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**THIRD MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION
ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

Geneva, 9-13 September 1991
Item 13 of the provisional agenda *

**CONVENTION ON THE CONSERVATION OF MIGRATORY
SPECIES OF WILD ANIMALS**

REPORT OF THE SECOND MEETING OF THE SCIENTIFIC COUNCIL

Bonn, Germany, 14-15 March 1991

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* UNEP/CMS/Conf. 3.1

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

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REPORT OF THE SCIENTIFIC COUNCIL

This paper has been prepared by the Secretariat in
consultation with the Chairman of the Scientific Council

1. The Scientific Council met in Bonn on 14-15 March 1991, and the report adopted by the meeting is at annex 1.
2. The Scientific Council is scheduled to meet again in Geneva on 8 September 1991, and the report of that meeting will be issued as Addendum 1 to this paper during the meeting.
3. In order to implement the advice of the Scientific Council the Secretariat, in consultation with the Chairman of the Scientific Council, has prepared the draft resolution at annex II to this paper, for the consideration of the meeting.

* UNEP/CMS/Conf.3.1

Draft Resolution

LISTING OF SPECIES IN THE APPENDICES OF THE CONVENTION

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

Recalling that Resolution 1.4 from its first meeting directed the Scientific Council to formulate guidelines on terms used in the Convention and to review the species listed in its Appendices,

Noting with thanks that the Council has now reported to the Conference of the Parties on these matters and has made a number of recommendations to it,

1. **Agrees** that, in applying the guideline for interpretation of the term "endangered" adopted in Resolution 2.2 from the second meeting of the Conference of the Parties, the following general principles should apply:

- (a) The restriction of the listing of species in Appendix I to those which are "endangered" applies to the consideration of **future** proposals, but not necessarily retrospectively to species already listed;
- (b) Bearing in mind that Article III, paragraph (3)(b) of the Convention provides that a-migratory species may be removed from Appendix I when it is determined that the species is not likely to become endangered again because of loss of protection due to its removal from Appendix I, species categorized by the World Conservation Union (IUCN) as "endangered"(E), "vulnerable" (V) or "insufficiently known"(K*) should be retained in Appendix 1, together with any rare species breeding at a limited number of inherently vulnerable sites;

2. **Agrees** that further additions to the Appendices of the Convention should be limited to species or lower taxa and that the migratory species covered by higher taxa listings already in Appendix 11 need only be identified when AGREEMENTs were being prepared;

3. **Adopts** the guideline that a State should be considered a "Range State" for a migratory species when a significant proportion of a geographically separate population of that species occasionally occurs in its territory;

4. **Requests** the Depositary, when up-dating the Appendices, to correct names for the following species to reflect current standard nomenclature as follows:

Appendix I

MAMMALIA

CETACEA

Balaenidae

Delete *Eubalaena glacialis* (s.l.)

Insert *Eubalaena glacialis*
Eubalaena australis

ARTIODACTYLA

Camelidae

Delete *Lama vicugna** (except Peruvian populations)

Insert *Vicugna vicugna** (except Peruvian populations)

Appendix II

MAMMALIA

CETACEA

Delphinidae

Delete *Globicephala melaena* (only North and Baltic Sea populations)

Insert *Globicephala melas* (only North and Baltic Sea populations)

and to footnote the revised Appendices as appropriate to indicate the former listing;

5. **Requests** Parties preparing proposals for addition of species to Appendix I to consider whether that species should also be listed in Appendix II;

6. **Urges** any Party proposing the addition to Appendix II of a species for which it is a Range State to initiate negotiations with other Range States towards an AGREEMENT for that species;

7. **Urges** Parties to submit proposals in accordance with Article XI of the Convention for consideration by the fourth meeting of the Conference of the Parties for the listing in Appendix II of those species already listed in Appendix I of the Convention which would benefit from such listing and, in the meantime, to take appropriate measures to develop AGREEMENTs for such species;

8. **Encourages** Parties to consider submitting proposals for the listing of species from regions of the world currently under-represented in the Appendices and to assist developing country Parties to prepare such proposals.

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INTRODUCTION

1. The second meeting of the Scientific Council was convened by the UNEP/CMS Secretariat, originally to be held in London in January 1991 and subsequently, when events in the Gulf region made a postponement necessary, to be held at Bonn, Germany, from 14-15 March 1991.

I. ORGANIZATION OF THE MEETING

A. Opening of the meeting

2. Dr. M. J. Ford, the Chairman of the Scientific Council, welcomed the participants and introduced the members of his staff at the Nature Conservancy Council of the United Kingdom of Great Britain and Northern Ireland and those of the UNEP/CMS Secretariat.

B. Attendance

3. Seven Scientific Councillors participated in the meeting. Apologies for absence were received from the following nine Councillors: Messrs. Devillers, Hamidil, Helle, Kacem, Moser, Olsson, Perrin, Rose, Torres, Wolff. The list of participants is attached as annex I to the present report.

C. Agenda

4. The Chairman pointed out that item 5 - Small cetaceans review - of the revised provisional agenda (CMS/ScC/2.1/Rev.1) essentially required the meeting to confirm the recommendations for further action which had been agreed by correspondence among members of the Council. The agenda was adopted and is shown in annex II to the present report.

D. Organization of the work of the meeting

5. The revised provisional timetable (CMS/ScC/2.2/Rev.1) was approved and Mr. D. Hykle (Secretariat) and Ms. B. Vittery (United Kingdom Nature Conservancy Council) were appointed joint rapporteurs.

II. SUBSTANTIVE MATTERS

A. Reports

1. Report of the Chairman

6. The Chairman, in introducing his report (circulated at the meeting), reviewed the activities of the Council since its first meeting. He drew attention to the main issues which

needed to be discussed and progressed during the course of the current meeting. He expressed particular concern that seven years after the Convention had come into force no AGREEMENT under Article IV(3) was yet in place. That situation cast some doubt on the commitment of Parties to the implementation of the objectives of the Convention. He also informed the Scientific Council that he would not be seeking re-election to the Chair after the meeting of the Conference of the Parties in September 1991 and suggested that participants give thought to a possible successor.

7. The report of the Chairman is reproduced at annex III.

2. Report of the Secretariat

8. In its consideration of sub-item 3(b) of the agenda, the Scientific Council had before it the Report of the Secretariat (CMS/ScC/2.3.2).

9. The Co-ordinator, UNEP/CMS Secretariat, introducing the report, stated that it addressed developments since the first meeting of the Council, held at Geneva in September 1988.

The Parties to the Convention

10. She recalled that a further eight States had become Parties to the Convention. In chronological order, they were: Burkina Faso, Uruguay, Sri Lanka, Zaire, Belgium and Saudi Arabia. Procedures for ratification were underway by France and for accession by Guinea and possibly by Australia.

The officers and membership of the Scientific Council

11. The Co-ordinator recalled that, on expiry of his term of office, Dr. Ford had been re-elected Chairman with effect from 1 January 1989. As he had just announced, he would not be seeking a further term. She paid tribute to the time and effort which he had devoted to his task. She thanked the Nature Conservancy Council for its funding support, which had enabled Dr. Ford to attend the meetings which were indispensable for facilitating progress on the small cetaceans review, e.g., those of the Scientific Committee of the International Whaling Commission and the North Sea Conference.

12. She further recalled that the following new members had been appointed to the Council since the conclusion of the second meeting of the Conference of the Parties:

Nigeria - Mr. M.Madu (9 May 1989);

Ghana - Mr G.A.Punguse (to replace Mr.C.K.Manu) (10 July 1989);

Luxembourg - Mme E.Engel (to replace M. C.Meisch) (13 March 1990);

Finland - Dr. E.Helle (17 April 1990);

Burkina Faso - M. I.Zampaligre (17 July 1990);

Mali - M. N.Traore (19 September 1990).

13. Denmark had withdrawn its Scientific Councillor (8 January 1991). The appointment of a replacement was awaited. The following Parties to the Convention had yet to appoint experts: Belgium, Benin, Panama, Somalia, Spain, Sri Lanka, Uruguay and Zaire.

General questions

14. The Co-ordinator expressed concern that to date apparently little thought had been given to future developments in the implementation of the Convention or to what species should be identified as priorities for the elaboration of conservation measures. She urged the Council to give advice to the Conference of the Parties on those matters.

15. She took the opportunity to thank the Government of the United Kingdom for providing funds to enable representatives from developing countries to attend the current meeting at Bonn.

The Range State list

16. The representative of the Secretariat observed that the Range State list previously circulated (CMS/ScC/2.7.1, Annex 5) had been drawn up with the advice of the Parties to the Convention and the use of other available information. That list needed to be continually updated and refined, however, and he requested members of the Council to submit comments on it as soon as possible. He pointed out that there was provision for the Secretariat to purchase additional computer equipment, which would allow a more sophisticated sorting of the data than the current sort according to species. The Secretariat hoped to produce a list by species according to Party and non-Party States, which would facilitate the process of identification of species important to individual Parties.

Working groups

17. A question was raised about the procedure for constituting working groups and the manner in which they related to the Scientific Council, in view of the fact that the Council had established a number of working groups at its first meeting which included outside experts.

18. The Co-ordinator explained that Councillors were routinely canvassed for their recommendations on possible members for each working group. Conference resolution 1.4 provided some guidance in its operative paragraphs 5(b) and (c). It was the general practice that any Scientific Councillor who expressed interest in participating in a working group was automatically invited to be a member. The Secretariat attempted to ensure that there was a geographical balance and a good spread of expertise and knowledge.

19. The Scientific Council unanimously agreed that, as a matter of principle, all its members could participate in any of the working groups.

B. AGREEMENTS

20. In its consideration of agenda item 4, the Scientific Council had before it the following documents: AGREEMENTs (CMS/ScC/2.4.1); and the Addendum to the Report of the Secretariat (CMS/ScC/2.3.2/Add. 1), which updated information on the four AGREEMENTs in course of negotiation by virtue of Conference resolution 1.6. The latter document supplemented the agenda papers circulated to Councillors in January 1991 and was necessitated by the postponement of the current meeting.

21. The Council reviewed the sub-items and the following key points were made.

1. AGREEMENTs concluded

22. As was well known, no AGREEMENT had been concluded to date. However, there had been some progress towards conclusion of a number of AGREEMENTs since the previous meeting of the Council.

2. AGREEMENTs in preparation

(a) European bats

23. The Chairman informed the Council that the United Kingdom would transmit during April 1991 to the relevant authorities in all Range States the text of an AGREEMENT on European bats, together with a paper on administrative arrangements, accompanied by a request for comments by the end of June 1991. In addition, the text would be distributed to all Parties to the Convention for information. It was hoped that no substantive changes to the text would be called for, that a final text could be circulated shortly thereafter and that a signing ceremony might then take place in London in the autumn of 1991.

24. The Chairman explained that an important point of principle had delayed the finalization of an AGREEMENT: some Parties were looking for an instrument which would enter into force through a simple signature by a minister, while other Parties required a more elaborate process of ratification. Mr. Roger Rose, a lawyer appointed to the Scientific Council by the Conference of the Parties at its second meeting, had suggested a way out of the apparent impasse. He pointed out that it was by no means uncommon for Parties to bilateral or multilateral agreements to have different procedures for making them binding. A possible solution could be to amend the draft article dealing with entry into force on the following lines:

"Signature, Ratification, Acceptance and Approval

"This AGREEMENT shall be open to signature by Range States who may become Parties by either:

"(a) Signature without reservation in respect of ratification, acceptance or approval; or

"(b) Signature with reservation in respect of ratification, acceptance or approval, followed by ratification, acceptance or approval."

The Chairman added that Governments taking the second course were bound by the general principles of the AGREEMENT on signature, although they were not formally Parties until the ratification process had been completed.

25. The question arose whether government agencies responsible for species conservation could themselves become Parties to such AGREEMENTs without the signature of a minister. The Chairman pointed out that the Convention provided for two types of international agreements. For example, those envisaged under Article IV(3) would be of a more rigorous kind. A Party would have to decide which of the two mechanisms proposed by Mr. Rose it needed to adopt. Under Article IV(4), on the other hand, a more informal type of agreement was envisaged, which might not entail legal obligations.

26. The Council agreed that Mr. Rose's proposed solution was sensible and should be generally incorporated into AGREEMENTs concluded under Article IV(3). It also agreed that there was considerable merit in pursuing agreements which could be activated without a ministerial signature through governmental organizations in Range States.

(b) White storks

27. The Chairman recalled that the European Economic Community (EEC) wished to sponsor an AGREEMENT on white storks. The European Commission had advised the Secretariat early in February 1991 that the Council of Ministers had mandated it to negotiate thereon with other Range States.

28. Some Councillors pointed out that the Community's responsibilities for the species in question were concentrated in only a few of its member States and, secondly, that a number of African countries had a major conservation responsibility for the species. Unless the latter countries were consulted at an early stage, before the Community was committed to a text, no AGREEMENT would be finalized. It was agreed that, as a general practice, all Range States should be involved at an early stage in the process of developing AGREEMENTs. Scientific Councillors stressed the importance of initiating such consultations in the near future in connection with a White Stork AGREEMENT. It was agreed that EEC should be urged to inform the Council of progress, through the Secretariat, in the near future. The Chairman was requested to write in those terms to the Economic Commission.

(c) Western Palearctic Waterfowl

29. The Co-ordinator recalled that the Working Group on Western Palearctic Waterfowl established by the Council had met at Bonn on 7 November 1990 and that a Note by the Secretariat on the discussions had been circulated to all members of the Council prior to the present meeting.

30. She added that the Secretariat had just received from the Netherlands authorities a fresh draft of an AGREEMENT on western palearctic waterfowl, together with associated documents. That draft substantially reflected the approach advocated at the meeting hosted by the Scientific Council's focal point on waterfowl matters, held at Bonn on 7 November 1990. It comprised:

(a) A text in legal language for signature by Range States;

(b) Specific management prescriptions stemming from the overview of the question, which would be an integral part of the AGREEMENT and legally binding.

31. The Scientific Council declared its desire to be given the opportunity to offer comments before the text in what was expected to be final form was submitted by the Netherlands Government to EEC. The Chairman was requested to write to the Government of the Netherlands to that effect.

(d) Small cetaceans

32. The Scientific Councillor from Sweden recalled that there had been an attempt to conclude an agreement on the North and Baltic Sea populations of small cetaceans in time for the Third North Sea Conference, held at The Hague in March 1989. However, ministers at that Conference had signed a memorandum of Understanding in which they agreed to interim conservation measures pending the conclusion of an agreement on North and Baltic Sea small cetaceans under the CMS Convention. Following a meeting in September 1990, the Government of Sweden, as sponsor of the agreement, submitted a revised text to the 11 Range States for comment before 15 April 1991. No response had yet been received from the Baltic States and there was some doubt whether those States would be able to respond in time.

33. He pointed out that the Federal Republic of Germany had participated in the September 1990 meeting and subsequently responded in some detail to the draft. It suggested, *inter alia*, that all the management prescriptions currently placed in an annex to the text, in order to facilitate amendment, should be transferred to the main body thereof because they were of a legally binding character. Sweden wanted a simple main text, which could become a model agreement, and argued in favour of annexes for the reason given above. It was hoped that the issue would be resolved shortly and that an agreement on small cetaceans could be signed in connection with the third meeting of the Conference of the Parties.

3. Future AGREEMENTS

34. Referring to Conference resolution 2.3, the Co-ordinator confirmed that it was not necessary to wait until after the next meeting of the Conference of the Parties to begin work on AGREEMENTs for small cetaceans. One option would be for the members for Asia and Africa of the Standing Committee to convene regional meetings. She felt that the Scientific Council or its Small Cetaceans Working Group might also facilitate the development of AGREEMENTs, especially those with extra-European coverage.

35. The Council requested the Secretariat to inform the Standing Committee of its willingness to be involved and decided to annex to the report of the meeting, as its recommendation for listing in Appendix II, the list of Party Range States for the species or populations of small cetaceans contained in CMS/ScC/2.7.1, Annex 3 (see annex IV.)

36. The Chairman stated that at the 20th World Conference of the International Council for Bird Preservation (ICBP), held in New Zealand in November 1990, Saudi Arabia had expressed interest in concluding an AGREEMENT on *Chlamydotis undulata* under the CMS Convention; and that a draft accord had been

prepared in collaboration with the ICBP Bustard Group. At its 1990 General Assembly, the International Union for Conservation of Nature and Natural Resources (IUCN) passed a resolution, endorsed by Pakistan and Saudi Arabia, in favour of the conclusion of such an AGREEMENT. In order to mitigate the deleterious impact of hunting parties, one element of such an AGREEMENT could be to provide for hunting in the respective Range States only on a rotational basis (recognizing that it would not be possible to eliminate such hunting altogether). Finally, the Council noted with appreciation an article dated 12 March 1991 in the Karachi newspaper **Dawn**, drawn to its attention by the Scientific Councillor from Pakistan and circulated at the meeting, in which President Ghulam Ishaq Khan of Pakistan expressed deep concern over the continued hunting in that country by foreign guests of the houbara bustard, in contravention of a 1988 ban.

37. The Scientific Council noted that its Chairman and the Secretariat had been informed by Hungary and Italy of their interest in elaborating an AGREEMENT for *Otis tarda*. One participant suggested that the coverage be extended to populations of the same species in Portugal and Spain, which were very much at risk.

38. The Scientific Councillor for Pakistan drew attention to the Symposium on Western Asian Waterfowl, co-sponsored by the UNEP/CMS Secretariat and, *inter alia*, the Government of his country, due to be held at Karachi (Pakistan) from 14-21 December 1991. One of its aims was to investigate the need for a CMS AGREEMENT for the conservation of migratory waterfowl in Asia. The Council requested the Secretariat to produce a first draft of such an AGREEMENT for discussion at the symposium, simpler in approach than the AGREEMENT on western palearctic waterfowl currently being negotiated.

39. The same Councillor further suggested that another group of species in need of attention in the Middle East and southwest Asia (and possibly also in Africa) was falcons.

40. Although terns were discussed at the second meeting of the Conference of the Parties, they were not listed in the Appendices to the Convention. A draft proposal for adding the species to the Appendices had been prepared by the Royal Society for the Protection of Birds (RSBP), but apparently no further progress had been made. It was suggested that the original proposal might be revised and perhaps offered to a Range State for submission.

41. The Chairman having noted that contact with the Government of India had essentially been lost since the last meeting of the Conference of the Parties and that there were

conservation issues of regional concern which needed to be discussed, the Council decided that he should write to that Party, with a view to determining the appropriate focal point with which it should communicate.

42. There was a discussion of the problems created by artificial barriers to migration routes (such as fences, overhead power lines and dams). It was agreed that more information was needed to assess the potential impacts on migratory species, not only of fences along national boundaries, but also within Range States. Dr. Rao undertook to provide more information on the border species affected in Pakistan. The Council decided to consider at its next meeting whether to examine the problem more generally, with consideration given to possible measures to mitigate such impacts.

43. A number of Councillors expressed concern about the effects of oil spills on migratory species, with particular reference to the Gulf region. While acknowledging that they were probably not in a good position to offer advice or assistance, the Councillors suggested that the Convention could provide a framework for a regional agreement on sea birds, marine mammals and turtles dependent on the Gulf, an area associated with very particular risks.

C. Small cetaceans review

44. In its consideration of agenda item 5, the Council had before it the document Review of the Conservation Status of Small Cetaceans (CMS/ScC/2.5).

45. The Chairman recalled that the Scientific Council had been mandated by the Conference of the Parties at its second meeting, in resolution 2.3, to give priority to a global review of the conservation status of small cetaceans and that, fortunately, the Conference had established a working group for the species earlier in that meeting and on the basis of the Council's recommendation. The Group was constituted by the Secretariat, after consultation with Scientific Councillors, who were invited to participate or to suggest experts who might possibly do so. The bulk of the work, however, was undertaken by Mr. Julio Reyes of Peru, whom the Secretariat engaged as a consultant. The Secretariat had circulated the Review to Scientific Councillors in November 1990, together with draft proposals for additions to Appendix II which Mr. Reyes had prepared for the Secretariat. In its covering letter, the Secretariat had drawn attention to the requirement for Parties to submit their proposals by 12 April 1991 and had requested the Councillors to discuss any such proposals with their Governments prior to the second meeting of the Scientific Council. When the original plan to hold that meeting in London during January 1991 was cancelled due to the

outbreak of the Gulf war, the Secretariat wrote again to all Councillors on 23 January 1991 to inform them of the Chairman's view that Council members had had adequate opportunity to consider the review and that, if no objections were received, he proposed to transmit the recommendations as soon as practicable to the Parties to the Convention. As no Councillor objected to his proposal, the Chairman wrote directly to the Parties on 27 February 1991 urging them to submit proposals for additions to Appendix II by the deadline of 12 April 1991.

46. Dr. Rao said that he considered the Pakistan population of *Platanista gangetica* to be a separate species, *Platanista indi*. However, irrespective of that question, the Pakistan population was no longer able to migrate on account of physical barriers. For that reason and on behalf of his Government, he undertook to propose all the recommended species' for addition to Appendix II, with the exception of *Platanista gangetica*. The Council warmly welcomed that initiative.¹

Further action on the review report

47. The Scientific Council decided that, in the light of Conference resolution 1.4, paragraph 6(f), the review ought to be made widely available - it represented a tangible result of the Council's work. The Secretariat was requested to ensure that the report was edited and then to take the following action:

- (a) To circulate it to all the Parties to the Convention;
- (b) To submit it to the Scientific Committee of the International Whaling Commission (IWC) at its next meeting. In view of the fact that such action would have to be taken by 19 April 1991, the deadline for receipt by the Secretariat of comments which involved changes would have to be 30 March 1991;
- (c) To circulate it to every Range State not yet Party to the Convention.

48. The Co-ordinator stated that the Secretariat had received an offer to publish the Review as a technical report of the Marine Mammals Action Plan drawn up by UNEP, FAO and IUCN, though in a more generalized form, without the emphasis on the CMS Convention.

¹ The UNEP/CMS SECRETARIAT received proposals on those lines on 15 March 1991.

D. Review of the Appendices to the Convention

49. In its consideration of agenda item 6, the Scientific Council had before it the following documents: Review of the Appendices of the Convention (CMS/ScC/2.6.1) and Appendix I, showing IUCN (1990) categories (CMS/ScC/2.6.1 Annex 2 (Revised)).

1. Use of standard nomenclature

50. The Council requested the Secretariat to prepare a draft Conference resolution which would contain proposed textual changes to the nomenclature of the Appendices, for consideration at its next meeting. The amendments listed in that draft would include the following, in particular:

In appendix I:

- Correct *Eubalaena glacialis* (s.l.) to read
 Eubalaena glacialis
 Eubaleana australis
- Correct *Lama vicugna* to read:
 Vicugna vicugna

In appendix II:

- Correct *Globicephala melaena* to read:
 Globicephala melas

The Depository should footnote the Appendices, as appropriate, to indicate the former listing.

2. Species currently listed in Appendix I and/or Appendix II

(a) Appendix I

51. By Conference resolution 1.4 the Parties to the Convention directed the Scientific Council to formulate guidelines for the application of such terms of the Convention as "endangered" and "migratory" species. That instruction was accomplished and endorsed by resolution 2.2. Resolution 1.4 further directed the Council to review the lists of species in the Appendices, taking into account the guidelines which it formulated.

52. The Co-ordinator explained that the purpose of the present exercise was therefore:

- (a) To prepare recommendations to the Conference of the Parties with regard to those species for which the application of the terms did not conform to the guidelines; and
- (b) To consider other species that might be appropriate candidates for listing.

She emphasized that it was incumbent on the Parties to the Convention to elaborate appropriate proposals for listing or removing species, in the light of the recommendations which the Council would submit in conformity with the deadline prescribed by the Convention - on the present occasion, 12 April 1991.

53. The Council decided that the following general principles should be adopted:

- (a) The criterion whereby the listing of species in Appendix I was restricted, under the terms of resolution 2.2, to those which were "endangered" should be applied to the

consideration of **future** proposals but not retrospectively to species already so listed;

(b) Since Article 111(3) of the Convention enjoined caution in removing a migratory species from Appendix I, species categorized in the 1990 IUCN **Red List of Threatened Animals** as "endangered" (E) or "vulnerable" (V), as well as those categorized as K* - for which information was lacking but which were under review and might well be considered as endangered or vulnerable, should be retained in Appendix I. Species currently listed by IUCN therein as "rare" or not listed at all should be considered on a case-by-case basis, in order to take account of the best available information and in recognition of the fact that more recent data may have come to light since the issue of the above-mentioned IUCN publication. The Council would also treat rare species that bred at a limited number of inherently vulnerable sites as "vulnerable", even if not categorized as such by IUCN.

54. In application of the foregoing principles to species listed in Appendix I, the Scientific Council made the recommendations listed below:

(a) The Conference of the Parties to the Convention should consider the following species for deletion from Appendix I:

Tadarida brasiliensis: Its retention in Appendix I was questioned, given its large numbers, although a downward population trend was noted.

Haliaeetus albicilla: More or less sedentary; populations seemed to be recovering.

Haliaeetus pelagicus: Information from USSR suggested a fairly healthy population not threatened by pesticides.

Larus audouinii: The population seemed safe, with 5,000 pairs breeding at dozens or hundreds of sites, with no apparent downward trend.

Serinus syriacus: Listed originally as a representative, rare Middle-Eastern migratory species, but there was little justification for retention on scientific grounds.

(b) The Conference of the Parties to the Convention should retain the following species in full in Appendix I:

(i) All species listed as E or V in the 1990 IUCN **Red List of Threatened Animals**.

(ii) The following other species:

Pterodroma phaeopygia: Relatively rare; thought to breed in few sites.

Pelecanus onocrotalus: Only the palearctic populations; the listed population was at risk but healthy populations existed elsewhere.

Ciconia boyciana: There were problems in USSR breeding areas; little information available for China but breeding sites were in industrially contaminated areas.

Chloephaga rubidiceps: The bulk of the population - on the Falkland/ Malvinas Islands - was non-migratory but the migratory populations covered by the Convention (in Tierra del Fuego) were threatened.

Grus leucogeranus: Sharp decline in the Caspian and Indian populations.

Grus nigricollis: Sharp decline in Bhutan; little known about conditions in Tibet.

Larus relictus: Only two known major breeding populations in USSR, which fluctuated greatly in numbers; little known about conditions in China.

Larus saundersi: Although no immediate threat existed, there were only a small number of breeding sites in the densely populated part of China.

55. The Council then reviewed the special case of the species *Chlamydotis undulata*. Only the Northwest African population was listed in Appendix I and it was non-migratory. The species as a whole was placed by IUCN in category V in its **List**. Hence, in accordance with resolution 2.2, it was not appropriate for it to be listed in its entirety. The Council therefore recommended its removal from the Appendix. At the same time, it requested the Secretariat to ascertain from the Chairman of the ICBP Bustard Group the appropriate IUCN category for the Asiatic migratory population of the species. The Council would consider making a recommendation upon receipt of the reply.

56. The Scientific Council further requested the Secretariat to endeavour to gather more information, for its future consideration, with regard to those other species not proposed for deletion from Appendix I at the current meeting on the grounds that data were lacking.

(b) Appendix II

57. The Scientific Council reviewed the species currently listed in Appendix II and the following observations were made:

(a) The Co-ordinator confirmed, on the basis of advice received from Scientific Councillors, that all individually listed species were considered to be migratory;

(b) Certain species included in higher taxa listings were in fact non-migratory. The problem thereby posed was particularly evident in the case of the *Muscicapidae*, which embraced 1,426 species. Since family listings were, as a general principle, difficult to interpret, the Council recommended that in future Parties to the Convention should submit their proposals for listing in the Appendices only in terms of species, rather than families;

(c) The Council decided that, for families already listed, the migratory species needed to be identified only at the stage when AGREEMENTs were being prepared;

(d) The Chairman confirmed that an AGREEMENT could encompass species not currently listed in Appendix II, provided it could be relevant to at least one listed species;

(e) The Scientific Councillor from Sweden stressed the need to exercise caution in making judgments as to which species were extinct. A 20-year time span since the last record of its sighting would not be a sufficient basis for deciding that a species was extinct. On the other hand, because some family listings might encompass extinct species, the matter should be determined at the point when any AGREEMENT was concluded which might otherwise inadvertently include such species.

3. Lists of candidate species for Appendix I and Appendix II

58. The Chairman pointed out that many of the species listed in Appendix I were not also listed in Appendix II - although it seemed self-evident that if a migratory species was endangered then that species would benefit from international co-operation under an AGREEMENT. The species to which that description applied were given for reference in annex V but the list would need review after the third meeting of the Conference of the Parties in the light of any actions taken thereat in response to the above-stated recommendations of the Council for the removal of certain species.

59. A number of Councillors pointed out that non-Party Range States could be Parties to AGREEMENTs.

4. Proposals for amendments to the Appendices

60. The Scientific Council made the following recommendations with regard to proposals for amending the Appendices:

(a) Any Party making a proposal to add a species to Appendix I should consider whether that species should also be listed in Appendix II;

(b) The Conference of the Parties should consider adding to Appendix II those species in Appendix I not currently so listed. The Secretariat should consider whether it would be legally possible to give immediate effect to such action en bloc in respect of all applicable species by means of a resolution of the Conference of the Parties. If it reached an affirmative conclusion, the Secretariat should prepare such a draft Conference resolution for consideration by the Scientific Council at its meeting prior to the opening of the Conference of the Parties. If it concluded that there were legal problems, however, the Secretariat should draft a resolution whereby the Parties were recommended to utilize the existing procedure to bring into effect such additional listings in Appendix II;

(c) The Parties to the Convention should be encouraged to consider making proposals for the listing of species from regions of the world currently under-represented in the Appendices and special attention should be given to assisting developing country Parties to make proposals. In that connection, Dr. Rao proposed the addition of the wild ass *Equus hemionus khur* and the Marco Polo sheep *Ovis ammon* to both Appendices; and Dr. Edelstam proposed the addition of *Pterodroma aterrima*, *Pterodroma magentae*, *Gorsachius (Nycticorax) goisagi*, *Gorsachius magnificus*, and *Tadorna cristata* to both Appendices. Both Councillors further requested the Secretariat to obtain updated information from ICBP on the population status of the species which they had proposed;

(d) Dr. Rao suggested that, because international demand for wild animals could increase exploitation pressure, the migratory species included in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) should be reviewed by the Scientific Council for their relevance as possible candidates for inclusion in the CMS Appendices.

E. Other recommendations to the Conference of the Parties

61. In its consideration of agenda item 7, the Scientific Council had before it the following documents: Other recommendations to the Conference of the Parties (CMS/ScC/2.7.1) and Information document: Second meeting of the Scientific Council.

1. Standard formats for Party reports to the Conference

62. The Co-ordinator confirmed that, in accordance with Article VI(3), the deadline was 9 March 1991 for receipt of reports on measures taken since the second meeting of the Conference to implement the Convention. Only one report, however, had been received to date. She expressed concern at that situation but added that, regrettably, such a poor response was not unusual.

63. She recalled that the Secretariat had drafted standard formats for Party reports. The Standing Committee reviewed them and put forward one minor change to be introduced in both the comprehensive report (format A) to be submitted on becoming a Party to the Convention and the supplementary report with updated information (format B) to be submitted prior to each meeting of the Conference. It fell to the Scientific Council to review the resulting proposals for both formats, which were shown in CMS/ScC/2.7.1, Annex 1.

64. The Council agreed that it would be very useful to have standard formats. Since none of the Councillors present had yet begun preparation of the report for the third meeting of the Conference, it was suggested that the proposed format A be used on a trial basis by the Parties, so that any comments or suggestions related to that format and, if Councillors so wished, format B as well, could be taken into account at the next meeting of the Conference of the Parties. In order to meet a deadline for translation, any comments should reach the Secretariat by 30 April 1991.

65. The Council was unclear as to the rationale for the change which the Standing Committee had suggested in format A, paragraph II.2(b). Its counter-proposal was that that subparagraph of format A and also paragraph II.1(b) of format B should each read:

"Population size and trends for species (if appropriate, relevant data on previous and present levels)"

66. Secondly, the Council decided to delete from format A, paragraph II.3(a), format B, paragraph II.2(a), and, format B, paragraph III.3(a), the requirement to indicate the species listed in Appendix II for which the Party was Range State, on the grounds that the information already appeared in the Range State list prepared by the Secretariat.

67. Thirdly, the Council agreed that format B, paragraph III.2(c) would more appropriately read:

"Exceptions made with respect to Article III (5) since the last report"

68. Revised draft formats on the above lines are appended at annex VI.

69. The Council recommended that such reports submitted to the Conference of the Parties should be published, perhaps as a second volume of the Proceedings of the relevant meetings.

2. Conservation of species listed in Appendix I

70. The Co-ordinator expressed concern over the lack of attention given to species listed in Appendix I and pointed out that, in the case of other Conventions, the Secretariat was enabled to intervene in connection with serious matters of implementation. She noted that an analysis of reports submitted by Parties to the CMS Convention would often be useful in that regard. Nevertheless, the three-year interval between such reports was too long to allow the Secretariat to take action as rapidly as would be desired on urgent problems which might come to light.

71. She also drew attention to the need for a Conference resolution which would encourage the Parties to the Convention, its Scientific Council and other organizations to bring to the attention of the CMS Secretariat serious matters relevant to the implementation of the Convention and would request the Secretariat to intervene in those circumstances, if appropriate.

3. Interim conservation measures for species for which AGREEMENTs and agreements are being prepared

72. The Co-ordinator drew attention to the fact that, in the context of an agreement on North and Baltic Seas small cetaceans, a memorandum of understanding had been signed which introduced interim conservation measures to be taken while the agreement was being negotiated. She emphasized the value of that approach and remarked that a listing in Appendix II provided, of itself, no benefit which conserved a species.

73. Noting that the case cited was the only such example among the AGREEMENTs/agreements currently under negotiation, the Scientific Council recommended that the adoption of a similar approach be considered for other species, pending the conclusion of AGREEMENTs/agreements.

4. Application of Article V(2) to agreements under Article IV(4)

74. The Co-ordinator explained that Article V of the Convention provided a comprehensive set of guidelines for AGREEMENTs, but only for those concluded in accordance with the provisions of Article IV(3). By its resolutions 2.6 and 2.7 in 1988, however, the Conference of the Parties to the Convention decided that Article V(2) should apply also to agreements concluded in accordance with the provisions of Article IV(4). The effect of those resolutions was to require the latter category of agreements to cover the whole of the range of the migratory species concerned and be open to accession by all Range States.

75. The Councillors adduced several reasons why it might be counter-productive to require the application of Article V(2) to agreements under Article IV(4). They argued that a more flexible approach was needed: a species might be affected by different problems in different areas, so that an agreement might not be relevant to a species over the whole of its range. Indeed, the existing Article V(2) might not be a particularly useful provision in relation to some Article IV(3) AGREEMENTs. While the intent of its inclusion was obviously to assist species conservation, it might have the effect in practice of hampering the development of the Convention: there might be cases where it would be desirable to conclude an agreement among just a few key Range States rather than insisting that it be extended to all.

76. The Scientific Council requested the Secretariat to convey its concern over the matter to the Standing Committee, which, it hoped, would submit a draft resolution to the Conference of the Parties at its third meeting to supersede resolutions 2.6 and 2.7 in that respect.

77. The Scientific Councillor from Sweden drew attention to the special provision in Article V, paragraph 4 f), in relation to any migratory species of the Order Cetacea, for accession to the AGREEMENT by States that were not Range States. A number of Councillors expressed the view that such a provision might not be in the best interest of the Convention.

5. Future activities

78. The representative of the Secretariat stated that document CMS/ScC/2.7.1 put forward some suggestions for future work under the Convention and sought the views of the Scientific Council thereon. Specifically, it posed the question which of the species identified in the small Cetaceans Review might be accorded priority for the negotiation of future AGREEMENTs. Secondly, it suggested that a number of other migratory species, including marine turtles, North African ungulates and dugong might also be given priority.

79. With regard to the former, the Council was of the opinion that freshwater dolphins generally should be a priority, because they were particularly threatened by environmental problems, such as pesticides and industrial pollution.

80. The representative of the Secretariat reported on his participation in the Eleventh Annual Workshop on Sea Turtle Biology and Conservation, held at Jekyll Island, Georgia, 26 February - 2 March 1991, in the context of possible future work under the CMS Convention. He pointed out that all but one of the species involved were listed in both Appendices.

81. He considered that three regions were of particular interest: western Asia, Southeast Asia/Oceania and the eastern Pacific. He felt that the Caribbean should be a lower priority as far as marine turtles were concerned, since considerable attention was already being focused on that area.

82. He noted that Oman, which had significant nesting populations of green turtles, was considering accession to the Convention. Since India, Pakistan and Saudi Arabia were already Parties, he suggested that there might be some value in concluding an AGREEMENT for turtles and perhaps for other marine species. Australia also had important nesting populations of green turtles, which forage in the waters of Indonesia and Papua-New Guinea and were heavily harvested there; a regional agreement might be desirable if and when Australia acceded to the Convention. The Government of the United States of America was attempting to develop an accord for marine turtles in the eastern Pacific, which could fall within the framework of the Convention.

83. The Scientific Council concluded that the attention of those concerned should be drawn to the potential of the Convention to provide a mechanism for co-ordinating conservation efforts for marine turtles, through the conclusion of AGREEMENTs. However, given the amount of work already being done on marine turtles, the Council was of the opinion that higher priority should be given to dugong, which

are listed in Appendix II, and to other sirenians. In the Gulf region, for example, it might be considered useful to negotiate a broad AGREEMENT which covered more than one group of marine species.

84. The Scientific Council further proposed that migratory land-based mammals in north Africa and beyond (to the Arabian peninsula, India and Pakistan) should be a high priority for future work, not only because of the biological aspect but also in view of the number of CMS Parties in that area.

85. The Co-ordinator, on the basis of advice from a Councillor not present, noted that Neotropical species were under-represented in the Appendices to the Convention and that it might be useful to conduct a review of migratory species in South America. The undesirability of species being listed by non-Range States was noted, however, and the Council felt that the approach should be simply to draw attention to Neotropical species which might benefit from the Convention.

86. Dr. Rao suggested that AGREEMENTs ought to be developed for *Grus leucogeranus*, *Panthera uncia*, and *Gavialis gangeticus* - all Appendix I species, but only the first-named appearing also in Appendix II.

87. Dr. Rao also drew attention to the resolution adopted in 1979 as part of the Final Act of the Conference to Conclude the Convention, which called for financial, technical and training assistance in support of the conservation efforts made by developing countries. The Scientific Council suggested that it might be possible to interest development aid agencies in assisting developing countries to fulfil their obligations under the Convention.

88. In a more general discussion on the mandate of the Scientific Council, the statement in Article VIII (5b) of the Convention was noted, that the functions of the Council might include "recommending research and the co-ordination of research on migratory species". Since, under Article II of the Convention, it was the obligation of Parties to promote research activities, the role of the Scientific Council was evidently to bring to the attention of the Parties matters requiring research. The Council therefore felt that the Conference of the Parties should be invited to consider that point and in particular to examine the question of the capacity of the Scientific Council, both from a technical and a financial standpoint, to fulfil the role defined under Article VIII. For example, the Council might be helpful in identifying and recommending areas for research and in facilitating contacts and the exchange of information among scientists. It would be necessary to target species of

particular concern, such as Appendix I species, Appendix II species for which AGREEMENTs/agreements were being considered and other species for which AGREEMENTs/agreements could be beneficial.

89. As to finance, the Council was agreed that financial constraints could inhibit its members, from both developed and developing countries, from becoming Chairman. It requested the Secretariat to take appropriate steps to see that provision was made in the budget to cover the costs of attendance by the Chairman of the Scientific Council at appropriate meetings and to enable representatives from developing countries to participate in the work of the Scientific Council, particularly its working groups.

90. The Council requested the Secretariat to review the suggestions that had been made and to prepare a paper for its next meeting, elaborating on the question of priority species and regions. The Secretariat should also give consideration to preparing a draft Conference resolution to redefine the mandate of the Scientific Council, superseding or adding to resolution 1.4.

6. Conference appointees to the Scientific Council

91. The Chairman asked all Councillors to provide the Secretariat prior to their next meeting with suggestions for areas of expertise to be included in the membership of the Council and with particulars of potential candidates for nomination to the Council. There was agreement that the emphasis ought to be on filling gaps in knowledge and that dugong and north African mammals should be included. The Chairman reminded the Councillors that those who had been appointed by the Conference of the Parties would have to be formally re-appointed by the Conference at its forthcoming meeting if they were to continue to serve on the Scientific Council.

III. DATE AND VENUE OF THE NEXT MEETING

92. The Chairman recalled that the third meeting of the Conference of the Parties would take place from 9 September 1991, the Standing Committee having recommended a five-day meeting. It would be necessary for the Scientific Council to have a further meeting immediately prior to the Conference, in order to refine the proposals of the Parties and finalize the advice of the Council on other matters to be considered by the Conference. The Standing Committee would also probably wish to meet immediately prior to the Conference.

93. The following order of preference for the date of the Council meeting was agreed:

(a) Monday, 9 September 1991 if the Standing Committee changed its mind and determined that only four days would be required for the Conference (as with its second meeting);

(b) Saturday, 7 September 1991, if a meeting on that day of the week were possible;

(c) Friday, 6 September 1991.

It was also agreed that the venue should be Geneva.

IV. ADOPTION OF THE REPORT AND CLOSURE OF THE MEETING

94. The draft report was reviewed and adopted, subject to editorial changes as necessary.

95. Following the customary exchange of courtesies, the Chairman declared the meeting closed.

Annex I

List of participants

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Bonnie VITTERY (Rapporteur)
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Annex II

Agenda

1. Opening of the meeting.
2. Organization of the meeting:
 - (a) Adoption of the agenda;
 - (b) Organization of the work of the meeting.
3. Reports:
 - (a) Report of the Chairman;
 - (b) Report of the Secretariat.
4. AGREEMENTS:
 - (a) AGREEMENTs concluded;
 - (b) AGREEMENTs in preparation;
 - (c) Future AGREEMENTs.
5. Small cetaceans review.
6. Review of the Appendices to the Convention:
 - (a) Use of standard nomenclature;
 - (b) Species currently listed in Appendix I and Appendix II;
 - (c) Lists of candidate species for Appendix I and Appendix II;
 - (d) Proposals for amendments to the Appendices.
7. Other recommendations to the Conference of the Parties:
 - (a) Standard format for Party reports to the Conference;
 - (b) Conservation of species listed in Appendix I;
 - (c) Interim conservation measures for species for which AGREEMENTs and agreements are being prepared;
 - (d) Application of Article V(2) to agreements under Article IV(4);

(e) Future activities;

(f) Conference appointees to the Scientific Council.

8. Date and venue of the next meeting.

9. Adoption of the report.

10. Closure of the meeting.

Annex III

Opening statement and Report by the Chairman of the Scientific Council

1. I would like to welcome you all to this second meeting of the Scientific Council of the Bonn Convention on the Conservation of Migratory Species of Wild Animals.

2. Many of you were present at the first meeting, held at the United Nations office at Geneva on 10 October 1988, immediately before the second meeting of the Conference of the Parties to the Convention (11-14 October 1988). Since then, the Scientific Council has been augmented by the appointment of experts by Burkina Faso, Finland, Mali and Nigeria, which are all - Parties to the Convention. Furthermore, the second meeting of the Conference of the Parties appointed four additional members to enhance the expertise of the Scientific Council in areas that were judged to be important to the Council's work in the current triennium.

These members are:

Mike Moser, Director of the International Waterfowl and Wetlands Research Bureau, United Kingdom;

Bill Perrin of the United States National Oceanographic and Atmospheric Administration's National Marine Fisheries Service. Dr. Perrin is an expert on small cetaceans;

Roger Rose, Director of the Commonwealth Legal Advisory Service, British Institute of International and Comparative Law, UK. Mr. Rose is an expert on environmental law and has provided helpful advice to the Secretariat on the drafting of AGREEMENTs under the Convention;

Mats Olsson of the Swedish Museum of Natural History, who is an expert on ecotoxicology and wildlife.

3. Resolution 1.4 on the Composition and Functions of the Scientific Council, adopted at the first meeting of the Conference of the Parties at Bonn in October 1985, stated that "for reasons of economy and efficiency, the Scientific Council should work mainly in small groups dealing with particular problems". Since we last met, a number of such groups have been constituted to deal with issues such as the global review of the conservation status of small cetaceans and the development of an AGREEMENT on Western Palearctic waterfowl. The full Scientific Council normally meets in connection with a meeting of the Conference of the Parties. At our first meeting, in Geneva in October 1988, we concluded that it would be most appropriate to schedule our next meeting so that we could consider together a candidate list of species which could benefit by future inclusion in the Convention Appendices

and allow sufficient time for Parties subsequently to prepare proposals before the deadline for submission for consideration by the next Conference of the Parties. We considered that a meeting at the end of 1990 or early in 1991 would be most suitable. The logic of this position was reinforced when, in the final plenary session, the second meeting of the Conference of the Parties adopted a resolution directing the Scientific Council to undertake a global review of the conservation status of small cetaceans, with a view to establishing the case for Parties to prepare proposals for additions to Appendix II of the Convention to be considered at the third meeting of the Conference of the Parties. This resolution required the Scientific Council to complete such a review in sufficient time for Parties to prepare the necessary proposals for additions to Appendix II and submit them by 12 April 1991, the deadline under the terms of the Convention for consideration at the third meeting of the Conference of the Parties, to be held in Geneva from 9 to 13 September 1991.

4. It was in order to meet this schedule, imposed by the Parties in resolution 2.3, that I undertook, together with the Executive Director of UNEP, to host a second meeting of the Scientific Council to be held in London from 22 to 24 January 1991. Unfortunately, this meeting was cancelled because the Gulf conflict meant that a number of participants were either instructed by their authorities not to travel by air or were, for understandable reasons, reluctant to do so. I am grateful to the Secretariat for re-scheduling the meeting here at Bonn and appreciate your attendance at such short notice.

5. Returning to resolution 2.3, directing the Scientific Council to give priority to a global review of the conservation status of small cetaceans, you will understand that this completely changed the priorities of the future work programme of the Scientific Council which we had identified at our first meeting. Those of you who were able to stay on in Geneva for the second meeting of the Conference of the Parties will recall how the initial concentration by the Parties on proposals from the Netherlands to add the North and Baltic Sea populations of eight species of small cetaceans to Appendix II, in order to facilitate the development of an AGREEMENT covering at least the North and Baltic Sea populations of *Phocoena phocoena* and *Tursiops truncatus*, mandated by Conference resolution 1.6, developed into a wider awareness of the opportunities offered by AGREEMENTs under the Bonn Convention for the conservation of small cetacean populations in other parts of the world.

6. The implementation of this resolution has been a major preoccupation of the Secretariat and myself, as Chairman of the Scientific Council, over the past two years. The cancellation of the London meeting meant that the conclusions

of this global review of the conservation status of small cetaceans, as directed by the Conference of the Parties, had to be confirmed by the full Scientific Council by correspondence. I have now transmitted the results of this review to all the Parties in order that they may prepare the necessary proposals for additions to Appendix II by 12 April 1991. In addition, I shall be presenting the results of this review to the Standing Committee so that it can take appropriate measures to envisage and facilitate AGREEMENTs for candidate species identified by the Scientific Council in advance of the third meeting of the Conference of the Parties, in accordance with the second operative paragraph of resolution 2.3.

7. Turning now to other issues on our agenda, Scientific Councillors will recall that at our first meeting we elaborated some guidelines for the application of certain terms used in the text of the Convention, notably "endangered" and "migratory species". These were adopted by the Conference of the Parties in resolution 2.2. We now have to review, in the light of these guidelines, the existing list of species in the appendices to the Convention and perhaps recommend that some species be deleted.

8. Although our priority task, as directed by the second meeting of the Conference of the Parties, is to produce a candidate list of small cetaceans for addition to Appendix II, we should also take the opportunity to review other candidate species for addition to the Convention Appendices.

9. One other substantial agenda item is a review of the current position concerning the development of AGREEMENTs under the Convention. Resolution 1.4 on the Composition and Functions of the Scientific Council directs the Council, as a priority task, to assist in the development of indicative and exemplary agreements between Range States according to the Convention; and resolution 1.6 recommends that progress on such AGREEMENTs should be reviewed at meetings of the Scientific Council. The development of legally-binding regional AGREEMENTs, specifically drafted to meet the conservation needs of particular populations in particular parts of the world, is a unique feature of the Bonn Convention and has enormous potential. Under Article IV.3 of the Convention there is an obligation on Parties that are Range States of migratory species listed in Appendix II to endeavour to conclude AGREEMENTs, where these would benefit the species. The fact that now, more than ten years after it came into force, we still have no Article IV(3) AGREEMENT even concluded, let alone in force, does cast doubt on the commitment of all Parties to the aims of the Convention.

10. Over the next two days we have a variety of issues to consider and should try to reach clear conclusions on these in a form which can be addressed as recommendations to the next meeting of the Conference of the Parties. Looking beyond this, we should be considering future activities of the Scientific Council and a possible revision of resolution 1.4 on the composition and functions of the Scientific Council. Finally, I have been Chairman of the Council since April 1987. Although there are obvious advantages in having some degree of continuity, I think it is important also to have some regular rotation in such positions. It is therefore my intention not to seek re-election after the third meeting of the Conference of the Parties. Colleagues may therefore like to take the opportunity for some informal discussions as to my successor, during the course of this meeting.

Annex IV

**Small Cetacean Species or Populations Recommended
for Listing in Appendix II and their Party Range States**

The list of Range States shown below for particular species or population(s) is preceded by * where there are sufficient Parties to negotiate an AGREEMENT:

	Species	Population(s)	Range States
(i)	<i>Phocoena phocoena</i>	Bay of Fundy - Gulf of Maine Black Sea	None None
(ii)	<i>Phocoenoides dalli</i>	Whole species	None
(iii)	<i>Neophocaena phocaenoides</i>	Whole species	* Pakistan, India, Sri Lanka, UK (Hong Kong)
(iv)	<i>Delphinus delphis</i>	Black Sea Western Medi- terranean Eastern tropical Pacific	None * Spain, Tunisia, Italy, UK (Gibraltar) Spain, Netherlands (fishing vessels only)
(v)	<i>Tursiops truncatus</i>	Black Sea Western Medi- terranean	None Spain, Tunisia, Italy, UK (Gibraltar)
(vi)	<i>Stenella attenuata</i>	Eastern tropical Pacific	Spain, Netherlands (fishing vessels only)
(vii)	<i>Stenella longirostris</i>	Eastern tropical Pacific	Spain, Netherlands (fishing vessels only)

	Species	Population (s)	Range States
(viii)	<i>Stenella coeruleo-alba</i>	Western Medi terranean	* Spain, Tunisia, Italy, UK (Gibraltar)
		Eastern tropical Pacific	Spain, Netherlands (fishing vessels only)
(ix)	<i>Lagenorhynchus australis</i>	Whole species	Chile
(x)	<i>Cephalorhynchus commersonii</i>	Southern South America	Chile
(xi)	<i>Sotalia fluviatilis</i>	Whole species	Panama
(xii)	<i>Orcaella brevirostris</i>		India
(xiii)	<i>Platanista gangetica</i>	Whole species	* India, Pakistan
(xiv)	<i>Inia geoffrensis</i>	Whole species	None
(xv)	<i>Pontoporia blainvillei</i>	Whole species	Uruguay
(xvi)	<i>Monodon monoceros</i>	Whole species	Norway
(xvii)	<i>Hyperoodon ampullatus</i>	Whole species	* Ireland, UK, Norway, Denmark
(xviii)	<i>Berardius bairdii</i>	Whole species	None
(xix)	<i>Sousa chinensis</i>	Whole species	* Somalia, Egypt, Israel, Pakistan, India, Portugal (Macao), Sri Lanka, UK (Hong Kong) Saudi Arabia
(xx)	<i>Sousa teuszii</i>	Whole species	* Senegal, Ghana, Benin, Nigeria, Cameroon
(xxi)	<i>Cephalorhynchus heavisidii</i>	Whole species	None
(xxii)	<i>Orcinus orca</i>	Northeast Pacific and eastern North Atlantic	Norway

Annex V

Species listed in Appendix I but not in Appendix II

MAMMALIA

CHIROPTERA

Molossidae

Tadarida brasiliensis

PRIMATES

Pongidae

Gorilla gorilla beringei

CETACEA

Balaenopteridae

Balaenoptera musculus

Megaptera novaeangliae

Balaenidae

Balaena mysticetus

Eubalaena glacialis (s.l.)

CARNIVORA

Felidae

Panthera uncia

PERISSODACTYLA

Equidae

Equus grevyi

ARTIODACTYLA

Cervidae

Cervus elaphus barbarus

Bovidae

Bos sauveli

Bos grunniens

Addax nasomaculatus

Gazella cuvieri

Gazella dama

Gazella dorcas (only Northwest African populations)

Gazella leptoceros

AVES

PROCELLARIIFORMES

Diomedidae

Diomedea albatrus

Procellariidae

Pterodroma cahow

Pterodroma phaeopygia

PELECANIFORMES

Pelecanus onocrotalus (only Palearctic populations)

CICONIIFORMES

Ardeidae

Egretta eulophotes

Ciconiidae

Ciconia boyciana

Threskiornithidae

Geronticus eremita

GRUIFORMES

Otididae

Chlamydotis undulata *(only Northwest African populations)

CHARADRIIFORMES

Laridae

Larus audouinii
Larus leucophthalmus

Larus relictus

Larus saundersi

Synthliboramphus wumizusume

Alcidae

PASSERIFORMES

Parulidae

Dendroica kirtlandii

Fringillidae

Serinus syriacus

REPTILIA

CROCODYLIA

Gavialidae

Gavialis gangeticus

PISCES

SILURIFORMES

Schilbeidae

Pangasianodon gigas

Annex VI

Standard Formats for Reports by Parties

A. Format A

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

I. General information, including:

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

II. Implementation of the Convention

1. Legislation through which the Convention is implemented, including:

- Sources of law
- Competent authorities

2. Species listed in Appendix I

(a) Species for which the Party is a Range State, including dependent territories, and information on flag vessels which are engaged outside national boundaries in taking these migratory species

(b) Population size and trends for species; if appropriate, relevant data on previous and present levels

(c) Measures which have been taken in accordance with Article 111(4), for example: conservation/restoration of habitats, amelioration of impedance to migration and of factors endangering the species

(d) Measures which have been taken in accordance with Article 111(5), Taking of animals, including:

- Prohibition of taking (national legislation)
- Exceptions (ground for exceptions, period of exceptions, legislation and statistics)

(e) Additional measures taken and activities, for example, under other Conventions or within regional economic integration organizations

3. Species listed in Appendix II

(a) AGREEMENTS/agreements to which a Party or Signatory in accordance with Articles IV(3) and IV(4)

(b) Implementation of AGREEMENTS under Article V, including:

- Implementing authority
- Measures taken in accordance with the provisions of these instruments
- Progress made with regard to the conservation status of the species concerned and relevant data concerning changes in the population of the species
- General difficulties experienced with regard to implementation

(c) Draft AGREEMENTS/agreements, including participation, political efforts to conclude these instruments, research projects, working groups, problems, progress

(d) Implementation of agreements

(e) Additional measures, as under 2 e) above

4. Any further action taken by the Party as a result of resolutions adopted by the Conference of the Parties

III. List of national research activities relating to species listed in Appendices I and II and other migratory species (Article II(3a))

IV. Any other comments

B. Format B

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

I. General information

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

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

1. Concerning species added to Appendix 1

- a) Species for which the Party, including its dependent territories, is a Range State and information on flag vessels which are engaged outside national boundaries in taking these migratory species)
- b) Population size and trends for species; if appropriate, relevant data on previous and present level

- c) Measures taken in accordance with Article III(4), including conservation/restoration of habitats, amelioration of impedance to migration and factors endangering species
- d) Measures taken in accordance with Article III(5), Taking of animals, including:
 - Prohibition of taking (legislation)
 - Exceptions (grounds for, period of, legislation, statistics)

2. Concerning species added to Appendix II

Steps towards or conclusion of AGREEMENTs under Article IV(3) and agreements under Article IV(4), together with details concerning AGREEMENTs, as specified in Article V

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

III. Other changes with respect to the implementation of the Convention

1. Changes regarding national legislation and competent authorities

2. Concerning species listed in Appendix I

- a) Changes regarding "Range State"
- b) Measures which have been taken in accordance with Article III(4) since the last report

c) Exceptions made with respect to Article III(5) since the last report

d) New additional measures taken and activities, for example, under other Conventions or within regional economic integration organizations

3. Concerning species listed in Appendix II

a) New Party to AGREEMENTS/agreements (Articles IV(3) and IV(4))

b) Progress in the implementation of AGREEMENTs (Article V(5))

c) New draft AGREEMENTS/agreements

d) Progress in the implementation of agreements

e) New additional measures as under 2 d)

4. Any further new action taken by the Party as a result of resolutions of the Conference of the Parties

IV. Updated list of national research relating to species listed in Appendices I and II and to other migratory species (Article II(3a))

V. Any other comments