



**Convention on the  
Conservation of Migratory  
Species of Wild Animals**

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SIXTH MEETING OF THE  
CONFERENCE OF THE PARTIES

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**REVIEW OF ARTICLE IV AGREEMENTS  
CONCLUDED OR UNDER DEVELOPMENT**

Prepared by the Secretariat

1. Article VII, paragraph 5(b), of the Convention requires the Conference of the Parties to review at each of its meetings progress made towards the conservation of migratory species, especially those listed in Appendix I and II. In accordance with Article IX, paragraph 4(h), of the Convention and Resolution 3.5 (Geneva, September 1991), the Secretariat submits herewith a report summarizing measures carried out under Article IV of the Convention to develop and conclude Agreements<sup>1</sup>.
2. Since the last meeting of the Conference of the Parties, significant progress has been made both in the implementation of existing Agreements and in the negotiation and development of others. Reports prepared by the secretariats or interim secretariats of the following Agreements are presented, unedited, in Part I of this paper:
  - The Agreement on the Conservation of Seals in the Wadden Sea;
  - The Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS);
  - The Agreement on the Conservation of Bats in Europe (Eurobats); and
  - The Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) -- *available only in French, at the time of writing.*
3. The interim secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) will present a report to the first Session of the AEWA Meeting of the Parties, which will also be made available in due course to the Conference of the Parties to CMS.
4. Part II contains reports on various other memoranda of understanding concluded under CMS and serviced by the CMS Secretariat; Part III provides updates on the development of further instruments.

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

## PART I: AGREEMENTS CONCLUDED UNDER CMS FOR WHICH SECRETARIATS OR INTERIM SECRETARIATS HAVE BEEN ESTABLISHED

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

-- Progress Report by the Common Wadden Sea Secretariat

1. The Agreement on the Conservation of Seals in the Wadden Sea between Denmark, Germany and The Netherlands, which was the first regional agreement under the Bonn Convention, has now been in force for 10 years. The agreement was concluded with the aim to cooperate in achieving and maintaining a favorable conservation status for seals, which was a particular critical issue in the beginning of the 90s, since the population was reduced with about 60% in 1988 as a result of the seal epidemic.

2. Since 1988, the population has recovered significantly. According to coordinated aerial flights in the entire Wadden Sea, a total of about 14,400 seals was counted in 1998, of which about 2,700 were pups. This remarkable growth can be attributed to improvements in the reproductive rate as well as reduced initial juvenile mortality.

3. The Seal Agreement has played an essential role in turning the tide, but whilst the present population can hence be regarded as viable in terms of numbers, the environmental conditions, however, are still not satisfactory. The present and short-term conservation status of the common seal in the Wadden Sea Area is primarily determined by two developments: Pollution and disturbance, as a result of various human activities, such as tourism and recreational activities, air, traffic and some military activities.

4. The "Conservation and Management Plan for the Wadden Sea Seal Population" is the key instrument, as stipulated in the Seal Agreement, to achieve and maintain the objective of the Agreement. In accordance with the Seal Management Plan, seal reserves have been established in the entire Wadden Sea, which are closed for all activities during the birth and nursing period. In 1996, a revised Plan was enacted by the contracting parties for the period 1996-2000. It entails the actions regarding management measures, which are undertaken in this period.

5. The Conservation and Management Plan for the Wadden Sea Seal Population 1996-2000 takes account of the results of scientific research in the past period and translates political decisions and targets into management, as decided at the 7th Trilateral Governmental Conference in 1994. At the 8<sup>th</sup> Trilateral Governmental Wadden Sea Conference in 1997, the Ministers acknowledged the Seal Management Plan 1996-2000, elaborated and endorsed in the framework of the Seal Agreement, as the elaboration of the Targets on Common and Grey Seals entailed in the Wadden Sea Plan.

6. The relevant decisions of the 8<sup>th</sup> Trilateral Governmental Wadden Sea Conference and the Seal Management Plan 1996-2000 are attached.

7. The geographical scope of the agreement and the present Seal Management Plan is the Trilateral Cooperation Area, which is the area seaward of the main dike including the adjacent off-shore area within the 3-nautical-mile zone. Scientific research gave evidence that the adjacent North Sea is also of importance in the life-cycle of seals.

8. Taking of seals from the Wadden Sea is prohibited. In the current Seal Management Plan, the exemptions for taking have been specified. Exemptions can only be carried out by authorized persons

and concern only such animals which have a chance to survive. Seals may only be released into the wild if certain criteria have been fulfilled, e.g. seals that have not been treated with specific groups of medicine and not been kept in centers where species alien to the Wadden Sea are held.

9. Growing populations may increase conflicts with other interest groups, e.g. fishery. It may also challenge the current protection scheme of reserves because increasing numbers may demand the establishment of additional reserves. The Seal Management Plan 1996-2000 is an essential instrument in anticipating such developments by seeking the balance between conservation and management and uses of the area, and thus contributes to achieving the objective of a viable stock and a natural reproduction capacity of seals.

10. The Common Wadden Sea Secretariat is the Secretariat for the Agreement on the Conservation of Seals in the Wadden Sea.

## **RELEVANT DECISIONS OF THE 8TH TRILATERAL GOVERNMENTAL WADDEN SEA CONFERENCE, 1997**

### **STATE DECLARATION**

#### **Conservation of Seals and Small Cetaceans**

“33. The Ministers ACKNOWLEDGE the Conservation and Management Plan for the Wadden Sea Seal Population 1996-2000 elaborated and endorsed in the framework of the Seal Agreement as being the elaboration of the Targets on Common and Grey Seals entailed in the Wadden Sea Plan.

34. The Ministers WELCOME that a network will be organized for the collection of information on by-catch of harbor porpoises in the framework of the Agreement on Small Cetaceans of the Baltic and the North Sea (ASCOBANS) which is also relevant for the Wadden Sea Area and the area seaward of the Wadden Sea Area.”

### **TRILATERAL WADDEN SEA PLAN**

#### **Marine Mammals**

1. The Common Seal, the Grey Seal and the Harbour Porpoise may be regarded as indigenous Wadden Sea species. Water is the main or exclusive element of these marine mammal species. The year round, the Common Seal uses other habitats than water, such as sand banks in the tidal area and beaches, the Grey Seal uses also dunes and salt marshes. All these habitats are essential for the maintenance of the vital biological functions of seals, such as whelping, nursing, breeding, moulting and feeding.

2. The species groups with an overlapping habitat demand, such as marine mammals and birds, need special attention because of their vulnerability to disturbance and pollution, and a possible food resource competition with Man. As top predators, these species have an important indicative function of the quality of the Wadden Sea ecosystem. Seals are the ambassadors and most attractive species of the Wadden Sea Area. Therefore, the opportunity for tourists to observe seals in their natural environment should be maintained.

#### **Status**

3. The present and short term conservation status of Common Seals, Grey Seals and Harbour

Porpoises in the Wadden Sea Area is primarily determined by two developments: disturbance, as a result of various human activities (such as tourism and recreation activities, air traffic, some military activities) and pollution, in particular, by heavy metals and organic micro-pollutants. The present situation regarding food supply does not influence the conservation status of seals. Whilst measures to reduce pollution have to be taken mainly outside the Wadden Sea Area, measures to protect seal habitats have to be achieved within the area itself by creating seal reserves in such a way that disturbance is limited to a minimum.

4. In the years after the virus epidemic in 1988, the population of the Common Seal has shown a rapid recovery. During coordinated flights in the entire Wadden Sea Area, a total of 12,927 seals was counted in 1997, of which 2,783 were pups.

5. Today, two Grey Seal breeding sites exist in the Wadden Sea Area. One near the island of Vlieland in The Netherlands with about 315 animals, where at least 30 pups are born each year, and one small reproductive colony of about 30 to 40 animals in Schleswig-Holstein, Germany.

6. According to sightings, the Harbour Porpoise mainly inhabits coastal waters not deeper than 20m. Systematic aerial and shipping surveys, which were carried out in the framework of the European Commission project SCANS and a project of the University Kiel in the entire North Sea and parts of the Baltic Sea, have documented that the area west of the Knobsände off Amrum and the island of Sylt is the most densely populated one within the German Bight. Long-term surveys carried out by volunteers on the islands Amrum and Sylt, documented that Harbour Porpoises in this area also occur directly near the beach the whole year round. Compared to other parts of the North Sea, there is an extraordinarily high density of mother calf-groups (the suckling-period of this species lasts approx. 8 months) in this area. It can be concluded that this area is an important rearing area for Harbour Porpoises.

## **Targets**

- Viable stocks and a natural reproduction capacity of the Common Seal including juvenile survival.
- Viable stocks and a natural reproduction capacity of the Grey Seal including juvenile survival.
- Viable stocks and a natural reproduction capacity of the Harbour Porpoise.

## **Assessment**

7. The term "viable stocks" has to be specified in such a way that a connection with management is possible. The numbers that can be expected according to the natural carrying capacity of the Wadden Sea Area depend on factors that are defined by the fish stocks in the North Sea, suitable undisturbed haul-out sites and on the effects of diseases and parasites in dense populations. The absence of significant human impact on the population, to be judged and monitored in the course of years, is the standard for the first part of the Target.

8. The "natural reproduction capacity" of seals depends on many factors - water quality, disturbance, population size - and can, probably, not be expressed by a simple number or range. Based upon regular best experts' judgement, it will have to be assessed whether the reproduction can be regarded as natural. This second part of the Target is one of the main, still not really solved, problems of the last decades: the reduced reproduction rates due to PCBs and other organic micro-pollutants. The production of 0,85 - 0,95 pup per mature female per year is the proposed reference for the natural reproduction capacity.

9. In terms of numbers, the present Common Seal population is regarded as viable. However, the

juvenile mortality is very high (over 40% instead of 20 - 25%). Despite the good protection of the main resting and nursing places, the environmental conditions are still not satisfactory.

10. The present Grey Seal population in the Wadden Sea Area cannot be regarded as viable. The stock in The Netherlands mainly grows because of immigration from Great Britain. Grey Seals need high sands (not flooded during high tide) or beaches and salt marshes during whelping and nursing. There ought to be means to keep areas free of interference in a flexible way. Furthermore, there is not enough knowledge about the natural reproduction capacity of Grey Seals in the Wadden Sea Area.

11. For Harbour Porpoises, a detailed assessment is not yet available due to limited knowledge. Small cetaceans are especially sensitive to disturbance and effects from high-speed boats (e.g. jet-skis) and to the impact of fishery (by-catch). Possible effects of leisure boats and ships are strong underwater noise, which disturbs the communication and orientation system of small cetaceans, the risk of collision with high-speed boats, which can hardly be located by wales, and disturbance causing permanent separation of mother and calf.

12. By-catches from fishery are a main threat to Harbour Porpoises. Based on an extrapolation, the number of animals killed in Danish gill-nets in the whole North Sea is some 7,000 animals per year.

### **How to proceed**

13. Both with regard to the chemical and physical conditions - i.e. disturbance level - of the habitat of Common and Grey Seals, as well as, Harbour Porpoises, improvements are necessary.

14. For a better assessment of the status of the Grey Seal in the Wadden Sea Area, the general knowledge on reproduction and mortality should be improved. The same holds true for Harbour Porpoises because, at present, there is not enough knowledge about this species to be able to develop references, neither for viable population nor for natural reproduction parameters.

## **10.1 Trilateral policy and management**

### **Common and Grey Seal**

15. The 'Agreement on the Conservation of Seals in the Wadden Sea' (Seal Agreement) was enacted on October 1, 1991 as the first agreement as defined in Article 4, of the Convention on the Conservation of Migratory Species of Wild Animals (The Bonn Convention). The agreement was concluded between the Wadden Sea states with the aim to cooperate closely in achieving and maintaining a favorable conservation status for the Common Seal population of the Wadden Sea Area. The Seal Agreement contains provisions, amongst others, on research and monitoring, on taking and on the protection of habitats, which have been specified in the 'Conservation and Management Plan for the Wadden Sea Seal Population 1991 - 95' (Seal Management Plan) and the revised Seal Management Plan 1996 - 2000. The latter also includes additional measures for the protection of the Grey Seal.

16. Regarding the implementation of the Targets for the Common and the Grey Seal, reference is made to the specific measures related to the different habitat types and, especially, to the Seal Management Plan 1996 - 2000. The revised Seal Management Plan is based on a comprehensive evaluation of the first Seal Management Plan 1991 - 1995, as well as, the results of the Joint Seal Project and the principles and guidelines concerning taking of seals, rehabilitation and releasing of seals, which are given in the § 60 of the Leeuwarden Declaration. (See LD §56 - 60; Conservation and Management Plan for the Wadden Sea Seal Population 1991 - 1995, ED §26; Conservation and Management Plan for the Wadden Sea Seal Population 1996 - 2000, SO March 1996).

17. Measures for the implementation of the Targets on seals are especially listed under "Required effort and objectives" and "Actions in 1996 - 2000" in the Seal Management Plan which are divided into actions on the trilateral and national level. These actions include measures which should be implemented in different habitats and for different purposes, such as research, monitoring and protection of habitats. In the following, the existing trilateral decisions, which have already been taken in the Esbjerg and Leeuwarden Declarations, are mentioned and some new proposals regarding trilateral policies, management measures and actions are listed. The general management measures regarding specific habitat types such as tidal area, salt marsh and offshore area, can also be relevant for marine mammals in general.

18. According to the Leeuwarden Declaration §61, the principle and guidelines "to reduce the current number of seals taken from, and released to, the Wadden Sea to the lowest level possible" should also apply to the Grey Seal. Therefore, the "Conservation and Management Plan for the Wadden Sea Seal Population 1996 - 2000" (Senior Officials, March 1996) includes "Additional measures for the protection of the Grey Seal".

### **Harbour Porpoise**

19. This species was not taken into special consideration during the decisions of the last Trilateral Governmental Conferences. In the framework of the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Sea (ASCOBANS), the Harbour Porpoise was included and the Wadden Sea Conferences welcomed the agreement and the cooperation with its respective bodies (ED §28 and LD §63).

20. It is the aim to protect important breeding/rearing areas of the Harbour Porpoise in the Wadden Sea Area and adjacent areas through appropriate measures.

21. The public will be informed about small cetaceans in the Wadden Sea Area and the North Sea on a common basis in cooperation with ASCOBANS.

### **10.2 Trilateral projects and actions**

22. The consideration, on the basis of scientific evidence, of the designation of areas in the Wadden Sea Area and adjacent areas off Sylt and Amrum, as well as, in the Danish part, as areas of special concern, especially as breeding/rearing area for the protection of the Harbour Porpoises.

23. An investigation, in consultation with responsible local governments and relevant groups into the available possibilities for closing, in a flexible way, areas where Grey Seal pups rest regularly.

24. An investigation of technical solutions and improvements in consultation with responsible fishery groups, for the prevention of incidental catch of marine mammals in drift nets and set nets, with the aim of minimizing by-catch.

## **B. Agreement on the Conservation of Small Cetaceans (ASCOBANS)**

-- Progress Report by the Secretariat to CMS CoP6, November 1999

1. The "Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas" (ASCOBANS) was concluded in 1991 under the auspices of the "Bonn Convention on the Conservation of Migratory Species of Wild Animals" (UNEP/CMS). ASCOBANS came into force on 29 March 1994, and currently eight European countries (Belgium, Denmark, Finland, Germany, the Netherlands, Poland, Sweden and the United Kingdom) are Parties to the Agreement. The most recent signatory was Finland, who acceded to the Agreement in October 1999. These nations share the common concern to co-ordinate and implement conservation measures for dolphins, porpoises and toothed whales in the Baltic and North Seas.

2. The ASCOBANS Secretariat began its work at the Sea Mammal Research Unit in Cambridge. In June 1998 it moved to Bonn and is now co-located with the UNEP/CMS Secretariat in the United Nations Premises. This relocation resulted from a decision taken at the 2<sup>nd</sup> Meeting of Parties in Bonn in November 1997. It is expected that co-locating the Agreements' Secretariats will further improve their close co-operation.

### **Sixth Meeting of the Advisory Committee**

3. The Sixth Meeting of the Advisory Committee to ASCOBANS was held in Aberdeen, Scotland from 12-14 April 1999. Delegates from eleven Parties and Range States attended the meeting and discussed possible ways to improve the conservation status of small cetaceans in the Baltic and North Seas. For the first time, France, Latvia and the Russian Federation also took part.

4. Incidental entanglement of cetaceans in fishing gear, so-called by-catch, is considered the most important threat to porpoise and dolphin populations throughout the ASCOBANS Area. According to an estimate by the International Council for the Exploration of the Sea (ICES) more than 4400 harbour porpoises, which is the most abundant species covered by the agreement, are killed each year in bottom-set gill nets in the North Sea alone. In some areas, like the Skagerrak, annual by-catch is likely to exceed 4% of the population.

5. This situation requires immediate action. By-catch must be significantly reduced. Otherwise the high mortality coupled with relatively low reproduction rates will cause a continued decline of porpoise populations and make their recovery impossible.

6. The Advisory Committee also assessed the potentially adverse effects of acoustic disturbance and marine pollution on whales and dolphins. In close co-operation with other international organisations, ASCOBANS is working to achieve a reduction of hazardous substances in the marine environment.

### **Priorities for future activities**

7. To reduce by-catch and in order to implement the relevant "Resolution on Incidental Take of Small Cetaceans" adopted by the 2<sup>nd</sup> Meeting of Parties, ASCOBANS will focus on the development and implementation of by-catch mitigation measures. Following this objective a "Workshop on the Review of By-catch Mitigation Measures with Special Reference to the ASCOBANS Area" will be organised and will bring together cetacean biologists, fishery managers, experts for fishing techniques and fishermen's organisations to develop and evaluate practicable by-catch mitigation measures.

8. A Working Group on "Protected Areas" has been established to identify criteria on the designation and implementation of protected areas for harbour porpoises and bottlenose dolphins.

With regard to the Baltic harbour porpoise population, all Parties and Range States in the Baltic region are invited to contribute to the development of a recovery plan by the year 2000.

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

1. This Article IV (3) Agreement came into force on 16 January 1994. It aims to address threats to 31 bat species in Europe arising from habitat degradation, disturbance of roosting sites and harmful pesticides. It presently has 19 Parties: Bulgaria, Czech Republic, Denmark, Finland, France, FYR Macedonia, Germany, Hungary, Ireland, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Slovakia, Sweden, Ukraine and the United Kingdom. Belgium signed the Agreement in 1991, but has yet to ratify it. Several other Range States are preparing their accession in the close future. The first Session of the Meeting of Parties (Bristol, United Kingdom, 1995) decided on the establishment of a permanent Secretariat as of 1 January 1996. It is co-located with the Convention Secretariat in Bonn, Germany. The Parties also decided on the establishment of an Advisory Committee and a comprehensive work programme for the implementation of the Agreement.

2. The second Session of the Meeting of Parties (Bonn, Germany, 1998) refined and amplified the ambitious work programme of the Agreement. *Inter alia* Resolutions on consistent monitoring methodologies and transboundary programmes for certain species and habitat types were adopted. A further Resolution regarding bat conservation and management outlined the priorities for the implementation of this broad and long-term orientated action plan, which had been adopted by the first Session of the Meeting of Parties. In October 1998, Mr. Andreas Streit was appointed Executive Secretary to the Agreement in succession to Mr Eric Blencowe.

3. The fourth Meeting of the Advisory Committee took place in April 1999 in Stockholm, Sweden, with a record 27 delegations from Parties and Non-Party Range States participating. The plenary discussions and working group meetings were focussed on the ambitious transboundary programmes and action plans. Among those were two action plans for Nathusius' Pipistrelle (*Pipistrellus nathusii*) and Pond Bat (*Myotis dasycneme*), the latter action plan being a joint venture with the Bern Convention. The further scientific work programme concentrated the transboundary programmes for habitat protection, and in particular for underground and forest habitats of bats. These programmes aim among other aspects to identify sites of European importance and to co-ordinate data collection throughout the Agreement area as a first step and to develop recommendations for habitat protection and sympathetic forest practices as a follow-up. Other items in the dense agenda of the meeting were the evaluation and compilation of existing data on migration routes of bats with a view to developing comprehensive maps for each species, actions to be taken regarding the implementation of the bat conservation and management plans, as well as the refinement of tasks to be carried out before the forthcoming session of the Meeting of Parties. To achieve these goals, a total of nine intersessional working groups with experts from all over Europe were established.

4. The third Session of the Meeting of Parties to EUROBATS will be held in July 2000 in Bristol, United Kingdom, back to back with ASCOBANS. The Parties will *inter alia* consider to decide upon the integration of the Agreement into the UNEP framework and the establishment of an Agreements Unit to be co-located with the Convention Secretariat according to Resolution 5.5 of the fifth Meeting of the Conference of the Parties to CMS (Geneva, Switzerland, 1997).

## **D. Accord sur la Conservation des Cétacés de la mer Noire, de la Méditerranée et des eaux Atlantiques adjacentes**

-- Rapport biennal 1998-1999: Organisation du Secrétariat Intérimaire

1. En application des dispositions de l'Acte Final de négociation, le Gouvernement de la Principauté de Monaco héberge, depuis 1996, le Secrétariat Intérimaire d'ACCOBAMS et prend en charge ses frais de fonctionnement: édition de rapports, édition de brochure de sensibilisation, frais d'envoi de documents, déplacements.

2. Le Gouvernement a mis à disposition le Dr. Marie-Christine Van Klaveren, pour assurer les fonctions du Secrétariat Intérimaire.

### **Activités du Secrétariat Intérimaire**

#### **Tâches administratives**

3. Le Secrétariat intérimaire de l'ACCOBAMS s'est joint à l'initiative lancée en 1996 par le Centre d'Activités Régionales pour les Aires Spécialement Protégées (PNUE/PAM) et Tethys Research Institute pour la mise en place d'un répertoire des spécialistes en mammifères marins. L'objectif du répertoire est d'encourager le contact et l'échange entre spécialistes travaillant dans les domaines de l'étude et de la conservation des cétacés en Méditerranée. Son élaboration a été faite à travers la diffusion, par courrier et à l'occasion de quelques rencontres internationales, d'un formulaire d'inscription. Dans sa première version publiée en 1996 ce répertoire comprenait 167 spécialistes ayant parmi leurs sujets d'intérêt l'étude et/ou la conservation des cétacés en Méditerranée ou en mer Noire. L'extension du répertoire à la mer Noire a été décidée car l'idée de sa réalisation a été évoquée à plusieurs reprises lors de rencontres dans le cadre de la CIESM qui regroupent des spécialistes des deux mers.

4. Les informations contenues dans ce répertoire concernent, outre les coordonnées des spécialistes listés, leurs domaines d'intérêt (Physiologie, alimentation, etc...) et leurs langues de travail. Le répertoire comporte des lexiques par spécialités, par taxon et par pays.

5. Dans sa deuxième version le répertoire inclut 240 spécialistes de 30 pays. Il est disponible sur Internet au site [www.rac-spa.org.tn](http://www.rac-spa.org.tn). Ce répertoire de "personnes" sera complété par un répertoire des organisations (ONG, Laboratoires, etc..) actives dans ce domaine.

6. Le Secrétariat a établi une liste de points de contact d'après les participants aux réunions de négociation de l'Accord et les informations reçues des pays.

#### **Promotion de l'Accord**

7. Les représentants de la Principauté de Monaco aux différentes réunions internationales et le Secrétariat ont sans cesse pris contact avec les représentants des Etats riverains de la zone de l'Accord en vue d'en promouvoir la signature et la ratification. C'est dans ce sens également que le Ministre Plénipotentiaire de S.A.S le Prince de Monaco, chargé de la coopération internationale pour l'environnement et le développement, a lui-même écrit à tous les Ministres concernés.

8. En Juillet dernier, le Secrétariat a rédigé un article de présentation de l'Accord dans la revue du Centre de Droit de l'Environnement de l'UICN basé à Bonn, en Allemagne.

9. Ce bulletin est destiné aux membres de la Commission du Droit de l'Environnement (CEL) de l'UICN ainsi qu'aux institutions partenaires.

10. Le Secrétariat a également fourni des renseignements sur l'Accord à diverses organisations spécialisées dans le droit et les politiques de protection de l'Environnement. Ces renseignements ont en particulier servi à la rédaction d'un article dans le premier numéro du "Journal of International Wildlife Law and Policy".

11. Durant l'année 1999, ACCOBAMS a participé aux réunions suivantes :

- Réunion annuelle de la World Marine Mammal Society à Monaco du 20 au 24 Janvier 1998. Le Secrétariat, en collaboration avec le CAR/ASP du Plan d'Action pour la Méditerranée/PNUE a profité de la présence de nombreux experts pour organiser une réunion technique portant notamment sur l'identification des zones importantes pour les Cétacés ainsi que sur les mesures de conservation prioritaires.
- Réunion d'experts sur les types d'habitats marins dans la région méditerranéenne à Hyères (France), 18-20 Novembre 1998.
- Quatrième réunion des Points Focaux pour les Aires spécialement protégées de la Convention de Barcelone (à Tunis, 12-14 avril 1999).
- En Juin 1999, le Secrétariat ACCOBAMS a été invité à présenter l'Accord à Bonn (Allemagne) à l'occasion des manifestations du 20ème anniversaire de la CMS et du symposium sur les migrations animales organisé dans ce cadre.
- Réunion du Groupe d'experts sur l'établissement du Réseau Emeraude de zones d'intérêt spécial pour la conservation à Strasbourg (France), 27-28 Septembre 1999.
- Réunion du Comité d'experts pour la constitution du Réseau Ecologique Paneuropéen à Strasbourg (France), 29 Septembre-1 Octobre 1999.

#### **Contacts en mer Noire.**

12. Afin de promouvoir l'Accord et ses objectifs, le Secrétariat a établi des contacts avec des organismes et institutions de la mer Noire. Actuellement des contacts sont en cours avec le Centre régional pour la biodiversité basé à Batumi en Géorgie, l'Institut Roumain de Recherche Marine et certains experts de Bulgarie et d'Ukraine.

#### **Contacts divers**

13. Le Secrétariat a initié un rapprochement avec diverses organisations chargées de conservation de mammifères marins et impliquées dans l'établissement de zones protégées. Parmi ses contacts on peut citer:

- le parc marin du Saguenay-Saint Laurent au Québec;
- les responsables du projet MAB Croatie pour la création d'une zone protégée pour les Cétacés.

#### **Projet de réalisation d'une affiche sur les Cétacés.**

14. Le Secrétariat intérimaire a collaboré à la réalisation de l'affiche sur les Cétacés de Méditerranée et de mer Noire avec l'ICRAM (Institut Central pour la Recherche Marine Appliquée) dans le cadre de l'édition d'une série d'affiches consacrées aux espèces marines menacées que cet organisme est en voie d'édition. Cette affiche présentera les espèces de ces deux mers avec leurs habitats

respectifs, leurs régimes alimentaires et les menaces auxquelles elle doivent faire face. Son édition est prévue pour la prochaine réunion des Parties de la CMS.

### **Projet d'ouverture d'un site Web.**

15. Un site web pour ACCOBAMS sera prochainement ouvert. Il sera destiné à la présentation des activités de l'Accord. Il mettra à disposition les textes officiels ainsi que les bulletins d'information. Il permettra d'instaurer des liens directs avec des sites d'organisations partenaires.

### **Bulletins**

16. Le premier Bulletin a été édité en février 1999. Il a été largement distribué aux cétologues de Méditerranée et mer Noire, aux points de contacts dans les ministères ainsi qu'à d'autres organisations intéressées de par le monde. Le premier numéro concernait la présentation de l'Accord ainsi que les activités menées dans la zone, pertinentes pour sa mise en œuvre. Il présentait aussi les activités du Secrétariat intérimaire.

17. Cette première édition a suscité de nombreux échanges avec des organisations scientifiques et des ONG; ces dernières demandant notamment à devenir partenaire de l'Accord et à participer aux réunions futures.

18. Un deuxième bulletin est en voie de parution. Sa réalisation a fait appel à des auteurs extérieurs, dont diverses ONG, qui y présentent des activités correspondant au plan d'action.

### **Activités liées à l'Acte Final de 1996**

19. L'Acte final des réunions de négociation " a recommandé au Secrétariat intérimaire de prendre contact avec les organisations intergouvernementales pertinentes de la mer Noire et de la Méditerranée en vue de faciliter l'identification des Unités de coordination sous-régionales envisagées au titre de l'Article V de l'Accord."

19. Dans ce contexte les contacts ont été maintenus avec les organismes susceptibles de remplir ces fonctions.

### **Pour la Méditerranée :**

20. Les Parties Contractantes à la Convention de Barcelone ont d'ores et déjà examiné favorablement le rôle que pouvait jouer le Centre des Activités régionales pour les Aires spécialement Protégées de la Convention de Barcelone comme Unité sous régionale de mise en œuvre de l'Accord. Le Secrétariat a réalisé diverses actions en coopération avec ce Centre et a dressé les premières modalités de coopération.

### **Pour la mer Noire:**

21. Depuis les changements survenus au sein de l'organisation de la Convention de Bucarest, le Secrétariat a tenté d'établir un contact avec son Secrétariat à Istanbul en Turquie. Ce lien est important à établir du fait que l'Accord prévoit une sous Unité sous-régionale de coordination en mer Noire. Le Secrétariat de la Convention de Bucarest nous a recommandé d'entrer en contact avec le Centre pour la Biodiversité de la mer Noire situé à Batumi en Géorgie. Le Secrétariat s'est donc orienté vers ce Centre afin d'identifier ses possibilités d'agir comme Unité de coordination pour la mer Noire.

## Activités concernant le Plan d'Action

22. En vue de la préparation de la première réunion des Parties Contractantes le Secrétariat a suivi les activités pertinentes pour la mise en œuvre du Plan d'Action. Parmi ces activités il faut signaler:

- les travaux menés dans le cadre de l'Accord ASCOBANS;
- les négociations qui ont abouti à l'Accord portant création d'un Sanctuaire pour les mammifères marins entre la France, l'Italie et la Principauté de Monaco. Les 3 Parties se sont Accordées sur le texte de l'Accord qui se réfère à l'ACCOBAMS et qui sera signé sous peu. Les divers outils qui seront mis en place dans cette vaste zone protégée de 100 000 km<sup>2</sup> seront d'un intérêt primordial pour les autres zones de protection de Cétacés à créer en Méditerranée et en mer Noire.

### Etat des signatures et ratifications

23. Le texte de l'ACCOBAMS est disponible en anglais, arabe, français, russe, espagnol. La Principauté de Monaco en est le dépositaire.

24. ACCOBAMS est ouvert à la signature à Monaco depuis le 24 novembre 1996 et le restera jusqu'à son entrée en vigueur qui se fera " le 1<sup>er</sup> jour du 3<sup>ème</sup> mois après que 7 Etats côtiers l'aient ratifié, dont au moins deux de la mer Noire et cinq de l'ensemble mer Méditerranée et zone Atlantique adjacente.

- 22 Pays et une Organisation d'intégration économique régionale ont participé à la réunion de l'Accord ACCOBAMS : Albanie, Bulgarie, Chypre, Communauté Européenne, Croatie, Egypte, Espagne, France, Géorgie, Grèce, Israël, Italie, Jamahiriya arabe libyenne, Malte, Maroc, Monaco, Portugal, République arabe syrienne, Roumanie, Royaume-Uni, Tunisie, Turquie, et Ukraine.
- 15 Pays et une Organisation d'intégration économique et régionale ont signé l'Acte Final : l'Albanie, Chypre, Croatie, Espagne, France, Géorgie, Grèce, Israël, Italie, Monaco, Maroc, Portugal, Tunisie, Ukraine, Roumanie et la Communauté Européenne.
- 14 pays ont signé cet Accord : Albanie (24.XI.96), Chypre (24.XI.96), Croatie (24.XI.96), Espagne (24.XI.96), France (24.XI.96), Géorgie (24.XI.96), Grèce (24.XI.96), Italie (24.XI.96), Monaco (24.XI.96), Portugal (24.XI.96), Tunisie (24.XI.96) Maroc (28.III.97), Roumanie (28.IX.98) et Bulgarie (16/IX/1999).
- 3 pays l'ont ratifié, il s'agit de l'Espagne (02.II.99), du Maroc (31.VIII.99) et de la Principauté de Monaco (25.IV.97).

La ratification en est au stade des procédures parlementaires pour plusieurs pays dont la Bulgarie, la France, l'Italie et la Roumanie.

## PART II: OTHER AGREEMENTS FOR WHICH THE CMS PROVIDES SECRETARIAT SERVICES

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

1. The Third Meeting of Range States of the endangered Siberian crane (*Grus leucogeranus*) took place in Ramsar, Islamic Republic of Iran, from 8-13 December 1998. The meeting was convened at the invitation of the Iranian Department of Environment, and was held under the aegis of CMS, with the collaboration of the International Crane Foundation (ICF). About 40 delegates from all ten of the Range States concerned attended.

2. The meeting reviewed the considerable progress that had been made to implement the Conservation Plan agreed at the previous meeting, held in India in November 1996. It was apparent that this detailed plan had served as a very useful tool for guiding and assessing the activities that were undertaken in 1997 and 1998 to promote the conservation of Siberian cranes, and for setting new objectives for a further two years. Much of this discussion was conducted in small working groups which made an invaluable contribution to the success of the meeting.

3. The meeting agreed a number of amendments to the original Memorandum of Understanding concerning Conservation Measures for the Siberian Crane, concluded under the auspices of CMS in 1993. Among other things, the MoU now provides for the formal participation of China, a key country in the conservation of the Eastern population of the species. At the end of the meeting, representatives of seven of the Range States present (Azerbaijan, India, Islamic Republic of Iran, Kazakstan, Pakistan, Turkmenistan, and Uzbekistan) formally signed the MoU, on behalf of their agencies. A representative of the Government of China signed the Memorandum of Understanding in Beijing in April 1999. Signatures on behalf of Afghanistan and the Russian Federation (a party to the original MoU), are still awaited.

4. Much of the CMS Secretariat's work in 1999 in relation to this Memorandum of Understanding has focussed on the development of a project proposal for submission to the Global Environment Facility (GEF). The proposal to develop a medium-size GEF project, first presented in draft form to the Range States in Ramsar, has been modified significantly to satisfy the GEF funding criteria. It now goes by the title "Conservation of Globally Significant Wetlands and Migration Corridors required by Siberian Cranes and Other Globally Significant Migratory Waterbirds in Asia". While continuing to use Siberian Cranes as a flagship species, the proposal now has a much broader focus on wetlands critical for the survival of the species, as well as other migratory waterbirds, in four key Range States: China, Islamic Republic of Iran, Kazakstan and Russian Federation.

5. The Secretariat is pleased to announce that in October 1999, the GEF Secretariat recommended that the project be approved by the Chief Executive Officer for Preparation and Development Facility (PDF)-B funding of up to USD 350,000. It is the first such project approved by GEF in support of the objectives of the Convention on Migratory Species. The Secretariat would like to take this opportunity to express its gratitude to the International Crane Foundation for having committed so much time to the development of the proposal, and to the UNEP/GEF Co-ordination Unit, whose involvement in the final stages was critical in securing approval of the project.

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

6. Under this MoU, signed in 1994, efforts are underway to conserve one of the world's rarest birds. A Slender-billed Curlew Working Group was established in 1997, under the Chairmanship of Dr Gerard Boere, and set out to achieve a number of tasks. These include: i) Maintenance and

enhancement of the conservation status of the globally threatened Slender-billed Curlew through coordinating the implementation of Action Plans, the CMS MoU and the work of BirdLife International/Council of Europe; ii) To intensify and improve international cross-border coordination and concerted action; and iii) To document the conservation status of the species and its future positive or negative trends, in order to provide for a more timely conservation of similar species in the future.

7. The Working Group set itself a number of tasks which correspond to the priorities detailed in the Action Plans. These include: i) Legal protection for the species and look-alike species throughout the known range; ii) Habitat protection and management in passage and wintering sites (and breeding sites, should they be found); iii) Location of breeding grounds; iv) Monitoring and identification of key passage and wintering sites; and v) Implementation of actions detailed for Range States in the various Action Plans and the CMS MoU. The Working Group has established, through BirdLife International, a Slender-billed Curlew Database, containing sighting records. It has also established a comprehensive and up to date bibliography on the species.

8. The Chairman of the Working Group will be invited to elaborate on further progress to date.

### *C. Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa*

9. The CMS Secretariat, in collaboration with the Ministry of Environment and Forests, Republic of Côte d'Ivoire, organized an *International Conference on the Conservation of Sea Turtles of the Atlantic Coast of Africa*, in Abidjan, from 25 to 29 May 1999. The meeting reviewed the conservation status of sea turtles in the region, and adopted a Memorandum of Understanding aimed at promoting the conservation of marine turtles in the Range States concerned. The meeting also produced a first working draft of a Conservation Plan outlining measures to be undertaken in the short- and medium-term. The meeting, which was co-sponsored by CMS, Government of France and the French Committee for IUCN, assembled representatives and specialists from 17 Range States, extending from Mauritania to Namibia, as well as other interested participants.

10. The main goal of the conference was to explore possible areas of regional co-operation. Seven Range States signed the Memorandum of Understanding adopted at the conclusion of the meeting, and others are expected to do so at a side event to be organized in conjunction with the meeting of the Conference of the Parties. The meeting proposed that a training workshop for technicians be held in the first half of 2000, and that an intergovernmental meeting be organized to finalize the Conservation Plan and to review implementation to date. Consideration is being given to undertaking a feasibility study to examine the potential of developing one or more regional projects for submission to appropriate funding agencies.

11. The proceedings of the conference will be published, together with the revised technical report, in the new year, and will be available from the CMS Secretariat.

## PART III: AGREEMENTS UNDER DEVELOPMENT

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

1. The National Commission for Wildlife Conservation and Development (NCWCD) of the Kingdom of Saudi Arabia has taken the lead in developing an Agreement for the conservation of this the Asian sub-species. A draft text has been developed with the assistance of the IUCN Environmental Law Centre. The main areas requiring further clarification are the legal definition the Agreement area and questions of taxonomy.

2. Funding is being sought to hold a formal negotiation meeting of the Range States for this species. The meeting would aim to conclude the Agreement and to ensure that the conservation action identified in the Action Plan is both relevant and applicable. The Range State meeting may also increase the commitment by individual countries to continue with conservation action.

### B. Great Bustard (*Otis tarda*)

3. The Secretariat has continued to facilitate the development of the MoU on the Great Bustard. The text was elaborated in consultation with a number of key organisations, experts and the IUCN Environmental Law Centre in Bonn. The Action Plan draws on one drawn up for the species by BirdLife International. The authorities of the Range States have generally provided positive feed-back on the draft agreement and proposed action plan, with some indicating that they would be prepared to sign up to the Memorandum as it stands. Responses are still awaited from some Range States and objections of a legal nature have been raised by one, despite assurances that the memorandum has not been developed as a legally-binding treaty.

### C. Marine Turtles of the Indian Ocean- Australasia region

4. From 19-22 October 1999, the Government of Australia hosted an intergovernmental "Consultation on Needs and Mechanisms for Regional Conservation and Management of Marine Turtles". The meeting adopted a detailed resolution (to be made available to the COP in due course) which, among other things, expressed consensus that further consultations should aim to conclude an instrument for the conservation of marine turtles of the region, possibly under CMS, that is non-binding (at least initially), builds on the existing cooperative arrangements between countries in the region; and includes both Parties and non-Parties to CMS.

5. The delegation of Australia will be invited to provide further information to the meeting.

### C. Albatrosses of the Southern Hemisphere

6. Since the listing of most albatross species on the Appendices of the Convention at COP5, (Geneva, 1997), there has been increasing recognition that regional conservation action is a critical component in ensuring the survival of many albatross species. At that meeting, Australia indicated that it would be prepared to take a lead role in progressing consideration of regional conservation actions.

7. An informal consultation, hosted by Australia, between Valdivia Group countries (Argentina, Uruguay, Chile, Brazil, South Africa and New Zealand) on albatross conservation was held in Canberra in June 1999. An observer from the secretariat of the CMS was also present.

8. Key elements of a cooperative approach to restore and maintain the conservation status of albatross species were identified and discussed. The importance of exchange of information on albatross conservation measures, particularly those related to fishing operations was also noted. As more information becomes available on the significant migratory movements of albatrosses as well as on the increase in the scale and geographic scope of threats, the importance of regional cooperation is enhanced. Many populations of albatross remain in decline and the efforts of all Range States are increasingly relevant to the conservation of these species.

9. The sixth meeting of the Conference of the Parties is invited to take this opportunity to consider the issues related to conservation of albatrosses and, perhaps by way of a resolution of the Conference of the Parties, to call on all Range States to cooperate in taking regional action and the development of an Agreement.