Lyle Glowka (Agreement Development and Servicing Officer) recalled that agreement development was recognized as a Convention cornerstone and key operational tool. Agreements strive to cover the whole range of migratory species, which was CMS' valued added. The strategic direction for agreement development and servicing (ADS) was taken from the CMS Strategic Plan, COP Resolution 8.5 and various recommendations. The Strategic Plan had set the target of some 15 new instruments over the period covered. Of the 15 initiatives listed in that Plan, ten were already under way. Additional initiatives not listed but also under way were those concerning Pacific marine turtles, migratory sharks, and South American cetaceans. That made a total of 13 new/existing agreement development initiatives since COP8. Five forthcoming MoU negotiation meetings planned for 2007 concerned migratory sharks, the SPREP Whale and Dolphin Action Plan, African-Eurasian raptors, Pacific marine turtles and West African small cetaceans. As far as servicing to MoU's was concerned, CMS acted as secretariat to them. Ten MoUs were in place: Bukhara deer, West African elephants, saiga, Siberian crane, slender-billed curlew, Great bustard, aquatic warbler, Pacific cetaceans, IOSEA marine turtles and African Atlantic coast turtles. Regular MoU meetings would be organized in 2007 for the Pacific cetaceans, Siberian Crane and Great Bustard MoUs.

25. CMS credibility, he added, demanded regular monitoring and evaluation of existing MoU processes. That was arguably its most important function and there were high expectations for the CMS processes to have positive conservation impacts. The main problem was that, with a few exceptions, agreement servicing was not specifically recognized in the Strategic Plan and, therefore, was not mentioned in the budget. Regular MoU meetings and coordination were recognized only in Resolution 8.5. Future challenges were to continue making regional activities more action-oriented and the portfolio even broader. The trend had been towards more MoUs, but unfortunately without the necessary funding. The burden on CMS Secretariat in terms of human and financial resources had grown accordingly, and further voluntary funds were needed. Cooperation with non-Party States, such as China, was growing in the context of various MoUs and could help to persuade them to join. China had already voiced its satisfaction with that cooperation and recognized that membership might be mutually beneficial. Partnerships were becoming increasingly important as CMS' resources were so limited. CMS relied on NGO partners, in particular, which inter alia played an ambassadorial function (especially INGOs). In the future focus should be placed on pooling the information of all States, parties and non-parties, together with that of all other partners, in order to monitor the impact of CMS' work on migratory species and the environment in general and proposed SONAR project would assist in this.

26. Mr Hepworth summed up the presentations, covering a very busy period, noting that vital partnerships with other bodies were the common theme in all the activities, with regard, among other things, to fundraising or making resources available. That was a welcome trend (many CMS achievements would have been impossible otherwise) but it could also prove burdensome. In recent months, for example, financial matters involving ASCOBANS had proved particularly time-consuming for the CMS Secretariat. A period of swift and radical reforms at UNEP would lead to a more streamlined approach to administration, and probably also a greater delegation of authority to individual secretariats.

27. With regard to concerns expressed by Mr Baker (Vice-Chair/Australia/Oceania) over the MoU processes, and the budgetary and other burdens they placed on the CMS Secretariat (as mentioned by Mr Glowka and reiterated by Mr Hepworth), the Chair said that transparency in the Secretariat reports was imperative. Mr Glowka added that there were essentially two models to follow: one placed the onus on MoU signatories to service the agreements, or have them serviced, while the other, the more traditional one, used the parent Convention as depositary and secretariat alike. The latter gave CMS the financial and other burdens of running MoUs, which were not legally binding agreements, without the leverage to persuade the governments involved, who were non-Parties, to join the Convention and contribute to the MoU's funding through the CMS trust fund. New models were consequently needed, as Mr Baker had implied. Mr Baker added that he fully supported the Secretariat's endeavours to develop and service MoUs, but that it was unrealistic if CMS had insufficient resources to do so. The concerns were noted and it was agreed that Secretariat reports should in the future be fully transparent with regard to the servicing of MoUs.

28. Mr Hagemeyer (Wetlands International), referring to the Central Asian Flyway process, said that the CMS Secretariat should help to choose the model to be followed and also ensure that it was financially sustainable. He asked for the financial and administrative implications of new initiatives to be made clear, on the basis of earlier experiences. Mr van Klaveren expressed the view that the relationship between MoUs and CMS needed to be clarified in the form of guidelines or a similar framework. Mr Glowka recalled that there had been a proposal for such guidelines several years earlier but the idea had been rejected at COP7. He suggested resurrecting the idea and calling on a specialized institution to draw up such guidelines, which could be done at a relatively low cost. Mr Hepworth agreed that the issue was an important one, especially since many agreements involved developing countries. Ideally all agreements should be self-supporting, at least in the long run, but that was not always realistic, especially at the outset when a kick-start by CMS was often required, depending on the species, regions and countries concerned. The question of MoU resourcing should be high on the agenda at the next COP.

29. Ms Herrenschmidt (France) said that a full assessment of MoUs was required, and asked who might carry out an independent evaluation and how the process would be funded. Mr Glowka said that a paper on the subject, long over due, was now a priority. Oversight vis-à-vis MoUs was ultimately the responsibility of the CMS Secretariat, and even in the longer run, monitoring was required, above all, for the sake of consistency. Mr Hepworth added that the monitoring of the progress of all agreements by CMS was a requirement set forth in the text of the Convention (Article VII. 5 (e)). Mr Schall endorsed the idea of a report giving an overview of MoU activities and funding to be produced for the next Committee meeting. The Secretariat should take further steps with a view to the next COP, in the form of a strategy paper on the looming 2010 targets. In view of what had happened at ASCOBANS, particular care should be taken when preparing new MoUs, to avoid all pitfalls.

30. Agreeing that management of MoUs was proving an ever-increasing burden on the CMS Secretariat, the Chair echoed calls for a paper to be produced on the subject and submitted before the next Standing Committee meeting. It was so agreed.

31. Responding to a query by Mr van Klaveren regarding ambiguity over the MoU on West African cetaceans, Mr Hepworth explained that there would be one MoU for the region with two components, one on small cetaceans and the other on manatees.

32. Answering the concern voiced by Ms Herrenschmidt about the use, or misuse, of the CMS logo by regional initiatives, Mr Hepworth said that it could be problematic and that the Parties should express views on how the logo should be used and protected.

#### **Agenda Item 6: Reports from Standing Committee members and observers, including the outcome of the recent EUROBATS and ASCOBANS MOPs**

33. Reports had been submitted to the Meeting as information documents by three of the regional representatives: Oceania (CMS/StC31/Inf.7.1/Rev.2); Western Europe (CMS/StC31/Inf.7.2), and Central and Eastern Europe (CMS/StC31/Inf.7.3). They may all be consulted on the CMS website.

34. Mr Baker (Australia/Oceania) said that he was very pleased that the MoU for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region had been concluded on 15 September 2006. Four of the five Oceania CMS States had signed it.

35. Mr Volodymyr Domashlinets (Ukraine/Europe) added further information to that contained in document CMS/StC31/Inf.7.3. He reported that Ukraine had recently signed the regional strategy for the conservation of the sturgeon in the framework of the North-western Black Sea and Lower Danube Sturgeon Management Group, bringing the number of States signatories to four (together with Bulgaria, Romania and Serbia).

36. Mr C. J. Mdoe (United Republic of Tanzania/Africa) said that he still needed to collect information from his colleagues in other English-speaking African countries and would submit a report at a later date. Mr Mahamat Hassane Idriss (Chad/Africa) complained of communications problems between the Secretariat and French-speaking African countries, and among the latter. The Chair requested that the Secretariat provide him with further assistance to make contacts with other States Parties in French-speaking Africa and to stimulate responses to the requests for information made to those countries.

37. Ms Valdivieso Milla (Peru/Americas/Caribbean) had submitted a report for the Americas region, which may be consulted on the CMS website. She then added the following oral report on recent events concerning her region:

38. Ms Valdivieso Milla announced, starting with regional news, that a draft of the MoU on South American grassland birds, involving Bolivia, Argentina, Uruguay, Paraguay and Brazil, had been distributed to all CMS focal points to initiate higher level discussions by the governments concerned. The initial document on the MoU on High Andean flamingos, involving Bolivia, Argentina, Chile and Peru, was being prepared by the Bolivian Scientific Councillor and would be presented at the first round of discussions between the participatory countries. Many countries in the region had taken part in the World Migratory Bird Day, staging a number of activities – more information was available on the website, [www.worldmigratorybirdday](http://www.worldmigratorybirdday). Preparation and fundraising had begun for a Regional CMS Workshop in Panama City, August 2007, in cooperation with the Ramsar Regional Centre for Training and Research on Wetlands in the Western Hemisphere (CREHO) for the Neotropical region, and support from the Government of Panama. Countries of the region had taken part in the Western Hemisphere Migratory Species Initiative (WHMSI), in San José, Costa Rica, January 2006. The CMS Secretariat had kept the region informed with news on activities concerning avian influenza and its prevention. Priorities for the Latin America Region had been identified: e.g., CMS and other projects on migratory

species (Workshop in San José, Costa Rica, January 2005). Migratory species to be included in the CMS Appendices I and II had been identified. Meetings with other conventions and bodies had been held in Curitiba, Brazil, San José, Costa Rica, Buenos Aires, Argentina, and Lima, Peru (CITES, BIODIV, Ramsar and Wetlands International).

39. She added, turning to individual country information, that the Government of Argentina had ratified the Agreement on the Conservation of Albatrosses and Petrels (ACAP) on 29 August 2006. The Governments of Chile and Argentina, at a joint meeting in Buenos Aires, on 18-19 May 2006, were still working on the text of the MoU for the Conservation of the Ruddy-headed Goose (*Chloephaga rubidiceps*), under Article IV.(4). The CMS Secretariat would be its depositary. The latest population sightings, showing decline, had been in the province of Buenos Aires (wintering site), and the decline was mainly due to hunting. Work was under way with the new provincial authorities to remedy the situation as soon as possible. Argentina was working on actions to conserve the habitat of migratory shorebirds, such as the Buff-breasted sandpiper (*Tryngites subruficollis*) and the American golden plover (*Pluvialis dominica*), in conjunction with private landowners. It was conducting campaigns to monitor the red knot (*Calidris canutus*), having detected reductions in its population. It was also cooperating with the Western Hemisphere Shorebird Reserve Network and the Manomet Observatory to conserve various other species. The “Grassland Alliances” and the CMS MoU on grassland birds were committed to carrying out joint regional work on grassland birds.

40. The Government of Chile, she continued, had created a National CMS Committee, with the main purpose of advising the Ministry of Foreign Affairs and coordinating action between various government bodies concerned with the conservation of migratory species. A workshop on aquatic mammals had been held in Valdivia (Chile).

41. Peru was currently implanting the report recommendations. The numbers of adult Humboldt penguins (*Spheniscus humboldti*) had been counted during the reproductive season (May-July) in 37 localities in central and southern Peru. There had been an increase to 4390 compared with the 2004 census (3,101), an increase of 41% in the total population, apparently owing to an increase in food and an increase in the survival of chicks. Nonetheless they remained at threat – many penguins had been snared in makeshift fishing nets or had been deliberately caught for their meat. Nesting sites on various islands had been affected by destruction and the illegal extraction of guano. Her own country, Peru, had completed projects on the “Evaluation of the State of conservation of the marine otter (*Lontra felina*) in Peru”, with CMS funding. It had also been determined that the main threat to marine otters along the Peruvian coastline came from humans: the biggest population had been detected in the National Reserve of Paracas and at the best controlled guano areas. The activity report produced by APECO on marine turtles was available at the Secretariat. The project “Conservation of Marine Turtles along the Peruvian Coast” had been carried out with CMS funding and its recommendations were being implemented. Fishing activities between the 6°S and 18°S parallels resulted in a medium to low level of by-catch and no turtles had died in the catches, although many were injured. The number of turtles deliberately caught for food increased in February and March. The percentages of catch were: 46.2% for the green sea turtle (*Chelonia mydas*), 40.7% for the loggerhead sea turtle (*Caretta caretta*), 11% for the Olive Ridley Sea Turtle (*Lepidochelys olivacea*) and 2.2% for the leatherback sea turtle (*Dermochelys coriacea*). Genetic analyses showed that the loggerhead sea turtles captured in Peruvian waters probably came from the reproductive stocks of the Pacific - that called for more regional efforts to conserve sea turtles. Fishermen had been offered environmental education courses to try to reduce by-catch.

42. The Chair again regretted that no representative of Asia had come to the Meeting, nor had any report been submitted for that region.

43. Mr John Mshelbwala (Chair of the CMS Scientific Council) congratulated the Executive Secretary and his staff on the comprehensive report on intersessional activities presented to the Meeting and on the organization and execution of the fundraising activity held on 28 September. The Scientific Council would have much to report at the next Meeting, following its 14<sup>th</sup> meeting due to be held in Bonn, in early 2007 (see item 10(a)). The Council was pleased to note that more Parties had joined CMS and would join, which implied that more scientific expertise would be available for the Scientific Council to tap into, once new councillors were appointed by the new Parties. A proposal was before the meeting under Item 9(b) to consider and appoint three new Councillors, for African fauna, fish and by-catch, and he hoped the appointments would be approved to enable the Council to perform its role more effectively. The funding of small projects was crucial to the implementation of the Convention in the Range States and also served to promote the Convention, in order to achieve greater membership. It was hoped that efforts would be made to ensure that sufficient funds were channelled into already approved projects. The Council further urged the Secretariat to redouble fundraising efforts for those and other activities. The Council would work towards sensitizing and motivating councillors, particularly in Africa, to be involved in internal fundraising for seed money to implement projects.

44. Mr Rüdiger Stempel (ASCOBANS) had submitted a report as an information document to the Meeting (CMS/StC31/Inf.8.1). He transmitted his apologies for being unable to attend the present Meeting.

45. Mr Stefan Hörmann (Global Nature Fund) had submitted a report as an information document to the Meeting (CMS/StC31/Inf.8.2). He reminded the Meeting of the forthcoming 11<sup>th</sup> Living Lakes Conference, to be held in Nanchang, China, from 29 October to 3 November 2006. The main objective of the conference was to share experience on how to balance lake protection, economic development and agricultural use of the watershed in sensitive lake and wetland regions in China and worldwide. A seminar would be held on avian influenza, Wildlife and the Environment on 2 November, organized in collaboration with CMS.

46. Mr Jens Enemark (Common Wadden Sea Secretariat / CWSS) had submitted a report as an information document to the Meeting (CMS/StC31/Inf.8.3).

47. Mr Peter Dollinger World Association of Zoos and Aquariums (WAZA) gave a PowerPoint presentation of his report, which had been submitted as an information document to the Meeting (CMS/StC31/Inf.8.4).

48. Mr Bert Lenten African-Eurasian Waterbirds Agreement (AEWA) said that the number of Contracting Parties to AEWA was 58. The latest accessions since the previous MOP were: Algeria, Belgium, Czech Republic, Guinea-Bissau, Italy and Latvia. AEWA hoped to have 60 Parties or more by the end of 2006. Early in 2006, the first World Migratory Bird Day had been held in conjunction with CMS. It had staged 68 activities in which 46 countries had participated. It was intended to repeat the experience in 2007, possibly involving the UNFCCC. The Seventh Meeting of the Technical Committee would take place 29 October-01 November 2006, at the WAZA offices in Bern, Switzerland, and the Fourth Meeting of the Standing Committee would be held in Bonn on 20-21 November 2006.

49. Mr Andreas Streit (EUROBATS), recalling that EUROBATS was celebrating its 15<sup>th</sup> anniversary, reported about the successful outcomes of the fifth Session of the Meeting of Parties (Ljubljana, Slovenia, 4 – 6 September 2006). Referring to the difficult budget discussions he said that better ways had to be found of sharing the financial burden of the Agreement, in view of the fact that Germany and the United Kingdom were currently by far the biggest contributors and that together with only two more Parties out of the 31 they were covering nearly 80% of the total

budget. Approval had been given for declaring 2008 the Year of the Bat. He also presented a short promotional film on EUROBATS activities, including the European Bat Night 2006.

50. Mr Barry Baker Agreement on the Conservation of Albatrosses and Petrels (ACAP), speaking on behalf of the Agreement, said that the Second Meeting of the ACAP Advisory Committee had been held in Brasilia, Brazil, in June 2006. It had been very successful in terms of implementing the Action Plan, and the Agreement's fourth working group had been set up, the Working Group on Seabird By-catch. Progress had also been made towards the Second MOP, due to be held in Christchurch, New Zealand, on 13-17 November 2006. Its full agenda included an item on the headquarters agreement. It was expected to finalize Secretariat arrangements permanently in Hobart, Australia, with secretariat functions provided on an interim basis by the Australian Government, as had been the case since 2004. Full details of ACAP activities could be found on its website: [www.acap.aq](http://www.acap.aq).

51. Ms Margi Prideaux, Whale and Dolphin Conservation Society (WDCS), said WDCS was an INGO with resources and expertise in the area of cetacean conservation, with activities spanning more than 25 different countries around the world. WDCS expertise crossed the spectrum from science and field research to habitat protection models, policy implementation and legal development covering a wide range of cetacean conservation and protection issues. WDCS recognized that CMS was being challenged to play a greater role in cetacean conservation, as evidenced by Resolution 8.22 calling for the CMS family to review the extent to which CMS and CMS cetacean-related agreements addressed the human-induced impacts through their threat abatement activities, and to prioritize and develop recommendations on how those priorities could be addressed by CMS. The CMS Scientific Council had also set itself an ambitious agenda to review the CMS coverage and conservation of cetacean species. WDCS believed that it was important that the work was appropriately supported and resourced.

52. She added that WDCS had taken the step of proposing a working group in support of CMS cetacean research priorities (Cetacean Liaison Group), and had received: (a) acknowledgment of the Partnership Agreement between WDCS and CMS that would enable WDCS to share its scientific information resource with CMS; (b) endorsement of the proposal to convene an ongoing WDCS working group in support of CMS cetacean research priorities to develop and agree on contributions to the Joint Work Programme that will support of the cetacean related priorities within the CMS Strategic Plan 2006-2011; and (c) agreement to review the progress of the WDCS/CMS collaboration at its 2006 and 2007 meetings. WDCS had established the Cetacean Liaison Group, and at its first meeting some key agreements had come through. The Cetacean Liaison Group had agreed: to encourage the Member States and Secretariats of the CMS agreements to make more active use of CMS both to ensure that the CMS family progress was reported and recognized for its global contribution and to enable the agreement Parties and Secretariats to engage more actively with issues of global concern, such as CMS COP resolutions, recommendations, species and populations Appendix listings and CMS relationships with other forums; to submit a review of the conservation and migratory status of species and populations for Appendix I and II listings at SC15.

53. She explained that the Cetacean Liaison Group had agreed: to facilitate the work, and progress could be reported to SC14; to develop Appendix listing proposals for species cetacean species and populations, to be brought to SC14 for initial review (as pre-proposals) and then to SC15 and COP9 by Range States; and to support the work required under Resolution 8.22.

54. WDCS wished to highlight to the Parties of both ASCOBANS and CMS that ASCOBANS faced a number of serious challenges in its region and remained an important instrument for cetaceans that everyone should support and maintain. ASCOBANS continued to

provide an important forum to investigate those matters and from which direction was given to its members and the European Union and the conservation work programme of ASCOBANS received WDCS's full commitment.

55. With respect to the various options under consideration at the close of the previous ASCOBANS MOP, she reminded CMS and ASCOBANS Parties on behalf of WDCS that, whatever the outcome, the objective of all discussions needed to be that the conservation work programme of ASCOBANS continued to be resourced and indeed strengthened in mandate and reach. WDCS was an officially recognized Partner of ACCOBAMS and was committed to achieve the targets laid out within the ACCOBAMS conservation work programme. Current important initiatives included the development of guidelines for the rescue of live stranded cetaceans, reduction of noise pollution and mitigation of impacts caused by fishing efforts, such as by-catch reduction and prey depletion caused by over-fishing, the development and establishment of marine protected areas and implementation and enforcement of conservation plans for endangered species and populations and WDCS urged CMS and ACCOBAMS Parties to increase their support for those initiatives.

56. She continued that a new era of regional leadership had been signalled on 15 September 2006 when a number of countries had signed an important agreement to protect and conserve cetaceans, and to address the many threats they faced in the Pacific Islands Region. The agreement was the world's largest (by area) comprehensive cetacean protection agreement in force. WDCS would retain their commitment to the agreement by providing technical support to countries and the agreement secretariat, and urged the donor Countries of the region to resource the secretariat to ensure that the region could excel in the newest of the CMS-family cetacean-related agreements. WDCS remained equally committed to working towards new regional cetacean Agreements and planned to become increasingly involved in the development of various regional arrangements.

57. She said that during COP8 a number of important partner NGOs had acknowledged Party statements made during the COP that CMS was the only international implementing treaty that uniquely provided the combination of strict protection for endangered migratory species, facilitation and coordination of transboundary research, and conservation activities for species migrating across national boundaries, as well as the organization and conclusion of multilateral Agreements for species with an unfavourable conservation status. Importantly, CMS provided a flexible platform to develop measures tailored to particular conservation needs, and had the mechanisms to implement on-ground conservation activities.

58. She added that the group of Partner NGOs had urged delegates at CMS COP8 to pay close attention to the issue of resources. At the time, they had focused on the importance of resourcing the small projects programme and the Scientific Council. WDCS continued to believe that the small grants programme was the lifeblood of CMS, providing vital support and encouragement across the whole range of CMS activities as directed by the Strategic Plan.

59. During the donors meeting, she concluded, the important work being conducted by the Secretariat had been seen. It was important that those programmes were provided with funding security and continuity in order to plan and function over the longer term. WDCS urged the Committee not to handicap the Convention at current point in its evolution. WDCS were also stakeholders in the process, contributing substantially to the convention. CMS's position in the global conservation effort was vital, and it was imperative that everyone sufficiently supported the CMS in order to drive an agenda that was of the greatest importance to everyone.

60. Ms Amanda Nickson (WWF) said that WWF was pleased both to attend the Standing Committee meeting and with the growing level of cooperation with CMS and its family of agreements. WWF wished to support the comments made by WDCS regarding the need for work on reviewing the status of species and on the importance of the small grants programme. WWF's global network had over 50 offices, with a presence in nearly 40 CMS Parties. Its strategy of working through a combination of interlinked field presence and strong policy capacity at local, regional and international levels, meant that WWF had a unique ability to deliver on migratory species conservation, including through CMS instruments. They engaged with a broad range of intergovernmental forums, ranging from the various global biodiversity-related conventions to regional fisheries management organizations, and thus possessed the range of expertise necessary for dealing with the complex requirements of migratory species conservation. WWF had longstanding programmes of work on many migratory species of key importance to CMS and had worked closely with CMS in the development and/or implementation of instruments for many of those species.

61. She added that through its marine, freshwater and forest programmes and its ecoregional programmes, which developed long-term (30-50 year) action plans designed to address the social, economic and ecological aspects of the conservation of key global ecoregions, WWF focused on a number of 'priority' species, including many migratory species of interest to CMS, including: elephants (MoU on West African elephants), great apes (gorilla MoU proposed), cetaceans (noting that like WDCS, WWF offices had been involved in supporting a number of cetacean agreement processes), marine turtles (several MoUs in place), albatross (active agreement in place), Snow leopard (prioritized for an instrument in the CMS Strategic Plan), Sturgeon (MoU in discussion), sharks (MoU proposed), Saiga (MoU signed), manatee (MoU proposed), dugong (MoU proposed), black-necked crane (listed on Appendix I and II) and oriental white stork (listed on Appendix I). WWF noted in particular its participation in and support to the implementation of the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats in the Indian Ocean and South East Asia (IOSEA) in at least 14 IOSEA Range States. Furthermore, WWF had recently prioritized some of its work to include a much broader variety of migratory species ranging from birds such as the oriental white-backed vulture, to carnivores such as the polar bear. WWF looked forward to working with the CMS Secretariat, Parties and others to implement a successful Year of the Dolphin in 2007.

62. In her view, CMS offered a unique set of strengths, most notably its ability to bring governments together in concerted national and transboundary conservation actions. As such it was ideally placed to address issues of a global nature, particularly those whose management and control were multi-jurisdictional in nature. The global effort to conserve and effectively manage biodiversity must not lose the specific set of skills and focus provided by CMS. By-catch was exactly that kind of threat. It was a problem of global proportions, and one of the most pervasive threats to many of the species on the Appendices of the Convention. The intergovernmental nature of fisheries management, particularly on the high seas, meant that global cooperation was needed as never before if by-catch was to be reduced to levels that no longer threatened marine biodiversity. WWF was encouraged by the efforts that CMS had taken to address by-catch to date, particularly the appointment of a new Scientific Councillor for by-catch, whilst strongly urging efforts to be scaled up. WWF was also heavily engaged in climate change activities – both in working to reduce emissions, and to incorporate climate change adaptation strategies into its field programmes worldwide. WWF welcomed the extensive work of CMS on climate change adaptation strategies for migratory species, and looked forward to closer collaboration on that important area of work.

63. She said that, at the 31<sup>st</sup> meeting of the CMS Standing Committee, WWF looked forward to the appointment of a Scientific Councillor on by-catch, and stood ready to participate in and

support the development of a strong programme of work to reduce mortality of CMS-listed species resulting from fishing operations. WWF would continue to support the development and implementation of CMS agreements around the world. However, WWF was deeply concerned about the continued lack of sufficient voluntary contributions from the Parties towards implementation. While the continued development of new agreements was central to CMS functioning, the development of agreements did not automatically guarantee their implementation. In order to achieve its purpose, the CMS work programme must be sufficiently supported. In addition to seeking the membership of new Parties, there must be sufficient fundraising and funding provided by parties. That was a responsibility which must fall to the Parties – not primarily to NGO partners. While WWF would continue to support the implementation of CMS, including through some fundraising activities, that fundraising and fund allocation were the responsibility of the Parties. The success of CMS in generating new agreements, including MoUs, would necessarily involve increased cost for the Secretariat and the Parties. The reality was that there was much more work to be undertaken in order to secure a future for migratory species. That was not bureaucracy but the cost of undertaking conservation business in a complex multi-country context. Further, the small grants programme must also be supported, as outlined by the Chair of the Scientific Council, and the representative of WDCS. WWF strongly encouraged the Parties to substantially increase their contributions – both financial and in servicing of agreements – in order to facilitate effective implementation of work towards the conservation of CMS-listed species.

64. Mr John O’Sullivan (BirdLife International) said that he wished to mention a number of issues deserving emphasis. The first concerned the significant progress on the proposed Memorandum of Understanding (MoU) on the conservation of migratory bird species of southern South American grasslands, the first agreement focused exclusively on American species, thus carrying a message of how seriously the CMS viewed the importance of the region. BirdLife staff in the countries concerned, and in its regional office in Quito, were closely and actively engaged, working alongside the CMS Secretariat and the national governments, to bring the MoU into the world swiftly and effectively. BirdLife also expressed its pleasure on hearing, from the regional representative of the Americas, that progress was being made on an MoU on Andean flamingos. The United Kingdom Government was working effectively and thoughtfully on progressing an instrument on birds of prey and owls, and BirdLife was pleased to be cooperating in a number of ways, including most recently by providing data on the status and distribution of species in south-east Asia, to which the instrument might extend. BirdLife regretted the check to progress on the Houbara Bustard Agreement, on which a further negotiation meeting proposed for the end of 2006 had been postponed. Every effort should be made to prevent the initiative from slipping back into the obscurity in which it had lingered for so many years.

65. On the subject of two extremely rare birds, he reported that an August expedition to search for Slender-billed Curlews in Ukraine had not located the species at a possible migration stop-off point, and there had been no confirmed sightings for a period extending into years. Searches and other investigative work would continue, but it was becoming increasingly hard to hold out hope for the survival of the species. Better news was available for the strongly migratory population of the northern bald ibis that had recently been discovered to be nesting in the Syrian Arab Republic. After past frustrations, in 2006 it had become possible to attach satellite transmitters to a small number of birds, and to follow their migration from that country, through Saudi Arabia and into Yemen, where they had paused before crossing the Red Sea and moving on into Ethiopia, where they appeared to be settled. Although the known population was tiny, less than 20 birds, increased knowledge of where they went, and thus their needs and the potential threats to them, should mean that more effective conservation action could be taken, to give them a chance of survival.

66. Mr Tim Johnson (UNEP/WCMC) said that WCMC enjoyed a close partnership with CMS and had been cooperating in many areas, in particular information and knowledge management.

#### **Agenda item 6 (continued): Outcome of ASCOBANS MOP**

67. The Standing Committee then discussed the outcome of the recent ASCOBANS MOP in **closed session** (restricted to Members, Observer States and Senior CMS Secretariat Officers). This portion of the report can be found in Annex 4 and is subject to restricted distribution to those who attended the closed session.

68. The final document of the Decision: Proposed Conditions and Parameters for an Interim Merger of UNEP/ASCOBANS Secretariat with UNEP/CMS Secretariat (CMS/StC31/CRP2/Rev.2, attached to this report at Annex 5), agreed upon in the closed session, was distributed to all participants for information. The Chair pointed out that the main concern of the Committee in its draft Decision had been to ensure that a satisfactory solution should be found to assist ASCOBANS while safeguarding the legal personality of both CMS and its daughter agreement, and ensuring that CMS suffered no financial burden as a result.

69. Ms Prideaux thanked the Chair for providing an opportunity to make a statement in relation to the aforementioned decision and to seek further clarifications. As a long-standing stakeholder and supporter of the conservation work of ASCOBANS, WDCC found it disconcerting that the substantive discussions surrounding ASCOBANS, during both the ASCOBANS MOP and the CMS Standing Committee, had taken place behind closed doors. Discussions were often as important as decisions and the lack of transparency in the process was preventing an important dialogue from taking place and left many important issues unanswered. Her comments were noted by the Meeting, but the Chair pointed out that such closed sessions were conventional practice.

70. Ms Prideaux then asked when the budget indicated in paragraph 4 as Annex A in the draft document would be made available, and which resources would be offset as indicated in paragraph 7 (and whether that would include the work of the ASCOBANS conservation work programme). The Secretariat explained that the budget had yet to be decided and that the final decisions in its regard would be taken at the reconvened ASCOBANS MoP.

#### **Agenda Item 7: Resources**

##### **Agenda Item 7(a) Secretariat manpower and organization**

71. Mr Hepworth presented this issue to the whole Meeting, referring to document (CMS/StC31/4) and its Annexes. He emphasized that the manpower plans implied no increase in the number of permanent posts, which would remain at 14. Any increases would have to be decided at the next COP. However, the current exercise offered his first opportunity as Executive Director to make changes to the Secretariat organigram, with a view to improving overall capacity, in particular regarding IT. That was important as full responsibility for the CMS website would soon be taken on by the Secretariat. Temporary appointment might be resorted to, in order to cater for specific projects, but that would require funding. Other changes were mostly minor and of a routine nature.

72. The Standing Committee then discussed the issue in **closed session** (restricted to Members, Observer States and Senior CMS Secretariat Officers). This portion of the report can be found in Annex 4 and is subject to restricted distribution to those who attended the closed session.

## **Agenda Item 7(b) Status of CMS Trust Fund budgets**

73. Mr Hepworth presented this issue, referring to document (CMS/StC31/5) and its Annexes. He paid special tribute to Argentina for its recent payment of arrears, representing a considerable sum. He added that the budget situation facing CMS was very tight.

74. Ms Jazmin Kanza (Administrative/Fund Management Officer) thanked those countries that had paid their contributions and reminded members of the Standing Committee – and, through them, all Parties – that contributions needed to be made on time. Current funds were insufficient for meeting all the Convention's objectives. She appreciated the efforts of members of the Committee to encourage the countries in their region to pay their contributions and make voluntary contributions. She added that the document was a standard paper, modelled on that given at all previous meetings.

75. The Committee noted the report.

## **Agenda Item 7(c) Fundraising activities**

### **Agenda Item 7(c)(i) Report of Meeting of Donors, 27 September 2006**

76. Ms Deda presented the issue, drawing attention, together with the Chair, to the report on the CMS Meeting on priorities in implementing the programme of work 2007-2008 and the presentations given by the CMS Secretariat at the United Nations Campus, Bonn, on 27 September 2006 (CMS/StC31/Inf.9, posted on the CMS website). A draft report was circulated at the Meeting and was slightly amended by participants.

77. The Chair pointed out, with regard to the Small Grants Programme, that the Secretariat had produced a list of Projects-Initiatives for Voluntary Contributions 2006-2008 (CMS/StC31/Inf.6/Rev.1) and encouraged members of the committee to examine it, bearing in mind the importance of both high-profile initiatives and priority projects on species agreed on at the previous COP. He urged Parties, especially donor countries, not to forget the priorities of the developing world.

78. A number of minor corrections were made to Standing Committee Meeting documents at the request of members of the Standing Committee.

### **Agenda Item 7(c)(ii) Private and Voluntary sector fundraising**

79. Ms Deda presented the issue to the Meeting, referring to document CMS/StC31/6.

80. Mr van Klaveren said that, at several previous Standing Committee meetings, the question of the 13% UNEP Programme Support Cost (PSC) deduction from donations had been raised and he wished to know if any progress had been made towards reducing that burden. He found it particularly curious that such a deduction should have been levied, for example, on the donation by the German Government to the Friends of CMS. In the absence of any UNEP representative at the meeting, Ms Kanza explained that the issue was longstanding and highly sensitive. The PSC was an institutional arrangement decided by the General Assembly. The CMS case had been argued at the previous COP and was being reviewed. UNEP appeared open to discussion and might consider reducing the burden in certain cases – precedents included the antelope project. But UNEP was not willing to offer a blanket exemption on all donations to CMS. The Chair added that smaller Conventions, like CMS, could sometimes benefit from the PSC. Mr Hepworth recalled that it had been agreed at the previous COP that UNEP would be invited to consider reductions in PSC contributions on a case-by-case basis. He would be submitting a list of projects for which funding had been obtained so that that consideration could be effected. He added that,

as the Chair had suggested, CMS often benefited from the PSC Fund in the form of financial or human resource assistance.

81. Mr Williams (United Kingdom) asked about the selection process for L grades and the relative cost compared with the recruitment of local consultants. Mr Hepworth replied that in theory the cost was almost the same. L grades could, however, often be recruited at a lower grade, which reduced costs slightly.

#### **Agenda Item 7(d) New Secretariat offices in Bonn**

82. Mr Hepworth thanked the German Government for making the new headquarters in Bonn available and praised its modern facilities. It was also extremely useful to be sharing the same building as the ASCOBANS and EUROBATS Secretariats. The move to the new offices had been time consuming but had been a useful collective process. Similarly the layout of the building lent itself to improved teamwork, and more flexible, modern working methods. He added, however, that if anything needed improving it was the provision of IT.

#### **Agenda Item 8: Planning**

##### **Agenda Item 8(a) CMS Work Plan**

83. Mr El Kabiri explained that the Work Plan, set out in document CMS/StC31/12/Rev.1, was the result of a joint effort made by the whole Secretariat following COP8. The Secretariat asked the Committee to encourage their governments and other donors to provide appropriate resources through regional initiatives in order to implement the CMS Work Plan 2006.

84. The Chair again emphasized the importance of small grants and projects involving developing countries. He once more appealed for funds and congratulated the Secretariat on their teamwork.

##### **Agenda Item 8(b) Priorities for 2007-2008 and beyond**

85. Mr Hepworth introduced document CMS/StC31/13, which addressed the agenda item. He emphasized the fact that donations were, by their nature, irregular and were earmarked for specific activities. It had to be accepted therefore that certain projects might not be funded, which was why priorities had to be set. The top priority was developing new agreements already planned in the run-up to COP9 and he expected significant progress. There were a number of new and existing agreements which the Secretariat would be disappointed not to continue working on: grassland birds of South America, Central Asia Flyway, Saiga, Gorillas in western, central and east Africa, African Atlantic coast turtles, western African elephants – and a new Pacific cetaceans agreements, for which he thanked Australia for its announcement of a donation of AUS\$25,000 for the first meeting of that MoU. Those agreements would not be worked on to the detriment of other projects, but were regarded by the Secretariat as the most pressing. In response to a question put by the Chair, he added that the priorities in paragraph 6 of the document were not in any particular order.

86. Mr Schall said that the criteria chosen were logical and agreed that funds were limited. Mr van Klaveren said that those countries that benefited from projects might manifest greater interest in doing so. There was not enough feedback from recipients and that could prove off-putting to potential and existing donors. Mr Idriss, supported by Mr van Klaveren and Mr Hagemeyer, asked for a specific small cetaceans agreement for West Africa. Mr Barbieri and Mr Hepworth gave their assurances that there would be such an agreement.

87. Mr Baker said that his Government was donating AUS\$ 50,000 per annum for three years to support the work of the scientific councillor for by-catch, in particular with regard to the worldwide impact of by-catch on migratory species. Ms Nickson said that WWF would support a new instrument aimed at protecting cetaceans of West Africa. Ms Prideaux lent her support to the Secretariat's recommendations for priorities and said WDCS was also ready to help with the initiative for small cetaceans in West Africa.

88. Mr Hagemeyer suggested that the list of priorities should be integrated with the Work Plan, to make it easier for donors to make decisions. It was so agreed.

#### **Agenda Item 8(c) 2010 Biodiversity Target**

89. Ms Deda presented the first part of document CMS/StC31/10 and, in particular, explained the flow chart attached thereto. Referring to the second part of the document, Mr Barbieri reported on progress in the development of migratory species indicators and, in particular, the participation of CMS in the 2010 Biodiversity Indicators Partnership. The Committee was requested to note the steps taken by the Secretariat to link the Convention's programme to the 2010 target, to take note of the progress towards the development of 2010 indicators, and to confirm support of the Convention to the 2010 Biodiversity Indicators Partnership project. It was so agreed.

90. Mr van Klaveren lamented the fact that no CMS Agreements were specifically mentioned in the text. He also asked for the list of countries singled out for focus in the flow chart (China, Brazil, Russian Federation, Small Island Developing States) to be deleted, since all countries should be given equal attention. It was so agreed.

91. Mr Hagemeyer drew attention to the request in the document for the Committee to encourage Parties and other donors to provide matching resources for the project's implementation. He asked for figures relating to those resources so that Parties and other donors would know what exactly to match. Mr Barbieri said there were no exact figures but it was hoped that donations would be made to support given areas of interest. The Committee agreed to the request.

#### **Agenda Item 9: Requests for Standing Committee Follow-up on COP8 Decisions**

##### **Agenda Item 9(a) Resolution 8.11: Cooperation with other Conventions**

92. Ms Deda presented document CMS/StC31/11. In accordance with the document, the Standing Committee requested the Secretariat to continue liaising with other Conventions to advance work on the achievement of the 2010 target. It also requested the Secretariat to advance work, pending voluntary funding, on harmonization and on-line reporting as a matter of priority, and to report on achievements to the following meeting of the COP. It also welcomed the increased role of UNEP in advancing inter-agency work, through the organization of ad hoc meetings and the direct support and funding of projects.

93. Mr Douglas Pattie (UNCCD) reaffirmed his organization's interest in the CMS Sahelo-Saharan Antelope work programme and in being associated with the Action Plan for the Antelope. He noted that the UNCCD National Action Programmes offered a strategic window for the CMS to engage in policy dialogue at the national level, which could be targeted at improving the habitats of key range States. He re-emphasized the commitment to working with CMS under the 2003 MoU between the two organizations.

### **Agenda Item 9(b) Resolution 8.21: Additional Scientific Councillors**

94. The Standing Committee discussed the issue in **closed session** (restricted to Members, Observer States and Senior CMS Secretariat Officers). This portion of the report can be found in Annex 4 and is subject to restricted distribution to those who attended the closed session.

95. Mr Mshelbwala announced to the Meeting that it had been decided in the closed session to approve the nominations of Mr Zeb S. Hogan, Mr Barry Baker and Mr Alfred Oteng-Yeboah as Scientific Councillors for fish, by-catch and African fauna respectively. Ms Nickson welcomed the announcement and pledged WWF support for the new Councillor for by-catch, in particular. The election of the Councillor for by-catch and the activities related with the Year of the Dolphin would further highlight the need for an instrument to protect cetaceans of West Africa. WWF could offer its expertise and support with regard, in particular, to problems relating to gear technology, tuna fisheries and shrimp trawling.

### **Agenda Item 9(c) Resolution 8.22: Adverse impacts on cetaceans**

96. Mr Barbieri recalled that Resolution 8.22 had been adopted at COP8, calling for a CMS programme of work on human-induced threats to cetaceans. A programme was to be developed in synergy with other organizations, which would be notified of the Resolution, to ensure that duplication was avoided. That process had begun – for example, the latest IWC meeting had been notified – and would continue. A review of the extent to which CMS and CMS cetacean-related Agreements are addressing impacts through their threat abatement activities and an analysis of the gaps and overlaps between CMS activities and relevant international bodies would begin in November 2006, involving other bodies, and its findings would be reported at the next meeting of the Scientific Council. A draft programme of work would be initiated after that meeting and submitted at the next COP, as requested in the resolution.

97. The Chair, Ms Prideaux, Mr Baker and Mr van Klaveren welcomed the progress made and the cooperation with other bodies. Mr Baker drew attention once more to the MoU for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region, and the Chair paid tribute to Australia for taking the lead in such matters.

### **Agenda Item 9(d) Resolution 8.24: National Reports**

98. Mr Rilla presented document CMS/StC31/8/Rev.1, drawing attention to the action requested. Namely, the Standing Committee was invited to stress the importance of on-line reporting, which increased the efficiency and harmonization of the information provided by the Parties and, hence, to encourage Parties to provide financial support to the establishment of an on-line reporting system. Since on-line access remained difficult in many countries, in particular in Africa and parts of Latin America and Asia, hard copy reports would be maintained for the foreseeable future. But the aim was eventually to produce a clearing-house of knowledge and recommendations.

99. Mr Johnson added that the process could build on the existing reporting system. He also drew attention to the System of Online National Reporting (SONAR 2010) project, being developed in cooperation with WCMC to monitor implementation of the Convention and its Agreements and the achievement of the 2010 target. It would enable statistical information to be made readily available and would improve on-line reporting and information management. The project would greatly benefit the whole CMS family.

100. The report and the explanations were noted.

## **Agenda Item 9(e) Resolution 8.27: Scientific Task Force on avian influenza**

101. Mr Rilla presented document CMS/StC31/9, explaining that since July 2006 he had taken over from Mr Barbieri responsibility in the coordination of the Scientific Task Force. A good deal of information had accrued from the Scientific Seminar on avian influenza, the Environment and Migratory Birds, held in Nairobi in April 2006, and was available in CD-ROM format. He drew attention to the action requested: namely, the Standing Committee was requested to take note of developments concerning the implementation of Resolution 8.27, particularly as regards the role of the CMS Secretariat in leading the Scientific Task Force on Avian Influenza and Wild Birds, and to confirm its support in the continuation of that role. The Committee was also invited to encourage Parties and other donors to provide financial support to the further development of AIWEb and its management by a Task Force coordinator. There had been a positive response but it was vital to continue work.

102. Mr Hagemeyer insisted on the need to cooperate closely with other stakeholders and their initiatives, and to involve the media, since the issue was one that evolved fast. Mr Williams said that the United Kingdom would be prepared to make a financial contribution to a meeting of practitioners that could call on the experience of those who had dealt with outbreaks, if the Task Force saw merit in such a meeting. Mr Domashlinets said that Ukraine would be willing to contribute expertise, as it had already suffered an outbreak on its territory; it was important to ensure that birds were not killed unnecessarily. The Chair suggested that the Task Force should approach the United Kingdom, Ukraine and any other countries that might be able to contribute financial or other assistance. Information, education and preparedness were keys to the issue. Mr Rilla again appealed for funds.

## **Agenda Item 10: Forthcoming CMS meetings**

### **Agenda Item 10(a): Scientific Council Meetings 2007 and 2008**

103. Mr Barbieri confirmed that the 14<sup>th</sup> meeting of the Scientific Council would take place from 14 to 17 March 2007 and would be held in Bonn. It still had to be decided whether the 15<sup>th</sup> meeting would be held back-to-back with COP9, as had been the case of previous Scientific Council meetings held in COP years, or as a standalone meeting held some time before the COP, as had been suggested at the previous COP. The main considerations were of a financial order, since a standalone meeting would inevitably be costlier.

104. In response to a question by the Chair, Mr Barbieri said that, according to Secretariat calculations, the allocation of approximately 46,000 euro to cover the travel costs for the 14<sup>th</sup> meeting fell short of the amount needed (according to the theoretical attendance based on current membership and the costs of previous meetings) by some 40,000 euro. In order to make up the shortfall, there were plans to send a fundraising letter to traditional donor countries. Mr Hepworth added that developed countries might be politely requested NOT to seek defrayment of the travel costs of participants who were their nationals.

105. Mr Mshelbwala said that the 15<sup>th</sup> meeting would have to be held back-to-back with COP9 if funds were not made available to meet the extra costs, yet that would mean disregarding the request made at COP8. Mr Schall wondered whether ways could be found of restricting the number of participants at Scientific Council meetings, as the list was lengthy. The Chair asked the Scientific Council and the Secretariat to look at ways of streamlining the Council. Mr van Klaveren suggested an impact study should be conducted to evaluate the efficiency of such meetings. He added that his country had often considered hosting such meetings but the high per diem imposed by the United Nations for the Principality made them excessively costly. The Chair recalled that regional groupings, such as the European Union, meant that deliberations and

decision-making processes were very lengthy and no proposals made close to meetings could go through those processes in time. Mr Baker suggested adopting the method used elsewhere: namely holding the Scientific Council meeting before the COP, but with a three-day gap between them to allow for the Council's decisions to be digested. Mr Schall agreed with the proposals, adding that the alternative was to reduce the proportion of travel costs met by CMS. Mr Mshelbwala announced that the Council was considering a review of all such matters. An already planned survey of the expertise available in the Council to be undertaken through a questionnaire could be helpful in that regard. Mr Hepworth concluded the discussion by saying that the matter would in any case be further discussed at the 14<sup>th</sup> meeting of the Scientific Council and brought back for a decision to the Standing Committee at its 32<sup>nd</sup> meeting.

#### **Agenda Item 10(b): Results of COP8 Participants' Questionnaire**

106. Ms Deda presented the results of the COP8 Participants' Questionnaire, set out in document CMS/StC31/15.

107. The Chair welcomed the positive response to the questionnaire, the first of its kind. He suggested that CMS daughter agreements might follow the example, if they had not already done so. Mr Baker added his congratulations, emphasizing the laudability of analysing the findings of such questionnaires, which was not always the case.

#### **Agenda Item 10(c): Date, cost, format and venue of COP9 (2008)**

108. Mr Hepworth said that it was critical to plan in advance for COP9, due to take place in 2008, already a congested year in terms of major international meetings in the field. The deadline for offers by Parties to host the meeting was 31 December 2006, and it was hoped that either of the two existing potential offers would be confirmed by then. Further offers would also be welcomed. Failing that, United Nations premises would have to be used, possibly those in Bonn. The proposed date was somewhere between 9 and 21 November 2008. The exact length (and dates) of the meeting depended on the timing of the Scientific Council meeting (Agenda Item 10 (a)). The Chair and Mr Schall welcomed the decision on the provisional dates, agreeing that the possibilities were limited.

#### **Agenda Item 10(d): Date and venue of the 32<sup>nd</sup> Meeting of the Standing Committee**

109. Mr Hepworth said that 2007 would also be a busy year for meetings and the most suitable date for the next Meeting of the Standing Committee would be 6 and 7 September 2007, before the beginning of Ramadan. The Meeting would most probably be held in the same meeting room in Bonn. The Chair thanked the Secretariat for its useful forward planning. The Meeting took note of the provisional date and venue.

#### **Agenda Item 11: Participation of CMS in the Partnership for the Conservation of Migratory Waterbirds and the Sustainable Use of their Habitats in the East Asian-Australasian Flyway**

110. Mr Hepworth introduced the subject, addressed in document CMS/StC31/14. The Australian Government had written to him inviting the Convention to support the proposed WSSD Type II Partnership. The Secretariat had been involved in negotiations until 2004 but lacked a recent mandate to express an opinion on behalf of the Convention. The proposals marked a new development in cooperative flyway initiatives and the Secretariat believed that the Committee needed to consider them carefully from the viewpoints of meeting regional conservation needs and the implications for CMS of setting precedents for other flyways not yet covered by Article IV agreements. The Secretariat felt that the proposal was constructive and

applauded Australia's leading role in the partnership negotiations. Mr Baker made it clear that Australia was fully committed to CMS and that the proposed flyway partnership was not intended to set a precedent for other flyways, nor should it be seen as one. Mr Schall recalled the still open issue of the Central Asian flyway and suggested a short strategical paper on flyways to be prepared for the next Meeting, to address that issue and the other flyways; the Secretariat agreed.

111. The Secretariat distributed a text: CMS Statement to the East Asian – Australasian Flyway Partnership Meeting (CMS/StC/CRP1). In view of certain details in the text that were believed not to be acceptable to all concerned, it was decided to hold further discussions outside the Meeting and produce a new text.

112. Following those discussions, the Secretariat distributed the revised text: CMS Statement to the East Asian – Australasian Flyway Partnership Meeting (CMS/StC/CRP1/Rev.1), which was presented by Mr Hepworth. Mr Baker said that the new text was acceptable to Australia and Oceania.

113. The Chair said that he took it that the Committee approved the new text, CMS Statement to the East Asian – Australasian Flyway Partnership Meeting (CMS/StC/CRP1/Rev.1 attached to this report at Annex 6). It was so agreed.

114. Mr Hagemeyer requested that the text of the Statement be sent to all parties, not only CMS Parties in the region, with an explanation of the significance of its being an Article IV Agreement, for the benefit of non-CMS Parties in particular. The Chair and Mr Hepworth agreed to his request.

## **Agenda Item 12: Any other business and closure**

### *Hunting of endangered antelope species in Niger*

115. Mr Hepworth said that there had been reports of a high-level hunting party that had travelled to Niger in early September 2006 and killed a large number of protected animals including addax. It appeared that the expedition had been authorized by the State authorities, but despite much correspondence, it had been impossible to ascertain what had happened. He asked the Standing Committee what steps should be taken, recalling that some gestures could be both costly and counterproductive. A swift and considered response was called for, in view of the large amount of money donated by the European Commission to the protection project.

116. Mr Idriss, recalling the 2003 Agadir Declaration, wondered what means CMS could put at the disposal of the countries concerned. There had been reports that Arab princes from outside the region had been involved, and for logistical reasons it was impossible to stop such incursions into central African territory. Ms Herrenschmidt said that her country, France, was particularly concerned in view of investment by FFEM in the project. She drew a parallel with European ungulates for which hunting quotas had been set as a means of protecting species while allowing hunters to pursue their activities in a controlled manner, thereby involving them in the conservation. Local huntsmen should be informed of the situation – as it had been successfully established with regard to sturgeon fishing, education was often an effective long-term solution. The Chair agreed, adding however that an immediate reaction to the alleged occurrence, which was very serious in terms of the numbers and proportion of the population involved, was also needed. Mr van Klaveren suggested that a report be drawn up stating who should take action and investigating ways in which the donor countries could exert diplomatic pressure. It was also important for UNEP to take a stand, perhaps at the 24th Session of the Governing Council/Global Ministerial Environment Forum to be held in Nairobi in February 2007. The Chair suggested that a member of the Scientific Council, possibly the newly elected councillor for African fauna,

might pay a visit to Niger to determine exactly what had taken place. Mr Mdoe endorsed the idea that government-level diplomacy was required. Mr El Kabiri denied reports that Arab princes had been involved – the hunters were from the region and the national authorities had authorized the expedition – but he agreed that an enquiry on the ground was imperative. A formal letter should be sent, and pressure should be exerted to have legislation changed in order to protect the animals concerned; above all, the project must be allowed to continue. Mr Idriss insisted that Gulf emirs and leading figures from the Libyan Arab Jamahiriya had been active in the region and it was difficult to control their activities owing to a lack of resources.

117. Mr Mshelbwala said that similar incidents had been going on for years but nobody had physically been to see what was happening. He would be willing to visit the area concerned as he had good contacts in the country, and agreed that the new councillor for African fauna could accompany him. Discussions with the Ministry of the Environment of Niger would be most useful. He felt that lower-level discussions might initially be more effective than government-level talks for establishing the facts. A higher-level mission would later be useful in order to ensure that steps were taken to prevent such events being repeated, possibly involving President Wade of Senegal at NEPAD-level. Mr van Klaveren agreed, adding that other environmental or biodiversity-related bodies, such as CITES or UNCCD, might also cooperate, to avoid duplication of efforts.

118. The Chair agreed with the proposals, suggesting that the Biodiversity Liaison Group might be the appropriate body to coordinate such action. Should the animals' hides enter international markets, an extra dimension would be added to the problem. In view of the many ideas put forward by the Committee, he suggested that it should be left to the Secretariat to decide on the details of the measures to be taken. It was so agreed.

119. There was no other business. After the customary exchange of courtesies, the Chair declared the meeting closed at 3 p.m. on Friday, 29 September 2006.

# ANNEXES

# 31<sup>st</sup> Meeting of the Standing Committee

Bonn, 28-29 September 2006

CMS/StC31/Inf.3

## LIST OF PARTICIPANTS

### Chair:

United Kingdom (Europe) Mr. Eric Blencowe

### Vice-Chair:

Australia (Oceania) Mr. Barry Baker

### Members:

Germany (Depositary) Mr. Oliver Schall  
 Mr. Joachim Schmitz  
 United Republic of Tanzania (Africa) Mr. C. J. Mdoe  
 Chad (Africa) Mr. Mahamat Hassane Idriss  
 Peru (Americas/Caribbean) Ms. Hildegarda Violeta Valdivieso Milla  
 Ukraine (Europe) Mr. Volodymyr Domashlinets  
 United Kingdom (Europe) Mr. Andy Williams

### Observers:

Belgium Dr. Els Martens  
 France Ms. Veronique Herrens Schmidt  
 Monaco Mr. Patrick van Klaveren  
 Germany Dr. Elsa Nickel  
 Tanzania Mr. E. M. Tarimo  
 CMS Scientific Council, Chair Mr. John Mshelbwala  
 UNEP-WCMC Dr. Tim Johnson  
 BirdLife International Mr. John O'Sullivan  
 Global Nature Fund Mr. Stefan Hörmann  
 International WWF Ms Amanda Nickson  
 UNCCD Mr. Arnaud De Vanssay  
 Mr. Douglas Patty  
 Whale and Dolphin Conservation Society Dr. Margi Prideaux  
 World Association Zoos and Aquariums Dr. Peter Dollinger  
 Wetlands International Mr. Ward Hagemeyer

### Secretariats of CMS Agreements & co-located Agreements

AEWA Mr. Bert Lenten  
 ASCOBANS Mr. Rüdiger Stempel  
 EUROBATS Mr. Andreas Streit  
 Common Wadden Sea Mr. Jens Enemark

### UNEP/CMS Secretariat:

Executive Secretary Mr. Robert Hepworth  
 Deputy Executive Secretary Mr. Lahcen El Kabiri  
 Agreement Development and Servicing Officer Mr. Lyle Glowka  
 Scientific and Technical Support Officer Dr. Marco Barbieri  
 Information and Capacity Building Officer Dr. Francisco Rilla Manta  
 Inter-Agency Liaison Officer Ms. Paola Deda  
 Administrative/Fund Management Officer Ms. Jasmin Kanza

# 31<sup>st</sup> Meeting of the Standing Committee

*Bonn, 28-29 September 2006*

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CMS/StC31/1/Rev.1

## AGENDA

- 1) Opening remarks and introductions
- 2) Adoption of agenda, schedule and rules of procedure
- 3) Adoption of reports of 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> meetings
- 4) Report on accession of new Parties to the Convention
- 5) Secretariat's report on inter-Sessional activities since November 2005
- 6) Reports from Standing Committee members and observers, including the outcome of the recent EUROBATS and ASCOBANS MOPs
- 7) Resources
  - a. Secretariat manpower and organisation
  - b. Status of CMS Trust Fund budgets
  - c. Fundraising activities
    - i. Report of Meeting of Donors, 27 September 2006
    - ii. Private and Voluntary sector fundraising
  - d. New Secretariat offices in Bonn
- 8) Planning
  - a. CMS Work Plan
  - b. Priorities for 2007-8 and beyond
  - c. 2010 Biodiversity Target
- 9) Requests for Standing Committee Follow up in CoP8 Decisions
  - a. Co-operation with other Conventions (Res 8.11)
  - b. Additional Scientific Councillors (Res 8.21)
  - c. Adverse impacts on cetaceans (Res 8.22)
  - d. National Reports (Res 8.24)
  - e. Scientific Task Force on Avian Influenza (Res 8.27)
- 10) Forthcoming CMS meetings
  - a. Scientific Council Meetings 2007 and 2008
  - b. Results of the COP 8 Participants' Questionnaire
  - c. Date, cost, format and venue of COP 9, 2008
  - d. Date and venue of the 32<sup>nd</sup> Meeting of the Standing Committee
- 11) Participation of CMS in the Partnership for the Conservation of Migratory Waterbirds and the Sustainable Use of their Habitats in the East Asian-Australasian Flyway
- 12) Any Other Business and closure

# 31<sup>st</sup> Meeting of the Standing Committee

*Bonn, 28-29 September 2006*

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CMS/StC31/2/Rev.1

## SCHEDULE

### Wednesday, 27 September 2006

All Day Delegates arrive in Bonn – or participate in the donors meeting

### Thursday, 28 September 2006\*

#### Morning

- 8:30 Registrations (Delegates are kindly requested to pick up their badges.)
- 9:00 – 12:30 Agenda items 1-7 (d, a, b, c)
1. Opening remarks and introductions
  2. Adoption of Agenda, schedule and Rules of Procedures
  3. Adoption of reports of 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> meetings
  4. Report on accession of new Parties to the Convention
  5. Secretariat's report on inter-Sessional activities since November 2005
  7. Resources:
    - 7.d. New Secretariat offices in Bonn
    - 7.a. Secretariat manpower and organisation (presentation)
    - 7.b. Status of CMS Trust Fund budgets
    - 7.c. Fundraising activities
      - 7.c.i. Report of Meeting of Donors
      - 7.c.ii. Private and voluntary sector fundraising
  6. Reports from Committee members and observers (including Chair of Scientific Council)

12:30 – 14:00 Lunch break

#### Afternoon

- 14:00 – 15:30 Agenda items 6 (contd.), 8 (a, b, c) and 9d
6. Continued
  8. Planning:
    - 8.a. CMS Work Plan
    - 8.b. Priorities for 2007-8 and beyond
    - 8.c. 2010 Biodiversity Target
  9. Follow up in COP8 Decisions:
    - 9.d. Res. 8.24: National Reports
- 15:30 – 17:30 Closed session (restricted to Members, Observer States & Senior CMS Secretariat Officers). Agenda Items 7a, 6, 9b
- 7.a. Secretariat manpower and organisation (discussion)
  6. Outcome of ASCOBANS MOP
  - 9.b. Res. 8.21: Additional Scientific Councillors

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\* NB: A coffee or other break is foreseen in all morning and afternoon sessions.

## **Friday, 29 September 2006**

### **Morning**

- 9:30 – 12:30 Agenda items 9 (e, c, a), 10 (a, b, c)
9. Follow up in CoP8 Decisions
    - 9.e. Res. 8.27: Scientific Task Force on Avian Influenza
    - 9.c. Res. 8.22: Adverse impacts on cetaceans
    - 9.a. Res. 8.11: Co-operation with other Conventions
  10. Forthcoming CMS meetings:
    - 10.a. Scientific Council Meetings 2007 and 2008
    - 10.b. Results of COP8 participants' questionnaire
    - 10.c. Date, cost, format and venue of COP9, 2008

12:30 – 14:00 Lunch break

### **Afternoon**

- 14:00 – 15:30 Agenda items 10d & 11
10. Forthcoming CMS meetings:
    - 10.d. Date and venue of the next meeting of the Standing Committee
  11. Any other business and closure

## DECISION OF THE 31<sup>st</sup> CMS STANDING COMMITTEE

### Proposed Conditions and Parameters for an Interim Merger of UNEP/ASCOBANS Secretariat with UNEP/CMS Secretariat

#### Interim Status of a Merged Secretariat and Role of COP

Subject to a decision by the reconvened ASCOBANS Meeting of the Parties to favour an interim merger with the UNEP/CMS Secretariat:

1. A merger should be planned and financed on an interim basis for the period 1 January 2007 - 31 December 2008, while guaranteeing that the separate institutional integrity of each organisation is maintained.
2. UNEP and the CMS Secretariat should present a report on the operation of the merger to the 9<sup>th</sup> Conference of the Parties in November 2008.
3. If so requested by the ASCOBANS Parties, CMS COP9 should take a decision on the continuation of the merger, in consultation with the Parties to ASCOBANS.

#### Finance and Other Administrative Matters

Subject to clearance from UNEP/UNON:

4. Parties to ASCOBANS must ensure that the full additional costs of undertaking Secretariat duties for ASCOBANS are repaid to CMS. The budget at Annex A as refined, should be a guideline in securing this. ASCOBANS Parties would continue to pay annual subscriptions to the ASCOBANS Trust Fund.
5. The Chair of the ASCOBANS MOP, before the MOP reconvenes in December 2006, should take the lead in negotiations with the Executive Director of UNEP to seek UNEP's assistance towards transitional costs, and in facilitating the new arrangements. If these negotiations are successful, they would reduce the costs at 4 above.
6. The two half-time posts (P3 and GS5) which would be allocated to ASCOBANS under Annex A should be appointed on a temporary and/or consultancy basis to ensure there are no further costs falling on CMS at the end of the interim period. One of these posts should be designated as the ASCOBANS Coordinator.
7. Under a merged budget, fractions of time of existing CMS officials would be allocated to ASCOBANS work. The CMS Secretariat should ensure that the funds paid in the ASCOBANS budget in respect of these time allocations, are utilised to provide offsetting resources, including consultancies, for the achievement of the CMS Strategic Plan.
8. The CMS Secretariat, in consultation with UNEP, should submit a written, interim report on the operation of a merged secretariat for ASCOBANS to the 32<sup>nd</sup> Meeting of the CMS Standing Committee in 2007, and subsequently to the 9<sup>th</sup> Meeting of the CMS Parties in 2008.

## **CMS Statement to East Asian – Australasian Flyway Partnership Meeting**

The Convention on the Conservation of Migratory Species welcomes the Partnership for the Conservation of Migratory Waterbirds and the Sustainable Use of their Habitats in the East Asian – Australasian Flyway. The Secretariat and key CMS Parties have taken part in the negotiation of the Partnership. The Secretariat will also take an active role, subject to its resources, in the technical and other work of the Partnership.

Building on the achievements of the Asia Pacific Migratory Waterbird Conservation Strategy, the partnership aims at developing a single flyway network for all species of migratory waterbirds, potentially resulting in a more streamlined and integrated approach for many coordination and conservation activities, including communication, education, awareness raising, population monitoring and capacity building. CMS supports the establishment of a central coordination point for the collection and dissemination of information relevant to the Partnership, and notes that each individual state is encouraged to develop national partnerships to support the international framework and facilitate and guide implementation at the national level.

Within the partnership, CMS will deploy their experience in the development of similar intergovernmental instruments under Article IV of the Convention, notably the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) and the Agreement on the Conservation of Albatrosses and Petrels (ACAP). A CMS instrument is currently being developed for the Central Asian Flyway. A Meeting of Range States to develop a common international framework to promote the conservation of migratory waterbirds and wetlands, organised in New Delhi, India (10-12 June 2005) under the auspices of CMS in cooperation with Wetlands International, finalized a *Central Asian Flyway Action Plan for Conservation of Migratory Waterbirds and their Habitats*. Negotiations are ongoing concerning the most appropriate intergovernmental instrument to provide the institutional and legal framework for the implementation of the Action Plan. In the meantime, interim measures are being put in place to promote the early implementation of the Plan. Close liaison between the CAF and East Asian coordinators will be particularly important as several countries are traversed by both flyways.

Single-species, non legally-binding types of agreements have also been developed under CMS which, besides promoting the conservation of the species concerned, are producing spin-offs for other migratory species using the same flyway. A good example is the Memorandum of Understanding concerning conservation measures for the Siberian Crane.

CMS Agreements, besides promoting coordination of conservation and management measures along flyways, provide suitable frameworks for action on the ground. In 2003, the Global Environmental Facility (GEF) agreed to finance a US\$12 million project within the AEWA Agreement area. The African-Eurasian Flyway GEF project, now known as Wings Over Wetlands (WOW) aims to enhance and coordinate catalytic strategic measures to conserve a network of critical wetland areas that migratory waterbirds depend upon to complete their annual cycle. There are three linked components to the project: establishing a network of sites, enhancing technical capacity and improving communication and coordination. Wetlands International and BirdLife International are leading the implementation of this ambitious project.

GEF is also supporting a project to develop a wetland site and flyway network to conserve the Siberian crane and other migratory waterbirds in Asia. The project, currently being implemented, was proposed by CMS and the International Crane Foundation, and is using the Siberian Crane MoU as framework for its implementation. GEF will contribute a total of US\$10 million over a 6-year period. An additional US\$12.7 million in co-financing has been committed.

The examples mentioned above testify to the relevance and value of CMS in the conclusion and implementation of flyway Agreements. As regards the East Asian – Australasian Flyway, subject of the meeting of today, CMS contributed in paving the way for Governments of this region to begin thinking about cooperative arrangements through exploratory negotiations in the early 1990s to develop a regional agreement. Indeed, we are pleased to note that many of the principles embodied in those early drafts are reflected in the present Partnership document.

Conscious of the need for more Governments to be involved as willing, active partners, CMS is hopeful that this informal, voluntary partnership will serve as a bridge to a more permanent arrangement under its auspices. We note in this regard that more than half of the States covered by the Partnership are either Parties to the Convention or are participating in species Agreements developed under its auspices. The present partnership will be complementary to most of the CMS initiatives I already mentioned above, notably AEWA, CAF, and the Siberian Crane MoU. CMS stands ready to discuss the establishment of appropriate coordination arrangements.

**The CMS Standing Committee at its 31<sup>st</sup> Meeting, endorsed the East Asian Flyway Partnership initiative and encouraged all Parties and other States from the region to join it.**

**The Standing Committee further decided that it would be appropriate for the Secretariat to indicate the Convention's willingness to participate in the Partnership's implementation by formally endorsing the text, and to make arrangements to include appropriate provisions in its programme of work.**

**Without prejudice to their potential endorsement of the Partnership, the Secretariat and undersigned Parties to the Convention on Migratory Species acknowledge that the Partnership could fulfil the conditions of a non-binding agreement under Article IV (4) of the Convention, and recognize it as such.**

**Australia  
Bangladesh  
Mongolia  
New Zealand  
Philippines**