



CONVENTION ON MIGRATORY SPECIES

Distribution: General

UNEP/CMS/CAF3/REPORT

Original: English

MEETING TO NEGOTIATE THE LEGAL AND
INSTITUTIONAL FRAMEWORK FOR THE
CENTRAL ASIAN FLYWAY
Abu Dhabi, 12 December 2012

REPORT OF THE MEETING

Agenda item 1.0: Welcoming Remarks

1. Mr. Bert Lenten, Officer-in-Charge of the UNEP/CMS Secretariat, presided over the Meeting until the officers were elected (see Agenda item 3). He explained that the current Meeting was the third in a series that had begun in Tashkent in 2002 and continued in New Delhi in 2005. Good progress had been achieved in 2005 but as the participants at that Meeting had not had formal accreditation, no binding decisions regarding the institutional and legal framework for the Central Asian Flyway Action Plan to Conserve Migratory Waterbirds and their Habitats could be made. He hoped that this Meeting could give a clear indication of the way forward.
2. The Central Asian Flyway (CAF) was very important with about 180 species which mainly migrated between Russia and various countries to the south. The experience from the African-Eurasian Migratory Waterbird Agreement (AEWA) showed that more could be achieved when countries worked together. Due to the substantial overlap of CAF in terms of both species and Range States with AEWA, it was not an attractive option for governments to have to accede to, and implement, two separate instruments.
3. Mr. Lenten expressed his pleasure at being back in the United Arab Emirates (UAE) for the CAF Meeting and the First Meeting of the Signatories to the Raptors MoU which had preceded it. With 17 of the 30 Range States in attendance, the Meeting had a good quorum which would add weight to the decisions made.
4. Mr. Lenten then invited Ms. Nicola Crockford from BirdLife International to give an overview of the flyway.
5. Ms. Crockford gave a presentation entitled *Setting the Scene* providing an overview of all the global flyways. She cited the example of Bar-tailed Godwit (*Limosa lapponica*), whose 29,000 km annual round trip included a non-stop flight from its Alaskan breeding grounds to New Zealand.
6. All migratory birds needed places to refuel for the next leg of their journey. Migrants were especially vulnerable for many reasons: they relied on essential sites that were often threatened; concentrations of birds were subject to hunting pressures that were often not sustainable; barriers to migration might include power lines and wind turbines; and they were exposed to poisoning, e.g. by organo-chlorine pesticides.

7. Because of this vulnerability, programmes of international cooperation were needed to conserve a shared resource. Migratory birds were popular symbols and indicators of the state of the wider environment. Migratory birds were also becoming more threatened and the number of treaties aimed at protecting them had grown. While some instruments were bilateral and of limited scope, CMS was global and overarching and was linked closely with the Ramsar Convention on Wetlands, CITES and CBD. These Conventions should work together to help countries achieve the Aichi Biodiversity Targets. CMS was at its strongest in the African-Eurasian flyway with AEWA - a well-developed instrument. Waterbirds had always tended to be the first group of migratory birds for which international cooperation had been established within flyways. Further east, a more informal model of cooperation was being achieved through the framework of the East Asian-Australasian Flyway Partnership.

8. The CAF had a flyway Action Plan which had been dormant for several years; as in the fairy tale, this Meeting could be the prince that gave the kiss to wake the sleeping princess! Within CAF, 34 of 178 waterbird species were globally threatened or near threatened – the highest proportion of any flyway. CAF was the only major flyway in the world that lacked a framework for international cooperation for migratory birds. CMS COP Resolution 10.10 called on countries to build on the existing CAF Action Plan and Western/Central Asian Site Network for the Siberian Crane (*Grus leucogeranus*) and Other Migratory Waterbirds, and to consider the potential benefits of aligning actions for the CAF with existing agreements, including synergies with AEWA.

9. AEWA-related actions for the Spoon-billed Sandpiper (*Eurynorhynchus pygmeus*) and the Pink-footed Goose (*Anser brachyrhynchus*) were cited as examples of fruitful collaboration, as was the “Wings Over Wetlands” project funded by the Global Environment Facility (GEF), which had included work on the Critical Sites Network for the African-Eurasian Flyway. Institutional frameworks could help with provision of guidelines to combat the threats from power lines and poisoning among others; they could also help mainstream consideration of migratory birds into agriculture policy to maintain key habitats and so raise awareness of the importance to birds and people of flyway conservation through initiatives such as World Migratory Bird Day. In developing a framework for the CAF, it would be useful to take account of the report of the Global Inter-Flyway Network (GIN) workshop held in October 2011 in the Republic of Korea. This reviewed best practice in waterbird conservation from flyways across the world; until then, there had been limited inter-flyway exchange of experience. The outcomes of the workshop were available at www.eaaflyway.net

10. The conclusions of the GIN workshop included the following strategic considerations:
- 10.1 Adopting proactive approaches to addressing threats, e.g. sensitivity mapping;
 - 10.2 “Thinking big” to generate flows of resources (financial and human capacity) from north to south;
 - 10.3 Working with whole networks of sites can increase resilience to climate change;
 - 10.4 Planning to avoid over-concentration (and hence increased vulnerability) of species on a few sites;
 - 10.5 Using flagship species such as the Spoon-billed Sandpiper; and
 - 10.6 Securing the commitment of stakeholders beyond biodiversity conservation.

11. The GIN workshop also drew conclusions relating to national policies, planning and inter-sectoral coordination and financing. Flyway-scale projects could attract donors (including from the corporate sector) and provide a framework for bilateral financing arrangements.

12. Mr. Lenten thanked Ms. Crockford for the comprehensive and informative presentation which had shown the value of cooperation at flyway level. He conceded that the CAF Action Plan had indeed been dormant for five years and needed to be revitalized. The presentation had demonstrated the poor conservation status of species in the CAF region compared with elsewhere in the world and the necessity of working together towards achieving Aichi Target 12.

Agenda item 2.0: Adoption of the Rules of Procedure

13. The Secretariat explained that the usual practice at negotiation meetings was to adopt the Rules of Procedure of the parent Convention *mutatis mutandis*. There being no objections voiced, the Rules of Procedure as contained in document UNEP/CMS/CAF3/Doc.2 were adopted. Saudi Arabia pointed out, however, that the CMS Rules of Procedure for the Conference of the Parties addressed the issue of working languages, which in the case of the COP were English, French and Spanish, whereas the working languages for the current meeting were English and Russian.

Credentials

14. During the course of the meeting, the credentials submitted by the delegates were examined by the Chair in consultation with the Secretariat. The report on the status of the credentials received was given by the Secretariat. Of the 30 Range States of CAF, the following 17 were present at the meeting:

Afghanistan, Armenia, Bahrain, Bangladesh, Bhutan, Georgia, Kazakhstan, Kyrgyzstan, Mongolia, Pakistan, Qatar, Saudi Arabia, Sri Lanka, the United Arab Emirates, the United Kingdom, Uzbekistan and Yemen.

15. Of these, all but Qatar had submitted Credentials and 15 of the Credentials received were found to be in order.

Agenda item 3.0: Election of Officers

16. The Secretariat proposed that this Meeting should adopt the same procedure as had been used by the Signatories to the Raptors MoU two days before, for which possible candidates for the posts of Chair and Vice-Chair had been identified in advance. As the CAF negotiation Meeting was a smaller event, it was suggested that the post of Vice-Chair could be dispensed with. The Secretariat's informal soundings led to the nomination of Mr. David Stroud of the United Kingdom, who was elected by approbation.

17. Assuming the Chair, Mr. Stroud said that, although he did not live within the Central Asian Flyway, he was familiar with it having been involved in a review of its waders undertaken by the International Wader Study Group. This had highlighted that knowledge of the status of the Flyway's waterbirds was poor and that where trends were known, they were often negative.

Agenda item 4.0: Adoption of the Agenda and Meeting Schedule

18. The Secretariat simultaneously introduced Agenda Items 4.1 and 4.2 with their respective documents UNEP/CMS/CAF3/Doc.4.1: Provisional Agenda and UNEP/CMS/CAF3/Doc.4.2: Provisional Annotated Agenda and Meeting Schedule.

Agenda Item 4.1: Agenda

19. Subject to the addition of an extra item, Admission of Observers, the agenda was adopted and is attached as **Annex 1** to the present Report. The Meeting agreed to admit the registered observers.

Agenda item 4.2: Annotated Agenda

20. Subject to the addition of the above-mentioned extra item on the admission of observers, the annotated agenda and meeting schedule were adopted.

Agenda item 5.0: Background and Purpose of the Meeting

21. Ms. Christiane Röttger (CMS Secretariat) introduced document CMS/CAF3/Doc.5 *Developments since last meeting (New Delhi 2005)* and gave a background presentation.

22. The first time that CAF had been mentioned was in CMS COP Resolution 5.4 in 1997. After that, a workshop had taken place in Tashkent, Uzbekistan, which developed a conceptual basis for the CAF Action Plan. The Action Plan had been concluded and agreed in New Delhi in 2005. However, no formal decision had been taken at that meeting regarding an institutional framework for the Plan and consequently Resolution 9.2 in 2008 highlighted the need for the Range States to meet again to bring the process to a conclusion.

23. Three options had been elaborated in 2005:

- 23.1 The extension of AEWA to cover the CAF;
- 23.2 A new, separate instrument under CMS, with the Action Plan annexed; and
- 23.3 The establishment of the CAF Action Plan as an independent, stand-alone framework outside CMS structures

24. The second of these options was no longer being considered, as the CMS Family of instruments had grown with no corresponding increase in the capacity of the Secretariat. The “Future Shape” process which had culminated in Resolution 10.9 *Future Structure and Strategies of the CMS and CMS Family* and Resolution 10.10 *Guidance on Global Flyway Conservation and Options for Policy Arrangements* emphasized the need for synergies between existing instruments and considered the alignment of the CAF with AEWA as a potential way forward.

25. At their fifth meeting, AEWA Parties welcomed progress regarding the CAF but noted that the final decision on possible extension of AEWA could only be taken at MOP6. Agreement had also been reached with Wetlands International on a coordination mechanism for the Action Plan. A project proposal was being developed by Wetlands International in conjunction with the International Crane Foundation to promote a “climate-resilient network of wetland protected areas for the Central Asian Flyway”, building on the Western/Central Asian Site Network for Siberian Cranes and other Waterbirds (WCASN) in 2007. It was now important that all further delays be avoided and implementation of the Action Plan started as soon as possible.

26. The representative of Bangladesh thanked both presenters and said that he was encouraged by the prospect of greater international cooperation. This was, in the light of climate change, habitat degradation and competing political pressures, one effective means of drawing the attention of decision makers to the need to instigate conservation measures, especially for endangered migratory species such as the Spoon-billed Sandpiper (*Eurynorhynchus pygmeus*).

27. The Chair concurred that the Spoon-billed Sandpiper was an excellent example, of a species that could benefit from coordinated international actions.

Agenda item 6.0: Overview on Waterbird Conservation Issues within the Central Asian Flyway

28. Dr. Taej Mundkur, the Chair of CMS Flyways Working Group, was encouraged that progress was being made and hoped that this third Meeting of Range States of the flyway would reach conclusive decisions. There were constant reminders that the CAF region stood out as the one causing greatest concern due to the extent and frequency of the declines of the bird populations.

29. In his presentation, Mr. Mundkur pointed out the considerable overlap between the CAF and the African-Eurasian flyway to its west and the East Asian-Australasian Flyway to the east. The CAF was the only major flyway that was largely landlocked and hosted 279 migratory waterbird populations of 182 species, of which 29 were globally threatened or near-threatened, including the Spoon-billed Sandpiper, Siberian Crane (*Grus leucogeranus*), Sociable Plover (*Vanellus gregarius*), Northern Bald Ibis (*Geronticus eremita*) and the Dalmatian Pelican (*Pelecanus crispus*).

30. Key issues and specific problems included the fact that the region contained many developing countries and countries with economies in transition; the limited technical capacity, with the studies that were conducted being largely uncoordinated; the lack of centralized data storage; low levels of international cooperation, and inadequate funding for long-term research and conservation. Climate change, the exploitation of natural resources and the building of infrastructure were having drastic effects on the Siberian landscape where many species bred.

31. With regard to habitat conservation, the main pressures arose from water allocation, pollution (e.g. agricultural pesticides, urban pollution), and degradation and destruction due to human needs and changes in land use. The long-term survival of the species depended on the sustainable use of their habitats. Demand for water was increasing and climate change impacts including drought and floods, water scarcity, sea-level rise, changing vegetation around wetlands were evident. The nature of hunting was changing – from primarily subsistence to sports – and with more people being able to afford to travel, care would be needed to ensure that eco-tourism was properly managed.

32. In summary, the major issues and priorities in CAF region were: habitat conservation; species conservation, working with human development needs and aspirations; research and monitoring on habitats and species; education and public awareness; and resourcing conservation action.

33. The main features of the 2005 Action Plan were:
- 33.1 Species Conservation to be achieved through cooperation and legal measures, Single Species Action Plans (SSAP), emergency measures and re-establishments and introductions.
 - 33.2 Habitat Conservation/Management – inventories, establishment of a CAF site network, rehabilitation and restoration of habitats and addressing the impacts of climate change.
 - 33.3 Management of Human Activities – identifying sustainable harvesting mechanisms (which would require complex agreements between countries); supporting alternative livelihoods for local people; strategically assessing the impact of development activities (e.g., power lines, irrigation schemes), taking a strategic approach.
 - 33.4 Research and monitoring; training, education and public awareness, including in relation to tourism and ecotourism.
34. The priorities identified at the New Delhi Meeting in 2005 were a directory of sites of international importance, a monitoring strategy and strengthening monitoring capacity, an overview of the status of the Flyway, establishing a network of key contacts in the Flyway, the development of SSAPs for threatened species, drawing up an inventory of wetlands, requiring an awareness programme and a common framework and a medium-term Strategic Plan for the Flyway.
35. Recent developments and current initiatives relevant to the CAF included:
- 35.1 International Waterbird Census;
 - 35.2 Important Bird Areas promoted by BirdLife International;
 - 35.3 Critical Sites Network Tool (over 3,000 sites in African-Eurasian region to be extended to rest of CAF region);
 - 35.4 Site Network for Siberian Crane as basis for much larger network for migratory waterbirds;
 - 35.5 Flyway Training Kit available in several languages; and
 - 35.6 SSAPs e.g., for the White-headed Duck (*Oxyura leucocephala*), the Lesser Flamingo (*Phoenicopterus minor*), the Spoon-billed Sandpiper (*Eurynorhynchus pygmeus*) and the Black-necked Crane (*Grus nigricollis*).
36. In conclusion, it could be stated that the CAF was a major flyway with many threatened species and its status as a priority area for action had been recognized by many international fora, including CMS COP10. Any flyway site network established under the CAF would contribute to Aichi Target 11, while any conservation initiatives undertaken would benefit from international cooperation, as had been illustrated by the successes of the Siberian Crane MOU. The priorities identified at the New Delhi Meeting were still valid and should be urgently addressed.

Agenda item 7.0: Activities undertaken by the Range States

37. **Afghanistan** was not yet a Party to CMS but accession had recently been approved by the cabinet and was being considered by parliament. The national list of protected wildlife was being developed in collaboration with international partners and currently covered 138 species. A Presidential Decree prohibited hunting, but enforcement of it was proving difficult. A Hunting Management Law was being elaborated with stakeholders and should be finalized in the course of 2013. The National Biodiversity Strategy and Action Plan (NBSAP) had been completed and it was hoped to revise it with the support of GEF, and a

plan was being developed regarding the establishment of a system of nationally protected areas.

38. **Bahrain** was not yet a Contracting Party of CMS, but a proposal had been made through official channels to join. Bahrain had recently acceded to CITES. The country was willing to cooperate with other countries with regard to the Central Asian Flyway. The previous week work had started on updating the NBSAP and it was intended to designate an increasing number of protected areas for birds, to complement one the most extensive ringing programmes in the region.

39. **Bangladesh's delegate** undertook to provide a written report on the overall status of waterbird conservation in his country after his return home. He gave details of a number of sites, including protected areas, and species. A regional wildlife project funded by the World Bank was being implemented by India, Nepal, Bhutan and Bangladesh. A New Wildlife Act strongly supported by the prime minister had been published in 2012, which strictly prohibited hunting and imposed severe punishments. Bangladesh required assistance from the international community in implementing conservation policies.

40. **Kazakhstan** added some further information not mentioned in its written report regarding the "Green Development", the first cycle of which ran from 2010 to 2014. A second cycle was due to start in 2015.

41. **Mongolia** had, since the New Delhi Meeting, carried out a gap analysis of ecosystems and protected areas. This had shown the need to improve protection of the steppe ecosystem. Flagship action plans for migratory waterbirds were proving very helpful in developing protection and management. The national action plan of the endangered species programme was being updated, and the revision of environmental legislation in May 2012 had provided a good opportunity to improve the management of species.

42. **Myanmar** had registered to participate in the Meeting but due to unforeseen circumstances had, at the last moment, not been able to attend. The Secretariat read out the report that had been submitted. The main points related to protected areas and wildlife legislation, Key Biodiversity Areas and Important Bird Areas, the status of wetlands; people and wetlands; threats and issues, Myanmar and the Ramsar Convention. In conclusion, Myanmar saw a need for increased national and international collaboration to manage and conserve wetlands.

43. **Pakistan** reported that numerous measures were being taken for waterbird and wetland conservation, and though not in the framework of the CAF Action Plan, they were compatible with it. Two new National Parks had been established in the Himalayan region, while preparations were under way to designate an alpine wetland complex as a Ramsar Site. A National Wetlands Policy was being finalized and would be submitted to the Federal Cabinet shortly, and once it had been approved, it would cover many of the areas highlighted in the CAF Action Plan.

44. **Saudi Arabia** commented that it appeared that many relevant activities were being undertaken across the region without being linked to a coordinated Action Plan. Species actions related to the Sociable Lapwing (*Vanellus gregarius*) and Northern Bald Ibis (*Geronticus eremita*) and seabird monitoring were being conducted in Saudi Arabia.

45. **The United Arab Emirates**, further to the written report submitted before the meeting, described a long-term monitoring programme of key sites and species which had

been in place since 2002 for both breeding and migratory birds. The UAE participated in the International Waterbird Census using a good network of amateur birdwatchers. More potential protected areas, including two sites for waterbirds, had been identified. The UAE, already a signatory to many biodiversity-related conventions, had signed the Ramsar Convention and designated two Ramsar Sites, with the documentation for a third site to be submitted soon. The main challenge was protecting waterbird habitats across the country, especially along the coastline. There was unfortunately no national wetlands policy yet, but the government was being urged to bring together all the Emirates to work towards developing one.

46. **The United Kingdom** explained that the British Indian Ocean Territory fell within the CAF region at its southern-most edge, hosting 91 bird species including large breeding populations of 16 of them. There were no endemics, but several internationally important seabird colonies, supporting thriving populations of species that were declining elsewhere in the Indian Ocean, examples being the Brown Noddy (*Anous stolidus*) and the Red-footed Booby (*Sula sula*). In 2008, an extensive Ramsar site had been designated on Diego Garcia.

47. Because many delegates had mentioned the updating of their NBSAPs, the Secretariat pointed out that CMS had prepared guidance on how migratory species issues could be incorporated into these strategies. The guidance was available from the CMS website¹.

48. The Chair commended the practice of using flagship species to achieve wider conservation benefits. He thanked those delegates that had submitted Reports and these would be annexed to the record of the meeting. Range States that had not yet done so were invited to submit their reports to the Secretariat by the end of December.

Agenda item 8.0: Overview of other relevant Flyway Initiatives

49. With the time approaching the auspicious twelve minutes after twelve noon on the twelfth day of December 2012, the Chair called upon Mr. Sergey Dereliev, the Technical Officer of the AEWA to give a presentation on the work of that Agreement.

Agenda item 8.1: The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)

50. Mr. Dereliev said that whereas the CAF Action Plan had stalled for the last seven years, AEWA had by contrast been moving ahead. He hoped that the presentation he was about to give would persuade Range States of the advantages of coupling the CAF “wagon” to the fast-moving AEWA “train”.

51. In the introduction, the geographical scope (AEWA Annex 1) and the species coverage (AEWA Annex 2) were described together with the Action Plan (AEWA Annex 3) and the accompanying Table 1 to Annex 3, listing the status of the populations of migratory waterbirds covered by the Agreement.

52. The Agreement operated to a Strategic Plan with the current version running from 2009 to 2017. Parties were required to submit regular National Reports and, at their most recent MOP, Parties had used the CMS Family Online Reporting System for the first time. The main decision-making forum was the triennial Meeting of the Parties, and the other

¹ http://www.cms.int/bodies/COP/cop10/docs_and_inf_docs/doc_27_guidelines_nbsap_e.pdf

principal bodies were the Standing Committee, the Technical Committee and the UNEP-administered Secretariat.

53. The core budget was funded through assessed contributions, supplemented by voluntary contributions and grants to cover activities and finance a modest small grants programme.

54. A comparison of AEWA and the CAF showed that the CAF covered 30 Range States, 17 of which were also in the AEWA Agreement Area. Two-thirds of the 17 were not Parties to AEWA, but Georgia, Uzbekistan and the United Kingdom, all present at the current meeting were, with a further three countries well advanced in the process of acceding. The CAF had 182 species of which 142 were already covered by AEWA, while of the 279 populations more than 50 per cent were already on the AEWA list. The similarities between the AEWA and CAF Action Plans meant that they could easily be aligned or even merged if necessary.

55. Key AEWA activities included: the development of single species action plans (SSAPs) and guidelines for drafting SSAPs and international coordination mechanisms e.g. for the Northern Bald Ibis (*Geronticus eremita*); species management planning e.g. for Pink-footed Goose (*Anser brachyrhynchus*) being undertaken with the support of Norway; protecting sites through the Critical Site Network (CSN) Tool, with work being taken forward by the "Wings over Wetlands" partnership; addressing human-induced threats such as lead poisoning, power lines, renewable energy developments; research and monitoring including collaboration on the International Waterbird Census and participating in the Waterbird Monitoring Partnership; capacity building using the Flyway Training Kit for National Focal Points; and implementation through publishing 14 sets of Conservation Guidelines covering a range of issues including mitigation of the impact of power lines, and the establishment in 2008 of the Implementation Review Process to assist Contracting Parties.

Agenda item 8.2: The Partnership for the East Asian-Australasian Flyway (EAAFP)

56. In the absence of Mr. Spike Millington, Chief Executive of East Asian-Australasian Flyway Partnership (EAAFP), who was unable to attend the Meeting, Mr. Mundkur, Chair of CMS Flyways Working Group gave a presentation on the Partnership's work.

57. The EAAFP was a very open arrangement embracing governments, IGOs, NGOs and the private sector. Until recently, several governments in the region had been promoting bilateral cooperation for migratory waterbird conservation but then realised this was insufficient and therefore they developed a Flyway Strategy in 1990s. After 10 years, a formal Flyway Partnership was established the range of which extended to 22 countries.

58. The East Asian-Australasian Flyway had the highest number of globally threatened and near-threatened waterbirds of any flyway in the world, and faced particularly severe pressure on coastal wetlands, but also inland lakes, rivers and swamps were being lost. In total 22 countries were Range States of the Flyway, including the USA as Alaska shared many populations with the flyway and there were also breeding areas across Russia. The Partnership was different from a formal UNEP-CMS instrument, being completely free-standing and non-binding, developed in the framework of the World Summit on Sustainable Development (WSSD). It was considered to be one of the initiatives that could help implement decisions of WSSD. It was open to any organization interested to work for international waterbird conservation in this region. Its Strategy identified what needed to be done over a five-year period. The Partnership met annually, hosted by one of the partner

countries. The Government of the Republic of Korea and the City Government of Incheon, where the Secretariat was based, funded the partnership. The most recent meeting of Partnership had been held in Indonesia.

59. Fourteen Governments had formally joined the Partnership along with IGOs, NGOs and companies; new members were joining. Between annual meetings, the Management Committee ran the partnership with a Chair and Vice-Chair who had two-year mandates. The Secretariat was headed by its Chief Executive, who was supported by Programme and Communications Officers, a Deputy and a Finance/Administration Officer seconded from the Incheon City Government. A Science Officer was being recruited.

60. The Partnership had five objectives:

60.1 To develop the Flyway Network of Sites of International Importance – a network of sites of international importance for migratory waterbirds. Currently there were more than 100 sites in 14 countries, a small fraction of sites known to be of international importance. The aim was to ensure sites were well managed and that the value of the sites is demonstrated.

60.2 Enhance communication, education and public awareness of the value of migratory waterbirds and their habitats.

60.3 Enhance flyway research and promote exchange of information on waterbirds and their habitats.

60.4 Build the habitat and waterbird management capacity of natural resource managers, decision makers and local stakeholders.

60.5 Develop flyway wide approaches to enhance the conservation status of migratory waterbirds.

61. The main advantages of the EAFFP were that:

61.1 It was flexible and responsive.

61.2 It was less bureaucratic than traditional structures.

61.3 Funds could be directly utilised for conservation, having the good fortune to have financial support from Korea.

61.4 It attracted engaged partners, who were more technical and less bureaucratic.

62. Its main disadvantages were that:

62.1 It depended entirely on funding from one government, so there was uncertainty over secure, sustainable, long-term funding.

62.2 It was not recognized as an UN structure.

62.3 The less formal structure might lower the Partnership's profile.

63. The Partnership's website could be accessed at www.eaaflyway.net.

Agenda item 9.0: Options for a Legal and Institutional Framework for the Central Asian Flyway

64. The Chair invited the Secretariat to present Document UNEP/CMS/CAF3/Doc.9: *Options for a Legal and Institutional Framework for the Central Asian Flyway*.

65. Ms. Christiane Röttger set out the advantages and disadvantages of the two Options.

CAF/AEWA

66. The advantages of linking CAF and AEWA, which included benefitting from an existing and well-established framework and access to a network of experts, having a regular budget agreed triennially, a single internationally recognized forum, and compliance within the context of CMS with the Future Shape Process. The Technical Committee of AEWA had already discussed the possible extension of the Agreement Area and found no scientific reason why this would not be feasible.

67. The disadvantages of linking CAF to AEWA were that Range States would have to accede to the Agreement, a process that was sometimes time-consuming and there was an obligation on Parties to contribute to the regular budget.

68. The implications of linking the CAF process to AEWA were that AEWA Parties would have to agree formally at their next Meeting scheduled to take place in 2015 to amend the Agreement's Annexes, adding 13 Range States not currently covered to AEWA Annex I and 41 species migrating along the Central Asian Flyway to AEWA Annex II. Any AEWA MOP was empowered to amend the Annexes but for the changes to be effective they had to be adopted by a two-thirds majority.

Stand-alone Option (EAAFP model)

69. The advantages of setting up a Partnership along the same lines as the one operating for the East Asian-Australasian Flyway were that such an arrangement would be flexible, informal and responsive, would not involve membership subscriptions and would not be legally binding.

70. The disadvantages were the absence of long-term, sustainable funding and reliance on voluntary contributions to keep the Partnership viable and to fund meetings and the inevitable duplication caused by the geographical and taxonomic overlap with AEWA.

71. The implications and process would require a Range State to take the lead and provide the resources to set up the new structures, although CMS could be a cooperating partner.

72. Document CMS/CAF3/Doc.9 invited Range States to consider the two alternative approaches on the table and to reach a consensus on a preferred option.

73. The Chair asked whether any further explanation was needed of the three presentations setting out the two options.

74. In response to the UAE who had asked how long it would take to implement a decision to merge with AEWA, Mr. Lenten said that the approval of the AEWA Parties was necessary and the earliest that this could be achieved was at MOP6 in 2015. Preparatory work could be set in train by the Secretariats and the AEWA Standing Committee in advance of the MOP to facilitate progress. He added that the Chair of the AEWA Standing Committee, Mr. Øystein Størkersen, was present at the current Meeting. The stand-alone option would require a Range State to volunteer to take the lead in making a formal proposal.

75. Pakistan sought clarification on the method of calculating the annual contributions under AEWA. Mr. Lenten explained that as was the case with CMS, AEWA used an adapted

version of the UN Scale of Assessment. The most recently adopted AEWA budget for the years 2013-2015 amounted to €3.08 million, divided among the Parties proportionately to their UN Scale rating with a minimum of €2,000 per year.

76. Bangladesh said that action should be started without delay and therefore he preferred the AEWA option. Concerning contributions, he said that some countries would have problems, so the rates should reflect the ability to pay. He urged that a decision be made as soon as possible, given the vulnerability of his country to the effects of climate change and the government's commitment to protect key sites.

77. The Chair reiterated that one of the key strengths of AEWA was that it provided a legal framework but if the current meeting proposed that CAF Action Plan should be subsumed under AEWA, Parties to that Agreement could only confirm their concurrence at their next MOP in 2015.

78. Mongolia stressed the importance of having a sound institutional framework as a basis for future international collaboration and therefore supported the AEWA option.

79. The UK still had concerns about the length of time necessary to implement the incorporation of the CAF Action Plan into AEWA and sought confirmation that any decisions of the AEWA Parties would only take effect 90 days after the closure of the MOP.

80. Saudi Arabia asked what would happen in the event of the AEWA MOP rejecting the proposal to subsume the CAF Action Plan.

81. Mr. Lenten said that in that event the only remaining option would be for a stand-alone arrangement outside CMS which the Range States would have to elaborate. To avoid this eventuality, it would have to be demonstrated that taking on the CAF Action Plan would not lead to a large increase in the cost of running AEWA for its existing Parties.

82. Dr. Mundkur said that in addition to the assessed contributions which financed the core budget of AEWA, voluntary payments also played an important role in enabling conservation activities to be carried out. The accession of countries from the CAF region might well increase the possibilities of attracting additional resources.

83. Mr. Dereliev said that one way to increase the chances of the AEWA MOP accepting the inclusion of the CAF Action Plan would be for range States within the flyway to accede to the Agreement. He added that it did not necessarily follow that the core budget of AEWA would have to increase, especially if a country with a strong interest in implementing the Action Plan came forward and took the lead in the same way as the UAE had done for raptors.

84. The Chair conducted a *tour de table* asking all Range States to indicate their preferred option.

85. Pakistan reiterated the view expressed earlier that the AEWA Option was the better alternative. Afghanistan after having listened to the presentations and looking at the documents and reality on the ground also supported the AEWA option and felt that the delay until 2015 before final confirmation was acceptable. Armenia was seriously considering accession to AEWA and was one of the 17 countries that was a Range State of both AEWA and the CAF and also supported the AEWA Option. Bhutan concurred saying that a plethora of different overlapping institutional arrangements would be confusing, adding that Bhutan

and its neighbours were developing countries bearing the brunt of the effects of climate change. Like Armenia, Kazakhstan was a Range State to both the African-Eurasian and Central Asian Flyway, and like Armenia, Kazakhstan was not yet a Party to AEWA, but had benefitted from Norwegian support for project implementation. Having a single instrument rather than two separate ones was a significantly more attractive proposition for Kazakhstan, which would be unlikely to sign up to multiple agreements. Kazakhstan therefore supported the AEWA-option.

86. Saudi Arabia said that it had supported the Action Plan in 2005 and despite the lack of international collaboration, progress had been made nationally. Further delays should be avoided.

87. Mr. Lenten stated that from the Secretariat's perspective, the AEWA Option was preferable but the ultimate decision rested with the AEWA Parties. If the current meeting made a clear decision, the Secretariat would seek voluntary contributions to help facilitate the preparations. Keeping additional demands on the core budget of AEWA to a minimum would help overcome one potential obstacle. The Chair added that in the event of the meeting choosing the AEWA option, the AEWA Standing Committee would commission a study to examine the implications of adding the CAF Action Plan to the Agreement.

88. The UAE said that unfortunately the main contact point from Ministry of Environment had been unable to attend, so no absolute commitment could be made at the present meeting but from the evidence provided Option 1 seemed to be the most logical approach. However, the decision about whether or not to join AEWA would be taken separately and support for the AEWA-option for CAF should not be interpreted as an indication that the UAE would sign AEWA. It was also noted that the Action Plan had been adopted in New Delhi but this had been followed by a period of inactivity. The procedures for integrating CAF into AEWA would take at least three years, and it was necessary both to maintain momentum and devise a fall-back position in the event of the AEWA Parties not accepting the proposal.

89. Saudi Arabia said that the main purpose of the meeting and the Action Plan was the conservation of birds and one of the key issues was finance and most CAF Range States were developing countries. The fear was expressed that the Range States would choose Option 1 but would still find themselves in the same position in three years' time. CMS and AEWA Parties needed to be well prepared and well informed to ensure that progress was made.

90. In the event of Option 1 being chosen, the Secretariat undertook to work closely with AEWA to convince Parties to the Agreement to accept the proposal to extend the Agreement Area. The AEWA Parties could play a major role, and the Chair of the AEWA Standing Committee (Norway) was present in the meeting. There appeared to be no viable alternative to the AEWA Option as there was no Range State coming forward to champion CAF in the same way as the UAE had done for the Raptor and Dugong MOUs, and the Secretariat's human and financial resources were already overstretched dealing with the existing instruments.

91. The Chair noting that all representatives who had expressed a view had supported Option 1 asked whether any delegations dissented; no-one asked for the floor. The Chair went on to point out that there would be a very important discussion taking place at the AEWA Standing Committee in 2013, which would provide an early signal of the likely response from the AEWA Parties to the proposal to link CAF to the Agreement.

92. Having clarified the few outstanding areas of uncertainty, the Chair sought confirmation that consensus had been reached in favouring the first Option. There being no dissenting voices, the Chair declared that the meeting endorsed the AEWA Option, an announcement which was greeted by enthusiastic applause.

Agenda item 10.0: Endorsement of an Option and the Final Declaration

93. With the draft text projected on screen, the Chair sought participants' comments on the Final Declaration. The preamble, he said, set out some of the background to the CAF Action Plan.

94. Kazakhstan proposed the addition of wording recognizing existing conservation measures taken at national level by a number of countries and noting that international cooperation would increase the effectiveness of such measures. The UK supported Kazakhstan's intervention and suggested a minor alteration to the proposed wording.

95. Following an intervention by Bangladesh there was a discussion on the desirability of including a reference to the 6th Meeting of the Parties to AEWA. While the current Meeting could not dictate to AEWA Parties what they did, it was ultimately agreed that the more specific the request that AEWA Parties consider extending the Agreement Area, the better.

96. The Chair commented that one issue currently omitted was a call for non-Party Range States to accede to AEWA as a matter of urgency. New accessions within the CAF region would send an important signal to the other AEWA Contracting Parties. The UK proposed some appropriate text for inclusion. Mr. Lenten pointed out that membership of AEWA was not restricted to Range States of the African-Eurasian flyway.

97. Mr Williams asked that the Coordinating Unit of the Raptor MoU be added to the list of observers. This and a number of minor additions and other changes were made.

98. The Final Declaration signed at the Meeting on 12 December 2012 is attached as **Annex 2** to the present Report.

Agenda item 11.0: Next Steps

99. The Chair: invited the Secretariat to run through the next steps and Mr. Lenten summarized the necessary follow-up action using a presentation projected on screen.

100. The next steps were to:

100.1 Transmit the outcomes of this meeting to Standing Committee of AEWA.

100.2 Initiate a study to assess financial, administrative, procedural and technical implications for AEWA in taking over the CAF Action Plan.

100.3 Undertake fundraising activities for the CAF region.

100.4 Revise the CAF Action Plan.

100.5 Arrange for the submission of a proposal for amendment of the AEWA Annexes by one of AEWA Parties for consideration at MOP6.

100.6 Continue the close cooperation between the CMS and AEWA Secretariats.

101. Bangladesh said that, with the passage of time since 2005, many changes had happened, so it was necessary to develop a revised Action Plan. The comments of all the

organizations involved in the original Action Plan should be invited and any help that they could offer his government would be welcome.

102. The representative of Wetlands International agreed that with the critical problems regarding the conservation of species and habitats, it would reflect badly on this meeting if actions were only initiated in 2015. He called for the Action Plan to be reviewed at the earliest opportunity and for Range States to implement policies related to it to ensure that there would be momentum when AEWA took over responsibility for it. It was suggested that some priority actions should be identified to assist Range States, especially those not present at the meeting.

103. The Chair stressed the importance of the Secretariat maintaining a dialogue with Range States over the next couple of years in the run-up to the next AEWA MOP, a period when vital progress should be made. It was imperative to avoid the lapse into inactivity which had followed the New Delhi meeting.

104. Mr. Lenten explained that the three annexes of AEWA – on geographical scope, species coverage and the conservation status of species populations - were subject to review at each MOP. This review process would have to be modified to accommodate the CAF Action Plan and he suggested that Wetlands International be asked to advise how this could best be done with regard to Annex III.

105. BirdLife International expressed its satisfaction that the meeting had chosen the AEWA Option. Before the meeting, BirdLife International had consulted its constituent members and all had voiced support for this approach. The organization's representative also added her support to calls for progress to be made and delays in implementation to be avoided.

106. Kazakhstan asked whether countries within the CAF would now be included in the International Waterbird Census. It would also be highly desirable to start collaboration with Wetlands International straightaway on the development of national monitoring schemes and not wait until 2015.

107. Wetlands International confirmed that it would be willing to work with Range States to enhance the International Waterbird Census so that data from central Asian countries could be feed into AEWA and help determine global population trends. The Wetlands International representative suggested bilateral consultations in the margins of the meeting.

108. The AEWA Secretariat stressed that as AEWA was not the driving force behind developing the institutional arrangements for the CAF Action Plan, it had no mandate to finance the study of the implications. It was therefore hoped that the CMS Secretariat would take responsibility for finding the funds to carry it out.

109. In conclusion, the Chair suggested that a table setting out the main steps in the process should be attached to the report of the Meeting. Table attached as **Annex 3** to the present Report.

Agenda item 12.0: Any Other Business

110. Returning to a point raised by Bangladesh, Wetlands International stressed that, as sites were continually being lost, thought should be given urgently as to how governments

could be helped in tackling this problem. One possibility was that Site Network for Siberian Cranes could be enhanced by including sites from CAF region that were important and in need of conservation measures.

111. The Vice-Chair of Scientific Council congratulated the CAF members for the very important decisions taken to address declining migratory species. In addition to taking account of the findings of the Future Shape process, CAF Range States should also ensure that they now participated fully in the development of the CMS Strategic Plan.

112. Bangladesh reiterated the request that the Secretariat and Wetlands International should provide technical assistance to help update the old action plan and mentioned examples of regional cooperation in the implementation of conservation projects, expressing the hope that Bhutan would join Nepal and India as Bangladesh's partners the following year.

113. The Chair agreed that regional scale projects could indeed benefit from technical support from BirdLife and Wetlands International.

Agenda item 13.0: Closure of the Meeting

114. After the customary expression of thanks to all those who had contributed to the success of the Meeting, and in particular to the Host Government, the United Arab Emirates and the Environment Agency Abu Dhabi, the Secretariat, the interpreters and reporters, the venue staff, the Secretariat and the Chair, the Meeting was declared closed after just one of the scheduled two days, and delegates were invited to gather for the traditional group photo. List of Participants attached as **Annex 4** to the present Report.



CONVENTION ON MIGRATORY SPECIES

Distribution: General

UNEP/CMS/CAF3/REPORT
Annex 1

Original: English

MEETING TO NEGOTIATE THE LEGAL AND
INSTITUTIONAL FRAMEWORK FOR THE
CENTRAL ASIAN FLYWAY
Abu Dhabi, 12 December 2012

AGENDA OF THE MEETING

1. Welcoming Remarks
2. Adoption of the Rules of Procedure
3. Election of Officers
4. Adoption of the Agenda and Meeting Schedule
 - 4.1 Agenda
 - 4.2 Annotated Agenda
 - 4.3 Admission of Observers
5. Background and Purpose of the Meeting
6. Overview on Waterbird Conservation Issues within the Central Asian Flyway
7. Activities undertaken by the Range States
8. Overview of other relevant flyway initiatives
 - 8.1 The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)
 - 8.2 The Partnership for the East Asian-Australasian Flyway (EAAFP)
9. Options for a Legal and Institutional Framework for the Central Asian Flyway
10. Endorsement of an Option and the Final Declaration
11. Next steps
12. Any other Business
13. Closure of the Meeting



**CONVENTION ON
MIGRATORY
SPECIES**

Distribution: General

UNEP/CMS/CAF3/REPORT
Annexe 2

Original: English

MEETING TO NEGOTIATE THE LEGAL AND
INSTITUTIONAL FRAMEWORK FOR THE
CENTRAL ASIAN FLYWAY
Abu Dhabi, 12 December 2012

FINAL DECLARATION



Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme



Meeting to Negotiate the Legal and Institutional Framework for the Central Asian Flyway for Migratory Waterbirds

Abu Dhabi, United Arab Emirates, 12 December 2012

Final Declaration

Representatives of Governments of Range States of the Central Asian Flyway for Migratory Waterbirds, together with representatives of non-governmental and international organizations, observers and experts,

Concerned that the Central Asian Flyway (CAF) covers many globally threatened and near-threatened migratory waterbird species and that their populations and many of the wetlands, grasslands and other habitats upon which they depend are in a profoundly unsatisfactory state of conservation;

Acknowledging that the Secretariat of the Convention on Migratory Species (CMS) had already convened two meetings of Range States (Tashkent 2001, New Delhi, 2005), with technical and logistical support from Wetlands International, *inter alia* to provide an overview on major conservation issues along the flyway, to prioritize selected implementation activities and to endorse the Central Asian Flyway Action Plan to Conserve Migratory Waterbirds and their Habitats (CAF Waterbird Action Plan);

Recalling that Resolution 9.2 on priorities on agreements, adopted by the 9th Meeting of the Conference of the Parties of CMS, appeals to all Range States for a sustained commitment, both in terms of conservation interest and the provision of resources, in order to implement effectively the above-mentioned CAF Waterbird Action Plan, and requests the Secretariat to collaborate closely with the Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) using all available synergies;

Noting Resolution 10.10 on global flyway conservation, adopted by the 10th Meeting of the Conference of the Parties of CMS, reiterating the need to build on existing achievements, in particular the CAF Waterbird Action Plan and the Western/Central Asian Site Network for the Siberian Crane and Other Migratory Waterbirds, and the need to consider aligning these with existing agreements and using synergies with AEWA;

Further noting that CMS Resolution 10.9 on future structure and strategies of the CMS and CMS Family calls for actions to prioritize the growth of the CMS Family and requests the CMS Secretariat to seek opportunities to develop synergistic relationships either based on geography or species clustering;

Conscious of the urgent need for science-based and internationally co-ordinated conservation measures and an effective institutional framework of cooperation to ensure the survival of waterbird species and their habitats as well as to provide sustainable benefits to people;

Recognizing existing national measures and that the effectiveness of such measures can be enhanced by international co-ordination and co-operation;

Having considered the different options for a legal and institutional framework to support the implementation of the CAF Waterbird Action Plan, as proposed by the CMS Secretariat;

HEREBY

Decide that the preferred way forward to ensure the effective implementation of the CAF Waterbird Action Plan is through its incorporation into AEWA and the expansion of the geographical area of the Agreement to encompass the entire CAF region;

Request the Contracting Parties to AEWA to consider, at the 6th Session of the Meeting of the Parties to be held in 2015, the extension of the AEWA geographical area to encompass the entire CAF region and the incorporation of the CAF Waterbird Action Plan under the Agreement;

Request the AEWA Standing Committee, in close collaboration with the CMS and AEWA Secretariats, to consider how to take forward this matter with the view to presenting a proposal to the AEWA Meeting of the Parties for decision;

Urge CAF Range States as well as CMS Parties and other donors to provide the financial and other resources necessary to realize this preferred institutional and legal framework to implement the CAF Action Plan for the conservation of migratory waterbirds;

Encourage CAF Range States to accede to AEWA, where possible prior to the 6th Meeting of the Parties to AEWA.

The following CAF Range States were represented at the meeting:

Afghanistan, Armenia, Bahrain, Bangladesh, Bhutan, Georgia, Kazakhstan, Kyrgyzstan, Mongolia, Pakistan, Qatar, Saudi Arabia, Sri Lanka, United Arab Emirates, United Kingdom, Uzbekistan, and Yemen.

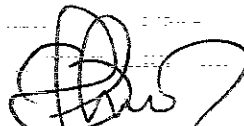
The AEWA Secretariat, the Chair of the AEWA Standing Committee, the Vice-Chair of the CMS Scientific Council, the Coordinating Unit of the CMS Raptors MOU, the Chair of the CMS Working Group on Flyways and Wetlands International, and BirdLife International were also present.

Done in Abu Dhabi, United Arab Emirates, on the 12th day of December, 2012

Confirming the correct wording of the meeting's Final Declaration:



Mr. David Stroud
Chair of the Meeting
United Kingdom



Mr. Bert Lenten
Officer in Charge
UNEP/CMS Secretariat



CONVENTION ON MIGRATORY SPECIES

Distribution: General

 UNEP/CMS/CAF3/REPORT
Annex 3

Original: English

MEETING TO NEGOTIATE THE LEGAL AND
INSTITUTIONAL FRAMEWORK FOR THE
CENTRAL ASIAN FLYWAY
Abu Dhabi, 12 December 2012

NEXT STEPS AND ACTIVITIES

No.	Activity	Time	Responsibility
1.	The outcomes of the Third CAF Meeting are transmitted to the Standing Committee of AEWA.	January 2013	AEWA Secretariat
2.	The outcomes of the Third CAF Meeting are being considered at the 9 th Meeting of the Standing Committee of AEWA.	September 2013	AEWA Secretariat AEWA Standing Committee Chair
3.	Continued close cooperation between the CMS and AEWA Secretariats.	On-going	CMS and AEWA Secretariats
4.	A feasibility study to assess the legal, administrative, procedural, technical and financial implications for AEWA in taking over the CAF Action Plan is initiated. (Development of Terms of Reference, securing funding, recruiting suitable consultant, and overseeing work.)	First half of 2013	CMS and AEWA Secretariats AEWA Standing Committee
5.	Efforts to obtain the necessary funding to realize the study mentioned above are under way.	On-going	CMS Secretariat
6.	Conservation activities for migratory waterbirds to implement the CAF Action Plan are being carried out in the CAF region.	On-going	Range states and partner organizations
7.	The proposal for amendment of the AEWA Annexes is submitted to the AEWA Secretariat.	January 2015	AEWA Party (tbi)
8.	The outcomes of the feasibility study are considered at the 12 th Meeting of the Technical Committee and the 10 th Meeting of the Standing Committee of AEWA, and are submitted to AEWA MOP6 for informing the decision on the proposed amendments with regard to incorporating the CAF Action Plan.	2014/2015	AEWA Secretariat Chairs of AEWA Technical Committee and Standing Committee



CONVENTION ON MIGRATORY SPECIES

Distribution: General

UNEP/CMSCAF3/REPORT
Annex 4

Original: English

MEETING TO NEGOTIATE THE LEGAL AND
INSTITUTIONAL FRAMEWORK FOR THE
CENTRAL ASIAN FLYWAY
Abu Dhabi, 12 December 2012

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