



# Convention on the Conservation of Migratory Species of Wild Animals



## Proceedings of the Seventh Meeting of the Conference of the Parties: Part I, Annex VIII

REPORT OF THE SCIENTIFIC COUNCIL AT ITS 11TH MEETING

*Bonn, Germany, 14-17 September 2002*

### Introduction

1. The 11th Meeting of the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held at the International Congress Centre, Bonn, Germany, from 14 to 17 September 2002.

### I. OPENING REMARKS

2. The Chair, Dr. Colin Galbraith (United Kingdom), called the meeting to order at 9.30 a.m. on Saturday, 14 September 2002, and welcomed the participants, especially new Councillors and alternate Councillors, including Mr. Noritaka Ichida, the new Appointed Councillor for Asiatic Fauna. A list of participants is contained in Annex I to the present report (ScC Report Annex I). He welcomed the increase in the number of Parties to the Convention and noted that the increasing complexity of its work would call for greater professionalism. He said that key tasks facing the meeting included the clarification of the means of cooperation between Parties and how they could form partnerships to help each other. The meeting also faced the issues of climate change taking place on a global scale, plus specific problems of species in crisis, such as the elephants of West Africa and the antelopes of the Sahara, the problem of by-catch on the high seas and of non-sustainable exploitation of marine turtles. He said CMS needed to build up its capacity and increase its flow of information. A key challenge facing the Council was to maintain scientific objectivity. Action plans, he said, were an excellent mechanism for the work of the Convention and the Council's responsibility was to provide a coherent rationale for that work.

3. Mr. Gerhard Adams of the German Federal Ministry of the Environment, welcomed participants to Bonn on behalf of the Federal Government. He recalled that Bonn had played an important role in the history of the Convention and also that the building in which the meeting was taking place had been the scene of historic events. Pointing to the conclusion of a new headquarters agreement between the Federal Government and CMS, he invited delegates to attend the signing of the agreement, which would take place on the morning of Wednesday, 18 September 2002, prior to the opening of the meeting of the Conference of the Parties.

4. Mr. Arnulf Müller-Helmbrecht, Executive Secretary, welcomed participants and thanked the German Government for the excellent facilities and organizational support provided for the meeting. He also acknowledged those who had worked with CMS over a number of years and thanked staff members for their extra efforts in assisting with the organization of the current meeting.

5. The Chair reminded the Council that two members were retiring, Dr. Mike Moser (Appointed Councillor) and Dr. Raul Vaz Ferreira (Councillor for Uruguay) and paid tribute to their valuable service to the Council over the years. The meeting agreed that he should write to them, expressing the thanks of the Council for their past work.

## II. ADOPTION OF THE AGENDA

6. The meeting adopted its agenda on the basis of the provisional agenda circulated as document ScC11/Doc.1(Rev.1). The agenda is contained in Annex II to the present report (ScC Report Annex II).
7. The meeting also adopted a schedule for its work on the basis of the provisional schedule prepared by the Secretariat (ScC11/Doc.2.2 (Rev.1)).
8. Regional Working Groups for Africa, Europe, Latin America and the Caribbean, and Asia/Oceania were established. The Chair directed them to appoint their own Chairs and Rapporteurs and requested them to consider, inter alia, and report, from the regional point of view, on the review of the modus operandi of the CMS Scientific Council; on regional priorities on taxa; on maintaining the momentum of the CMS process in their regions; on any regional issues which they wished to highlight; and on new CMS agreements or other actions which they wished to see agreed.
9. The following taxonomic Working Groups were also established for: birds; terrestrial mammals; marine turtles; and marine mammals and large fishes; a working group on indicators was re-convened from the 10th Scientific Council Meeting.

## III. REPORT ON INTERSESSIONAL ACTIVITIES

### (a) Chair

10. Dr. Galbraith pointed briefly to the important issues to be considered at the current meeting and noted that he would be drafting a summary report setting out the points raised by the Scientific Council on the subject, for the consideration of the Seventh Meeting of the Conference of the Parties. In outlining the major activities in the intersessional period, he drew particular attention to the conclusion of the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the steps forward in the preparation and conclusion of memoranda of understanding, and the progress made in the implementation of a number of projects, although he stressed that much still remained to be done in all those fields.

### (b) Secretariat

11. The Deputy Executive Secretary drew attention to the report prepared by the Secretariat for the Seventh Meeting of the Conference of the Parties (UNEP/CMS/Conf.7.5.1), outlining its work since 1 December 1999 and covering certain aspects of the implementation of the Convention not dealt with in other papers for the Conference.

12. Concerning the membership of the Convention, there were 15 new Parties, which brought the total number to 80. In addition, a further 18 countries not Party to the Convention were participating in its activities by way of the Agreements concluded under CMS. A number of workshops and meetings had been held during the period under review, and he expressed gratitude to those Parties that had hosted or provided assistance in the organization of such activities.

13. He drew attention to various instruments developed since the Sixth Meeting of the Conference of the Parties, notably those benefiting albatrosses and petrels, marine turtles of the Atlantic coast of Africa and of the Indian Ocean and South-East Asia, as well as the Bukhara deer. Together, the two turtle memoranda of understanding covered a wide geographical area, and had a potential membership of around 65 countries.

14. The Secretariat had undergone dynamic development since the Sixth Meeting of the Conference of the Parties and had attained a new level of stability. The recruitment of new and additional staff, as well as co-location of staff of the Agreements based in Bonn, meant that the Secretariat was near to being fully staffed.

15. Further improvements had been made in the field of information management and positive feedback had been received on the new reporting system. The CMS web site had also been greatly improved, with only a modest outlay of resources, and a new information management system was being developed in cooperation with the UNEP/World Conservation Monitoring Centre (WCMC). All that work was being coordinated within the CMS Strategic Plan. In addition, there had been increased and improved collaboration with other organizations, including the development of new institutional agreements with such organizations and intergovernmental bodies.

**(c) Councillors (on the work of other Conventions that they were requested to follow on behalf of CMS, and the tasks allocated to them during the 10th Meeting of the Scientific Council)**

16. Dr. Beudels-Jamar de Bolsee (Councillor for Belgium), who served as Council Focal Point for the Convention on Biological Diversity (CBD), reported that she had been unable to attend the latest meeting of that Convention's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) due to prior professional commitments. She drew the attention of the meeting to the report of the Secretariat on cooperation with other bodies (UNEP/CMS/Conf.7.11) and the information paper prepared on the CBD/CMS joint work programme (2002-2005) (UNEP/CMS/Inf.7.13).

17. The Deputy Executive Secretary noted that the CBD/CMS joint work programme had been formally endorsed by the Sixth Meeting of the Conference of the Parties to the Convention on Biological Diversity, and would also be before the current meeting of the Conference of the Parties to CMS for endorsement. The joint programme contained references to the Scientific Council and the Council's input was required in terms of its implementation.

18. Dr. Perrin (Appointed Councillor) reported on the International Whaling Commission (IWC), drawing attention to the observer's report on meetings of the IWC Scientific Committee (2001, 2002), contained in document ScC11/Doc.18.

19. At the IWC meeting held in London in July 2001, it had been recommended that *Pontoporia blainvillei* be classified as "vulnerable" in the IUCN Red List. Concerning North Atlantic humpbacks, the abundance of the West Indies feeding stock was estimated to have grown by about one-third since the late 1970s. With regard to *Eubalaena glacialis*, given that there were only about 300 North Atlantic right whales remaining, the Committee had urged, as a matter of absolute urgency, that every effort should be made to reduce anthropogenic mortality to zero. Concerning *Eubalaena japonica*, in aerial surveys conducted in 2000 only five sightings had been made of a total of 13 whales.

20. As regards CMS Appendix II species, the IWC/Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) Working Group had reported on advice offered to ASCOBANS on methodology for its programme of assessment of status of stocks of *Phocoena phocoena* in the Baltic and North Seas. The Small Cetaceans Subcommittee had conducted a review of the status of stocks of *Phocoenoides dalli* exploited by Japan. However, Japan had refused to cooperate, on the grounds that small cetaceans were outside the remit of IWC. The Subcommittee had thus been unable to complete a full assessment of the status of the stocks.

21. At the IWC meeting held in Shimonoseki, Japan, in April-May 2002, the comprehensive assessment of North Atlantic humpbacks had been completed and a population increase at a rate of 3 per cent per annum or more was reported for the Gulf of Maine, Icelandic waters and the West Indies. Concerning *Balaena mysticetus*, catches and catch limits had been reviewed for the Bering-Chuckchi-Beaufort Seas stock, which was estimated to be larger than at any time in the last century. The previously recommended annual catch limit of 102 whales was considered consistent with the requirements of the IWC Schedule. Regarding *Eubalaena glacialis*, the Committee had repeated its expression of concern and the recommendation that all attempts should be made to reduce anthropogenic kills to zero as a matter of absolute urgency.

22. Concerning CMS Appendix II species, a permit for a catch quota of 1,000 Beluga whales (*Delphinapterus leucas*) had been issued by the Russian Commission for Fisheries. The Committee had expressed concern over such takes of small cetaceans when there was insufficient information to adequately assess the impact, and recommended an assessment of the size of the affected populations and the impacts of the removals. Concerning *Sousa* spp. the Committee had concluded that Humpback dolphins were not abundant in any part of their range. Degradation of the limited coastal habitat was thought to be a serious danger in many areas; incidental takes were reported in almost all areas of the range; and the high levels of contaminants in the animals' tissues were thought to pose a conservation threat. The Committee had therefore made a number of recommendations for conservation research and action.

23. A mini-symposium on effects of climate change on cetaceans was planned for the 2003 meeting of the IWC in Berlin. In 2003, the Small Cetaceans Subcommittee would concentrate its efforts on a review of the status of Black Sea dolphins and porpoises (*Tursiops*, *Delphinus* and *Phocoena*).

24. Dr. Davidson (Bureau of the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat) reported on the development of a range of joint collaborative approaches with CMS, in order to move from global-scale cooperation to positive joint action at ground level for the benefit of wetland-dependent species. Recalling the areas of cooperation established under the 1997 memorandum of cooperation between the two Conventions, he said that the Ramsar Scientific and Technical Review Panel (STRP) had been developing guidance on topics, many of which were relevant to CMS and its Agreements. Those included the impact of climate change on wetlands; alien invasive species; issues linked to the joint CBD/CMS work programme; and guidance on water allocation and management. A unique joint Ramsar/CMS and Ramsar/Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) work programme to operationalize the memorandum of understanding was nearly finalised. It was hoped that that would serve as a model for further joint activities. He asked the Council to convey to the Conference of the Parties the Ramsar Bureau's desire to have further progress on that subject. Several members of the Council were also closely involved in the work of Ramsar, and understood the issues faced by each Convention.

25. The Chair remarked that good and close cooperation with Ramsar also provided an opportunity for exchange of experience on the modus operandi of their respective scientific bodies.

26. Dr. Schlatter (Appointed Councillor), pointing to the need to fine-tune the administration of joint projects and activities, proposed that regional workshops should be held. That would improve the efficiency of such projects and activities with Ramsar.

27. Mr. Moumouni (Councillor for Togo) underlined the need to improve the system for provision of finances to developing countries for the undertaking of field projects. The holding of subregional meetings, as was the practice under Ramsar, helped to focus on the problems and find solutions.

28. Mr. Baker (Councillor for Australia) said that the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) had expressed a desire to learn of the results of the deliberations of the Scientific Council. He thus sought the Council's agreement for him to report back to CCAMLR on the Council's work. The Scientific Council agreed to that procedure.

29. On the question of selection of members to represent the Scientific Council at the meetings of the World Conservation Union (IUCN), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Ramsar and other bodies, Dr. Devillers (Councillor for the European Community) underlined the need for sufficient funding to ensure the participation of liaison Councillors in meetings of other bodies, rather than relying on the goodwill of Parties to fund their councillors in that role. He considered that a formal recommendation from the Scientific Council was needed to ensure that provisions were in place in the CMS budget to cover the costs of attendance at such meetings. Dr. Davidson (Ramsar Bureau) underlined the desirability of having terms of reference for representatives of the Scientific Council attending meetings of other bodies.

30. The Chair observed that, as concerned the requisite funding for such an activity, it was necessary to examine the financial position of the Convention and to clarify the question of funding with the Secretariat. It was also necessary to draw up a list of candidates to represent the Council at other bodies.

#### Summary

31. The Council agreed that focal point Councillors for cooperation with Ramsar and UNESCO's Man and Biosphere Programme would be designated intersessionally.

32. On cooperation with CITES, Dr. Pfeffer (Appointed Councillor) cautioned the Council against any commitment at this stage. The Council agreed that the Chair should act as focal point Councillor for contact with CITES.

### **IV. SCIENTIFIC COUNCIL TASKS ARISING INTER ALIA FROM RESOLUTIONS, RECOMMENDATIONS AND OTHER DECISIONS OF THE CONFERENCE OF THE PARTIES**

#### **4.1 Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1 and 6.1 refer)**

33. In introducing the work on concerted actions, the Chair noted the value of work under this heading to the overall success of the Convention. He noted also that some works were becoming classic examples of effective conservation action.

34. The Deputy Executive Secretary introduced a report by the Secretariat on Identification and Implementation of Concerted Actions for Selected Appendix I Species/Groups (ScC11/Doc.3). He said that the number of species and groups designated for Concerted Actions currently totalled 27 and the Secretariat was concerned that the list was becoming a shadow of Appendix I, weakening the notion of concerted action. The report suggested a new procedure whereby candidate species could be proposed at intersessional meetings of the Scientific Council and would be the subject of a comprehensive review report, which would be prepared and considered by the Council ahead of the meeting of the Conference of the Parties. The proposal also provided for periodic revision of the Concerted Action List, at which time species might be removed from the list if certain conditions were met, such as adequate coverage in other instruments.

35. Dr. Devillers (Councillor for the European Community), while expressing his general agreement with the proposed procedure, urged that some flexibility should be retained in its application notably for cases where concerted action was urgently needed. He and Dr. Pfeffer (Appointed Councillor) were both concerned that removal of a species from the list could be misunderstood as signalling that the danger was past. He proposed for this reason that, when removing a species from the Concerted Action List, the rationale should be explained and indications on the further action to be taken for the conservation of the species should be given.

36. Dr. Biber (Councillor for Switzerland) asked whether concerted action was possible with respect to species not on Appendix I or II, such as cormorants, which damaged fisheries. The Chair said it would be better to leave such questions aside from the context of discussions on concerted actions to protect endangered species.

37. Dr. Moser (Appointed Councillor) questioned whether the preparation of the suggested review reports would qualify for funding. It was confirmed that a special budget allocation had been made for that purpose.

38. The Council established a working group to discuss the procedures for concerted action and report back to the Council.

39. Dr. Devillers (Councillor for the European Community) later reported that the Working Group on Concerted Actions had completed its work and had prepared and circulated a conference room paper outlining a number of agreed amendments to the Secretariat's paper. He recommended the report of the group to the Scientific Council for adoption.

#### Summary

40. The Scientific Council adopted the report of the Working Group on Concerted Actions. The report of the Group, together with a revised paper on concerted action species, is contained in Annex III to the present report (ScC Report Annex III).

41. On behalf of the Council, the Chair expressed thanks to all members of the Group for their constructive efforts, and to the convener Dr. Devillers.

42. Reporting on progress in the implementation of Concerted Actions, recommendations of the Council for ongoing Concerted Actions and possible identification of other Appendix I species to be recommended to the Seventh Meeting of the Conference of the Parties for Concerted Actions were discussed within the following taxonomic working groups: Terrestrial Mammals; Marine Mammals and Large Fishes; Birds; Marine Turtles. Each group later reported to the whole Council on its deliberations. The reports of the Working Groups are attached to the present report as Annexes IV-VII (ScC Reports Annex IV-VII).

#### Terrestrial mammals

43. Dr. Pfeffer (Appointed Councillor), speaking for the Working Group on Terrestrial Mammals, said the group was recommending that the Snow leopard (*Uncia uncia*), of which only 7,000 remained, be recommended as suitable for concerted action. The Scientific Council approved the recommendation.

44. He confirmed that, while considerable progress had been made over the past three years in the conservation of Sahelo-Saharan antelopes, concerted action should be actively pursued for this group as well. The Group recommended the additional sum of \$100,000 as matching funds as a counterpart contribution to the French GEF funding, of which \$25,000 would be a contribution to the French funding for coordination; \$25,000 would be to establish and maintain a web database for Sahelo-Saharan antelopes and, for 2003-2004, a web site; \$20,000 for the reintroduction and conservation project in Senegal; \$20,000 for the development of a GEF project in Chad, Libyan Arab Jamahiriya and Niger in 2003-2004 for implementing the CMS Action Plan; and \$10,000 for the development of a project in Egypt, to be disbursed when the appropriate structures had been set up.

45. The Councillor for Chad pointed out that \$20,000 for a project involving three countries was not a large sum. The Chairman explained that funds were being proposed under a different budget heading to facilitate meetings.

46. Dr. Devillers (Councillor for the European Community) said that the demonstrated value of concerted action on the Sahelo-Saharan antelopes pointed toward a similar strategy for the migratory mammals of Central Asia, of which a number now put forward for listing in Appendix II might soon be upgraded to Appendix I. The Council agreed to note this as a point for future action.

47. On the Mountain gorilla (*Gorilla gorilla beringei*), Dr. Pfeffer said the Working Group was aware of the threat but also of the conditions of instability in the Range States. It recommended keeping the Mountain gorilla on the list of species for which concerted action was justified, and that CMS continue to look for ways in which this could be achieved.

48. Dr. Devillers also welcomed the construction of an observatory in Argentina for the South Andean deer and said the fact that it was being named for the late Pablo Canevari was a fitting tribute to his contributions to conservation and to CMS.

#### Summary

49. The Chair, in thanking the Working Group on Terrestrial Mammals, commented that progress on Sahelo-Saharan antelopes had been a classic demonstration of the value of concerted action. The Scientific Council took note of the report and agreed to the recommendations it contained.

#### Marine mammals and large fishes

50. Dr. Perrin (Appointed Councillor), reporting on the work of the Working Group on Marine Mammals and Large Fishes, noted that field work on the abundance, habitat use and stock identity of the Franciscana dolphin (*Pontoporia blainvillei*) which had been supposed to begin in March 2002, had not been carried out because funding had not been received, and he called on the Secretariat to expedite matters.

51. For the Mediterranean monk seal (*Monachus monachus*), development of a recovery plan was not yet complete but a population viability and habitat assessment had been carried out. For the Marine otter (*Lontra marina*), plans were almost complete for an abundance survey to be started in October 2002 and a Chile/Peru workshop.

52. Mr. Baker (Councillor for Australia) had stated that, subject to the approval of their listing under CMS, the Government of Australia intended to begin efforts to develop a regional cooperative agreement covering the great whales of the South Pacific region - the Antarctic minke whale (*Balaenoptera bonaerensis*); Bryde's whale (*Balaenoptera edeni*); Fin whale (*Balaenoptera physalus*); Sei whale (*Balaenoptera borealis*); Pygmy right whale (*Caperea marginata*); and Sperm whale (*Physeter macrocephalus* [catodon]).

53. In that light, the Working Group recommended that, in the event that any of the Appendix I proposals were approved by the Conference of the Parties, those species should be added to the list of species for concerted action. In addition, the Group recommended that the great whales already on Appendix I which also occurred in the region should also be added to the list. Those included the Southern Right whale (*Eubalaena australis*), Blue whale (*Balaenoptera musculus*), and Humpback whale (*Megaptera novaeangliae*).

54. Mr. Baker observed that, once a species had been nominated for inclusion in CMS Appendices on its proposal, it was the practice for Australia to develop and undertake follow-up actions for its conservation. In that context, the Chair noted with gratitude Australia's valuable leadership of the Agreement on the Conservation of Albatrosses and Petrels and its follow through in the form of a plan of action for the species.

#### Summary

55. The Scientific Council took note of the report and agreed to its recommendations.

#### Birds

56. Dr. Moser, reporting on the Birds Working Group, summarised the situation concerning concerted action on individual species.

57. Cooperation for *Chloephaga rubidiceps* conservation continued between Argentina and Chile on research and other matters. A framework agreement between the two countries had already been signed. For *Anser erythropus*, the existing CMS-supported project on the species needed to be pursued. Either the project should be implemented urgently, or it should be removed from the list. Concerning the Asian

population of *Chlamydotis undulata*, progress had been made in producing a final draft of an Agreement. A meeting of the Range States was proposed for September 2003. Funding, in particular to cover the attendance of delegates, would be needed. On the Central European population of *Otis tarda*, a memorandum of understanding came into force on 1 June 2001, and 10 Parties had signed it. A workshop was planned for April 2003 and a fully developed project proposal had been submitted for funding.

58. A report of the Slender-billed Curlew (*Numenius tenuirostris*) Working Group had been circulated to the Scientific Council. It was proposed that existing efforts should continue to be supported, including support for the Secretariat (provided by BirdLife International). For *Grus leucogeranus*, there was little reported change in population levels. More activities and better coordination was reported, the latter thanks to a CMS-funded coordinator. Nothing substantially new was reported on *Falco naumanni*. A draft memorandum of understanding on *Acrocephalus paludicola* had been circulated to Range States towards the end of 2001, and replies were received from about a dozen of them. A project on *Aythya nyroca* was under way, implemented by BirdLife and its partner organization in Bulgaria. A study project on *Oxyura leucocephala*, was ongoing.

59. Focal points for *Sarothrura ayresi* and *Hirundo atrocaerulea* were not present at the meeting; it was proposed to ask the South African delegation for more information upon arrival. A project for *Spheniscus humboldti* was approved at the last Scientific Council meeting, but funding had not yet been provided; it was agreed that this needed to be resolved as a matter of priority. Information on Andean flamingos had been difficult to gather for the current meeting, but the populations were believed to be stable. The outline memorandum of understanding between Range States was still pending.

60. Dr. Moser said with respect to the Ferruginous duck (*Aythya nyroca*) that Dr. Opermanis (Councillor for Latvia) had offered to act as focal point, and that his offer had been strongly endorsed by the Working Group. For the Lesser White-fronted Goose (*Anser erythropus*), a focal point was being sought to replace Dr. Madsen, who had resigned from the Council. The Group had asked the Appointed Councillor for birds to maintain oversight of those two species in the interim.

#### Summary

61. The Scientific Council took note of the report and agreed to its recommendations.

#### **4.2 Cooperative actions for Appendix II species (Recommendations 5.2 and 6.2 refer)**

62. The Deputy Executive Secretary introduced the discussion on the subject of cooperative action.

63. Dr. Devillers (Councillor for the European Community) explained that cooperative action had been intended to be a lighter instrument for species on Appendix II, corresponding to concerted action for those on Appendix I, in order to avoid a multiplication of agreements related to single species. Parties proposing cooperative action should indicate specific plans to be carried out and take responsibility in leading the proposed initiatives, which had not in principle happened.

64. The Council asked that the working group previously established to discuss the criteria for concerted actions should include cooperative action in their discussion and report back to the Council. The Working Group subsequently recommended the development of a similar document addressing cooperative action species as had been prepared for concerted action species, for discussion by the Scientific Council at its 12<sup>th</sup> Meeting. This was agreed by the Council.

65. The same taxonomic working groups already mentioned in relation to Concerted Actions (see para. 42) considered Cooperative Actions for individual species or groups, and reported later to plenary.



Terrestrial mammals

66. Dr. Pfeffer, recalling that the last meeting of the Scientific Council had called for a memorandum of understanding on the West and Central African populations of the African elephant and that the Council had appointed a focal point Councillor, said that no progress had been made because the focal point Councillor had been unable to attend the last two meetings of the Council. The Working Group had thus decided to recommend the convening of a meeting to prepare the memorandum of understanding. The meeting would bring together two individuals from each of the concerned Range States (Burkina Faso, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Gabon, Ghana, Guinea-Bissau, Nigeria, Senegal and Togo), one CMS Councillor and one government official. In that way, each country would be able to make a commitment to the proposals made. In addition, it proposed the nomination of a new focal point Councillor for the species, Mr. Namory Traoré (Councillor for Mali).

67. Dr. Pfeffer noted a lack of progress and stressed the need for cooperative action, and for Range States to reach a joint position on the ivory trade, which would be an important issue at the next meeting of CITES. He said that all Councillors who spoke in the working group had been opposed to resumption of the ivory trade. Mr. Ba (Councillor for Senegal) drew attention to the threat of the ivory trade to the West African elephant and said that while two Range States, Senegal and Burkina Faso, had taken some technical measures, there was a great need for support if action was to be effective. The Chair thanked Dr. Pfeffer for the update and suggested the matter of the ivory trade was best dealt within other forums.

Summary

68. The Scientific Council thus endorsed the preparation of a memorandum of understanding on the West and Central African populations of the African elephant. Noting that funds were required for the different projects on the species, it was proposed that a sum of \$15,000 should be requested, to complement matching funds from the Government of France.

69. A discussion ensued involving Councillors from the region; it was felt that CMS Councillors should attend such a meeting wherever possible, together with an elephant conservation specialist as appropriate. The opinion was expressed that some, if not all, States were unlikely to be able to sign any agreements during the course of such meetings. While the attendance of CMS Councillors would be desirable, it would be up to the States concerned to appoint appropriate representatives to attend a meeting, which would be of great importance.

Marine mammals and large fishes

70. It was reported that a CMS Workshop on the Conservation Status and Research Priorities of Aquatic Mammals in Latin America, to be held in Chile in October 2002, might give rise to proposals in respect of six Southern South American dolphins and porpoises. The Working Group had expressed the hope that it would lead to specific proposals for listing and for cooperative action.

71. The Philippines had announced that it intended to seek a regional memorandum of understanding involving the Appendix II listing of the Whale shark (*Rhincodon typus*), while India planned to host a workshop on Whale shark fisheries and trade in Whale shark products. No further information had been available concerning either the memorandum of understanding or the proposed workshop.

72. Dr. Perrin reported that, in line with the ongoing and planned activities in the South-East Asia region aimed at promoting a potential regional agreement (ScC11/Doc.8), the group recommended that the following species should be added to the list of species for cooperative actions: the porpoise *Neophocaena phocaenoides*; the dolphins *Sousa chinensis*, *Tursiops aduncus*, *Stenella attenuata*, *S. longirostris*, *Lagenodelphis hosei* and *Orcaella brevirostris*; and the Dugong *Dugong dugon*.

73. Dr. Blanke reported that the dramatic decline in 18 sturgeon species had not stopped, particularly around the Caspian Sea. Despite strict controls and a CITES listing in 1997, the illicit trade exceeded the licit by ten- or even twelve-fold. The ban on trade in sturgeon products by all Caspian littoral States except the Islamic Republic of Iran had been lifted earlier in 2002. Without trade in the products of this endangered but immensely valuable species, there would be no money for conservation work to mitigate the effects of threats such as habitat degradation, by-catch, over-fishing, pollution and the introduction of exotic sturgeon species. The Working Group felt that the CITES efforts should be given another three or four years and that the need for further regional, cooperative action should be considered by the Council at that point. Dr. Perrin pointed out that most sturgeon Range States were not Parties to CMS.

#### Summary

74. The Council took note of the report and supported the suggested listing of species for cooperative actions.

#### Marine Turtles

75. Dr. Limpus (Appointed Councillor) reported that the Working Group on Marine Turtles had not proposed any new species for concerted or for cooperative action.

#### Summary

76. The Scientific Council took note of the report.

#### Birds

77. Progress had been made in achieving action in support of *Crex crex*. For this species and *Coturnix coturnix coturnix*, it was decided to retain them on the list for cooperative action, but to put down a marker for the Eighth Meeting of the Conference of the Parties, where the matter of their continued listing could be discussed, in the context of the proposed review of the methodology of how species are designated for cooperative actions, or eventually removed from the list of cooperative action species.

78. *Cygnus melanocorypha* was still declining in Uruguay and Chile, despite evidence of an increase in breeding numbers in the latter. The Chair urged delegates from the Southern Cone countries, whilst they were present at the Scientific Council, to consider what could realistically be done for this species.

79. With regard to southern albatrosses and petrels, there had been considerable progress, particularly in the conclusion of the Agreement on the Conservation of Albatrosses and Petrels.

80. For *Spheniscus demersus*, in the absence of the Focal Point, Dr. Boere noted that the species was one of the coastal birds proposed by South Africa for inclusion in the AEW, a matter that would be dealt with at the forthcoming second Meeting of the Parties. It should remain on the list of species for cooperative action for the time being.

81. The group had finally recommended that the three grassland passerines proposed by the Government of Paraguay for listing in Appendix II (*Polystictus pectoralis pectoralis*, *Sporophila ruficollis*, *Pseudocolopteryx dinellianus*) be added to the list of species for cooperative actions, in case their inclusion in Appendix II was confirmed by the COP.

#### Summary

82. The Council took note of the report and supported the suggested listing of species for cooperative actions.

#### 4.3 Other resolutions and recommendations (not already covered under previous agenda items)

##### (a) Resolution 6.2: By-catch

83. Under agenda item 4.3 (a) the Chair recalled that the previous meeting of the Conference of the Parties had adopted a resolution on by-catch, which was one of the important problems confronted by migratory species.

84. The Deputy Executive Secretary commented that by-catch was a cross-cutting issue that affected a wide range of species, including seabirds, marine turtles and cetaceans. Resolution 6.2 (Cape Town, 1999) had given prominence to the issue, but not as much progress had been achieved as could have been wished for. The Convention had an important role to play in addressing by-catch, and it was also an issue that was important for many other organizations and fora, for example the Food and Agriculture Organization of the United Nations (FAO). It would figure prominently also in the International Fisheries Forum taking place in Hawaii in 2002, where CMS would be represented. The review of fishery-related bodies, prepared with funding from the Department for Environment, Food and Rural Affairs of the Government of the United Kingdom, and which was before the Council in document ScC11/Inf.6, was a useful study that could help the Council to pinpoint gaps and identify a niche for the Convention.

85. Mr. Tasker (observer for ASCOBANS) said that the review of fishery-related bodies had originated following the Tenth Meeting of the Scientific Council in an effort to understand what other bodies were doing in relation to the issue of by-catch. The study, which was based exclusively on research through the World Wide Web, had been quite a challenge and it was recognized that there would be missing information. All comments and additions were therefore welcome. He said that by-catch was the most important marine-human interaction. It was of primary importance to work alongside not only fishermen but also the bodies that were responsible for fishery regulation, in the case of ASCOBANS, the European Commission.

86. Dr. van Klaveren, speaking as the observer for ACCOBAMS, informed the Council that among the international implementation priorities adopted at the first Meeting of the Parties to ACCOBAMS were measures to combat the by-catch problem.

87. The Chair invited Appointed Councillors to express their opinion. Dr. Limpus (Appointed Councillor) agreed that by-catch was one of the main threats facing marine turtles, especially in the high-seas area, which was difficult to regulate. By-catch could signal the demise of some species and was undermining the conservation efforts of some countries. He raised the issue of lost and discarded nets, which continued to result in by-catch (known as ghost fishing) and was often not addressed. Dr. Perrin (Appointed Councillor) commented that WWF had recently held an expert consultation that had concluded that by-catch was the primary conservation threat to small cetaceans, and this had also been the conclusion of a workshop recently organized with funding from CMS in South-East Asia. Mr. Ichida (Appointed Councillor) informed the meeting that modest progress had been made in developing relations with certain countries practicing long-line fishing in South-East Asia, with a view to devising a strategy to resolve the problem of by-catch. Dr. Perrin raised the unnerving aspect to the problem that by-catch was evolving into directed catch, and a main source of protein in some areas, as a result of food insecurity.

88. Mr. Baker (Councillor for Australia) said that by-catch was not restricted to long-line fishing but affected other fishing also, including trawl fishing. By-catch resulting from long-line fishing was the greatest threat faced by albatrosses and petrels. Mr. Ba (Councillor for Senegal) commented that by-catch in Senegal resulted in a catch of some 50 turtles a day. He felt that the use of turtle excluder devices should be fostered, and that there was a need for greater capacity to measure the extent of the problem. Mr. Moumouni (Councillor for Togo) informed the meeting that his Government was providing financial compensation to fishermen to mend nets damaged as a result of turtle by-catch, providing they brought in a live turtle. However, the programme would soon cease for lack of funding.

89. Dr. Wolff (Councillor for the Netherlands) considered that addressing by-catch as a general phenomenon would not be sufficient to tackle the problem with the needed efficiency. It existed in many different forms, affecting different species, resulting from different types of fishing, and arising in different geographical areas. While CMS addressed migratory species, other bodies dealt with other species. The problem therefore needed to be divided into areas, for example by species or type of fishing.

90. The Chair, noting that by-catch was a serious problem affecting many areas, considered that the focus should remain on species listed in Appendices I and II. A working group was established, chaired by the representative of ASCOBANS, to consider document /ScC11/Inf.6, the possible roles of the Scientific Council and the Convention on Migratory Species, progress in implementation of Resolution 6.2, and a possible recommendation of the Scientific Council to the Conference of the Parties.

91. Reporting later on progress in the work of the group, Mr. Tasker (observer for ASCOBANS) introduced a draft paper containing, inter alia, points which the Council might wish to recommend to the Conference of the Parties. The Group had identified the following areas as ones in which significant problems were suspected but reliable information was lacking: the impact of artisanal fisheries generally; cetaceans in West Africa and South, South-East and East Asia; the impact of long-line fisheries on marine turtles in the Pacific and on Olive ridley turtles in South Asia; birds in South America and the impact on them of gillnet fisheries in the northern hemisphere; and the impact of all fisheries on sharks and rays. However, he noted that Resolution 6.2 (Cape Town, 1999) had seen little implementation and a new resolution would contain much that simply reaffirmed that resolution. Hence, a more focused recommendation might be more appropriate.

92. The Chair expressed the Council's gratitude to Mr. Tasker for the work he had accomplished and requested that the Working Group should continue and should appoint a rapporteur to continue that work in Mr. Tasker's absence.

93. At the 7th plenary session, on 17 September, Mr. Baker (Councillor for Australia) introduced on behalf of the Working Group a revised paper, reflecting the final version of the discussion in the Group. A draft recommendation, on ways to reduce by-catch, for the attention of the Conference of the Parties was appended to the report.

94. Dr. Schlatter expressed hope that the recommendation could be instrumental in bringing about a change in fishing practices. Mr. Ba stressed the importance of the recommendation, particularly in light of the problems faced by marine turtles. Mr. Pritchard (observer from BirdLife International) welcomed the recommendation as an example of positive follow-up to a previous decision by the Conference of the Parties.

#### Summary

95. The Scientific Council approved the draft recommendation, on the understanding that there might be further drafting amendments to the recommendation, which would not impact on its substance, prior to its submission to the Seventh Meeting of the Conference of the Parties.

96. On behalf of the Council, the Chair expressed thanks to the members of the Working Group, whose report is contained in Annex VIII to the present report (ScC Report Annex VIII).

### **(b) Resolution 6.4: Strategic Plan for 2000-2005**

#### **(c) Performance indicators (in relation to Resolution 6.4)**

97. The meeting decided to combine the consideration of the above two subitems of the agenda. Under agenda item 4.3 (b), the Deputy Executive Secretary introduced document UNEP/CMS/Conf.7.10 on the review of implementation of the Strategic Plan for the period 2000-2005. The performance indicators in

that document had been modified following the 10th Meeting of the Scientific Council and had also benefited from the work of the Standing Committee's Performance Working Group. He emphasized that it was not enough to report on activities and it was more pertinent to look at the outcomes and results of those activities.

98. Concerning agenda item 4.3 (c), the Chair of the Performance Indicators Working Group established at the Tenth Meeting of the Scientific Council stated that the Group had identified two levels of indicators: effective conservation of migratory species, and functioning of the Scientific Council. Dr. Devillers (Councillor for the European Community) urged that only direct indicators were of any importance, and that indirect indicators should be set aside. The issue was to identify objectives and to agree on the way to measure the success in achieving them.

99. Dr. van Klaveren (Councillor for Monaco) pointed to the need to develop mid-term performance indicators and to establish links with relevant Agreements.

100. Dr. Moser added that, as in the taxonomic Working Group on Birds, there was a feeling of frustration with using the Strategic Plan to measure the success of the Convention in attaining its objectives. The Scientific Council required clear objectives and targets with which to measure progress, and it had become apparent that there was a gap in the tools available, since the Strategic Plan adopted by the Conference of the Parties in Cape Town was largely operational rather than strategic. The huge number of species, and also the vast areas that must be covered, required the Scientific Council to move towards a much more strategic approach by taxon, by region and by threat, a thought which should be reflected in the discussions concerning structure and modus operandi of the Council. The Chair endorsed this approach.

101. The Chair suggested that greater use might be made of the appointed Councillors in carrying out the detailed, operational work and in developing a forward strategy so as to enable the Council to make the best possible use of its time.

### Summary

102. The Performance Indicators Working Group was re-established under the chair of Dr. Bagine (Councillor for Kenya) to review the performance indicators contained in the Strategic Plan and revise them as necessary, bearing in mind the need to base the indicators on reality and to take into account the medium- as well as the long-term view.

### Report of the Indicators Working Group

103. Dr. Bagine (Councillor for Kenya) introduced the report of the Working Group, recalling that the Group had been asked to review and comment on the Strategic Plan 2000-2005 in relation to the performance indicators identified in the Plan. The Group had focused also on the existing indicators and strategy for each taxonomic group. Also, it had addressed CMS-funded projects.

104. The Working Group had concluded that document UNEP/CMS/Conf.7.10, "Review of implementation of the Strategic Plan 2000-2005", did not provide an adequate evaluation of the conservation and scientific work under the Convention because, first, a large amount of information available from projects and activities in document form had not been included in the summary table; second, the outcomes of many proposed actions had not been, or could not be, determined; third, some of the indicators which had been identified in document UNEP/CMS/Conf.7.19, "Performance Indicators for the Convention on Migratory Species (CMS)", had not been used; and fourth, deadlines for actions to be taken had not been specified.

105. The Working Group had found that the existing indicators could be divided into two categories: those which related to the functioning of the Convention, and which should be primarily the responsibility

of the Standing Committee; and those relating to the changing conservation status of migratory species, which were those of prime concern to the Scientific Council.

106. In that connection, the Working Group recommended that the new Information Management System discussed under agenda item 4.3 (d) should be used to provide the Council with necessary and up-to-date information.

107. The Working Group recommended also that a series of indicators should be developed concerning pressures and threats on migratory species. In that connection, the Chair recalled that at its 10th meeting the Scientific Council had requested the taxonomic working groups to develop lists of pressures and threats. There, the Birds Working Group had identified habitat loss and fragmentation; habitat degradation; climate change; human-induced mortality; alien species; and disease as major threat categories, which could be further refined depending on the cause of pressure, on the stage of the annual cycle and on biotope.

108. The Working Group had identified the lack of a clearly defined strategy which identified goals, priorities, milestones and targets for the taxa of interest as a major constraint in the use of indicators and recommended that such a strategy should be developed, through a workshop, and presented to the Council at its 12th meeting. The strategy should be based primarily on taxonomic groups but would need to be integrated with regard to regional priorities and threats/pressures.

109. The Working Group had further concluded that improvements needed to be made in the management of CMS-funded projects: the projects funded must address priorities; those priorities must be identified within a defined strategy; projects should be prepared and managed according to a well-defined procedure; and that procedure must provide a clear definition of expected outcomes and short- and long-term targets against which to measure performance.

110. Given the substantive issues to be addressed, particularly the development of the strategy, the Working Group's final recommendation was that it itself should be continued throughout the coming triennium and work intersessionally also.

111. The Deputy Executive Secretary explained that document UNEP/CMS/Conf.7.10 had in fact been developed some time previously in consultation with the Standing Committee and the Council itself. The Secretariat had highlighted the need for input to the document, which it had now received as a result of its first real scrutiny, by the Working Group. That input had shown that the Strategic Plan would benefit from a thorough reworking prior to the Eighth Meeting of the Conference of the Parties, in particular "Sub-strategies" for each taxonomic group should be developed, perhaps by specialist consultants.

#### Summary

112. The Chair took it that the Council wanted a workshop to be organized as the Working Group had recommended to carry forward the work of developing a scientific strategy and also other matters to do with the modus operandi of the Council. The Indicators Working Group would thus continue through to the workshop and beyond to the 12th Meeting of the Council.

#### **(d) Resolution 6.5: Information Management Plan and National Reporting**

113. The Deputy Executive Secretary, introducing documents UNEP/CMS/Conf.7.6, 7.6.1 and 7.6.2, explained that the revised format for national reports had been introduced, initially on a trial basis, with a view to lightening the reporting burden on States and increasing the response rate, currently only around 50 per cent. That poor response rate made the process of synthesizing national reports difficult. The new format was to be put forward for adoption by the Seventh Meeting of the Conference of the Parties.

114. He described the work being done by WCMC to develop a web-based information system, noting that it was a very positive development to be able to pull in information not only from Party reports but

also from the WCMC and linked databases. However, he expressed concern in relation to accessibility for those with no, difficult or slow Internet access.

115. Two Councillors representing African countries urged that the question of Internet access should be included within the context of CMS capacity-building activities and wondered if the prototype CMS information system (available through URL <http://www.unep-wcmc.org/cms/ims.htm>) could be made available on CD-ROM.

116. Mr. Fragoso (UNEP-WCMC) gave a detailed Powerpoint presentation on the prototype system and explained that, as it was a node of linked databases and of links to databases rather than a stand-alone database, there were practical problems and copyright issues which precluded its being published in the form of a CD-ROM at this stage.

117. Within the CMS information system database were included, *inter alia*, the compiled and synthesized Party reports from 1988 on. In that regard, reports produced using the new format were designed to be easier to integrate into the information system. He pointed also to the linked electronic library which included “grey” literature, such as action plans, which had been provided by focal points and by other multilateral environmental agreements. He demonstrated many of the system’s capabilities, including a function which provided the number of countries and the number of CMS Member States in the range of a particular species, and their names in up to 30 languages. He confirmed that a feedback mechanism existed for correcting errors and omissions.

#### Summary

118. The presentation and the system were warmly welcomed and WCMC was commended on its initiative. It was pointed out that the system would have relevance for the modus operandi of the Council and the Secretariat was requested to look into ways and means of making it directly available to Councillors at future sessions in order to assist them in their work. It was agreed that the system would be even more useful if it was also made available with its interface in the other CMS official languages.

### **V. REVIEW OF THE MODUS OPERANDI OF THE CMS SCIENTIFIC COUNCIL**

119. The Chair introduced document ScC11/Doc.5, “The Scientific Council of CMS: Future Working Practice”, emphasizing that in his view the Council must retain a taxonomic focus without losing its holistic approach. The Council should also maximize its effectiveness and efficiency within its budget. In preparing the document, the Chair had looked at models provided by similar bodies under other conventions, and had looked at clarifying the respective roles and responsibilities of the delegates, the Chair and the Vice-Chair. He had come to the conclusion that no structural change per se was desirable or even practical, though there was a need to consider what could be accomplished in the meetings of the Council and what might be done intersessionally.

120. Positive changes in ways of working and in the allocation of roles and responsibilities among the Councillors and the Specialist Advisor Councillors might be made. The Chair singled out the lack of awareness and appreciation of the collective expertise available within and to the Council as a particular problem. With the increase in the number of Parties and in the number of species, the work of the Council had become more demanding and complex, leading to greater pressure of work on the Chair and the Councillors. The problem of funding specialist advisors’ travel also created a limitation on the capacity of individuals to fulfil their responsibilities.

121. Mr. Tasker (observer for ASCOBANS) commented that greater links between the Scientific Council and the daughter Agreements would be desirable. Mr. Mungroo (observer for AEWa) thanked the CMS Secretariat for having invited the Technical Committee of AEWa to attend the meeting of the Council and said that he would encourage greater cooperation between the two bodies. Dr. Davidson (observer for the Ramsar Bureau) noted that the structure of the equivalent body under that Convention

was very different. The model under CMS had the potential to provide a greater source of scientific expertise. The Chair agreed that the Council and the daughter Agreements under CMS shared common scientific issues, and that the daughter Agreements should be closely involved in the discussions of the Council. Dr. Limpus (Appointed Councillor) also supported strengthened links between the Council and the memoranda of understanding under the Convention. Dr. van Klaveren, speaking as the observer for ACCOBAMS, emphasized the need to strengthen the links between Scientific Councillors and CMS Focal Points and their equivalents in the CMS daughter Agreements.

### Summary

122. The Chair asked the Secretariat to consider how greater links might be created so as to encourage such cooperative action and opportunities for synergy.

123. The meeting agreed that certain non-governmental organizations possessed valuable expertise and expert networks on which the Council should draw when and as appropriate and to a greater extent in the future. However, the Council must state its requirements clearly.

124. The meeting agreed that the item would be considered by both the taxonomic Working Groups and the regional Working Groups, and that a working group on the modus operandi of the Council would subsequently be set up if deemed necessary.

### Reports of the Regional Working Groups

125. The convenors or rapporteurs of the regional working groups reported to the plenary meeting of the Scientific Council on the results of the deliberations in their groups to address the following five issues:

1. Review of the modus operandi of the CMS Scientific Council;
2. How to combine regional and taxonomical priorities;
3. How to maintain the momentum of the CMS process in each region;
4. Regional issues/activities to be highlighted for the Council;
5. Possible new agreements/memoranda of understanding.

### Regional Working Group for Asia/Oceania

126. Mr. Ichida (Appointed Councillor), convenor, reported on the work of the group, which had comprised Councillors from Australia, Mongolia, Sri Lanka, Uzbekistan, and from a non-governmental organization, BirdLife International.

127. Concerning point 1, the group had stressed the importance of increasing the public awareness in the region and encouraging involvement in CMS activities. Many countries of the region were not party to CMS, and it was considered that a regional meeting should be organized by CMS, to invite those countries to discuss the conservation of migratory species of wild animals. Regional agreements on conservation of dugongs and small cetaceans, as well as migratory bird species could be included in the discussion. The issue of by-catch was also important.

128. With regard to point 2, communication among Council members and exchange of information were considered to be very important. On point 3, the Workshop on the Biology and Conservation of Small Cetaceans and Dugongs of South-East Asia, held in the Philippines in 2002 and a draft Regional Agreement on the Small Cetaceans and Dugongs of South-East Asia, both described in document ScC11/Doc.17 constituted a key initiative to maintain the momentum of CMS in the region. Several flyway programmes had also been developed by Wetlands International, and it was important for CMS to work more closely with those activities.



129. Concerning point 4, the promotion of awareness and understanding of CMS was considered important, and a start should be made by launching some conservation projects, choosing appropriate flagship species.

130. On point 5, in addition to the proposed agreement on cetaceans and dugongs, there was a need for a regional agreement on the Snow leopard (*Uncia uncia*), and for a memorandum of understanding on the Central Asia and India Flyway. Because of the great decline in the breeding population of the Great bustard (*Otis tarda*), particularly in China, there was a need for cooperation on the conservation of the species.

131. The Deputy Executive Secretary said that the Secretariat had been in contact with the regional office of Wetlands International, as well as the ASEAN Secretariat, with a view to organizing a regional workshop in Indonesia, focusing on the migratory species of the region and encouraging the involvement of the countries of the region that were not yet party to CMS.

132. On behalf of the Council, the Chair expressed thanks to the members of the working group.

#### Regional Working Group for Africa

133. Mr. Ba (Councillor for Senegal), rapporteur of the working group, which was chaired by Mr. John Mshelbwala (Councillor for Nigeria), reported on the work of the group. Concerning point 1 of the suggested considerations, discussions had shown that a regional meeting at least once a year was needed, and one should be held before the Eighth Meeting of the Conference of the Parties. It was necessary to set up a coordination mechanism to facilitate the regional meeting. In that respect, the Secretariat should look at the practical modalities and the financial implications which had to be taken into account.

134. Concerning point 2, it was considered that each Councillor, in coordination with other competent partners, should draw up an inventory of activities, taking account of the regional priorities. Members of the group had reiterated the need for regional strategies and interests for the conservation of migratory species in the region to guide all scientific projects to be considered for implementation. There should be proper coordination between the appointed Councillors and national Councillors in the pursuance of the convention objectives with regard to taxonomic issues. The group had mandated each Councillor to submit priority projects and to elaborate strategies and programmes relevant for the conservation of identified species.

135. Concerning point 3, members of the group were unanimous in their commitment to maintain the momentum and to implement the decisions taken, and were prepared to encourage neighbouring non-Party States to join the Convention to enhance the conservation of migratory species. The group emphasized the need for in-country capacity-building and means to help the Councillors perform their role effectively. Councillors were also encouraged to promote the Convention in their respective countries through policy makers and government agents. That could be done through the inclusion of high-level government agents (Members of Parliament, Senators etc.) in the country's delegation to the Conference of the Parties. Councillors were urged to develop project proposals for implementation in the region. The group considered that the presence of other agencies such as Wetlands International should be exploited to enhance the effectiveness of project implementation for the conservation of migratory species.

136. With regard to point 4, one of the constraints of the region was the lack of a regional officer in the Secretariat and members of the group stressed the need for that position to be funded and filled immediately, even if that meant an additional financial responsibility for the Parties. The Chair of the working group, Mr. Mshelbwala, underscored the need for the funding of an officer to coordinate activities in the region.

137. Also concerning point 4, the group had pointed to the low level of implementation and follow-up of projects in the region and the lack of political will. It was thus necessary to enhance the awareness of decision makers.

138. Concerning point 5, the members of the group were unanimous in supporting the decision of the 10th Meeting of the Scientific Council on the need for West and Central African Range States of the African elephant to develop a memorandum of agreement on the conservation of the species. Moreover, the African region needed to identify a common position on the species for the next meeting of CITES, in November 2002. Dr. Mshelbwala considered that the lack of progress in developing a memorandum of understanding on the species was a result of the fact that the regional officer post had not been filled.

139. The Deputy Executive Secretary recalled that several CMS workshops and meetings had been held in the region, and a number of Agreements were operational. As Ramsar and AEWA were also very active in the region, it might be possible to convene joint workshops of relevance to CMS and those instruments. He pointed out that, additionally, the core budget of CMS currently provided for the convening of one intersessional meeting in each region. On the question of a liaison officer for the region, he recalled that the Secretariat had been trying for a number of years to have a Junior Professional Officer (JPO) post filled within the Secretariat through voluntary contributions. He stressed that the Secretariat was trying again, through the proposed budget for 2003-2005, to bring this to fruition or, failing that, to fill the post through the CMS Trust Fund.

140. On behalf of the Council, the Chair expressed thanks to the members of the Working Group.

#### Regional Working Group for Latin America and the Caribbean

141. Dr. Schlatter (Appointed Councillor), convenor, reported on the work of the group. Concerning point 1, the group believed that it was necessary to support the functions of the regional Scientific Councillor, who was the active link to CMS. It was necessary to improve and promote the communications between scientific and administrative focal points and the designated Councillor, so that projects and reports for CMS could be previewed by the designated regional Councillor. An organigram was needed, showing the institutional set-up in each country. CMS National Committees should be set up, involving institutions that have potential links to CMS subjects. Starting from the National Committees, it was necessary to draw up a national strategy for CMS.

142. Concerning point 2, the group had underlined the need for improved communication between the Parties of the region and CMS. A good way of improving links was the presentation and development of projects, concerted actions and memoranda of understanding on migratory species which involved more than one country. That process was not being fully developed. The flamingo project between four countries had become a model of integration for a group of Appendix I species and a memorandum of understanding was being developed. Recently, with support from the Netherlands, a project on aquatic birds of the Pacific Flyway showed important potential for involving many countries of North, Central and South America.

143. With regard to point 3, technical meetings in the region were crucial and needed to be held at least every two years. Such meetings had been held in Chile (1997), Uruguay (1999) and Peru (2001), bringing together representatives of Governments and various international organizations of relevance to the CMS. The meetings were not costly, and funds existed for such technical meetings. There was also a possibility of sharing the costs with other relevant conventions.

144. Concerning point 4, it was necessary to analyse the current problems of the region in its communications with CMS and to promote appropriate coordination to improve the efficiency of CMS in both Parties and non-Parties. Information was needed on what CMS proposed to do in the region. And there should be increased cooperation with other international organizations of relevance to CMS, including Ramsar, BirdLife International, Wetlands International, and WWF, which could strengthen activities for migratory species.

145. With regard to point 5, although questions of political will still needed to be resolved, draft agreements could be prepared for small cetaceans; marine otters and sealions; and the South Andean deer (Heumul). Grassland birds and freshwater birds, including swans, geese, ducks, flamingos, coots and herons, could all benefit from studies and research. In addition, the America Pacific Flyway “Wetlands and Birds of the Americas” could be the subject of an AEWA-type agreement.

146. Mr. Wołoszyn (Councillor for Poland) asked whether steps had been undertaken to approach Cuba, which was not a Party, but which was important for many migratory species of the region, with a view to cooperation with CMS. The Deputy Executive Secretary explained that the Secretariat had already contacted Cuba in connection with its possible participation in CMS activities.

147. On the question of lack of progress in some of the CMS activities for the region, the Deputy Executive Secretary pointed to the fact that the post of Information Officer, with regional responsibilities, had been vacant since early 2002. The Secretariat currently attached high priority to the filling of that post and to rebuilding its links with the region. The induction of new members for the region on the Standing Committee of CMS also offered a chance to explore new ideas on CMS activities.

148. On behalf of the Council, the Chair expressed thanks to the members of the Working Group.

#### Regional Working Group for Europe

149. Dr. Wolff (Councillor for the Netherlands), convenor, reported on the work of the group. Concerning point 1, the group had considered that National Committees for CMS gave important input into the work of CMS and thus had to be promoted. However, it had been found that they sometimes lacked Government input. In this connection, one country had identified problems of poor contact between its focal point and its National Committee. The group believed that the scientific independence of Councillors was of key importance.

150. With regard to point 2, the group considered that working groups were a sound idea and the only way to tackle both regional and taxonomic issues, but in that respect there was a need to be flexible to enable Councillors to engage with a range of issues.

151. Concerning point 3, the group believed that CMS momentum could be maintained by promoting and undertaking actions, and demonstrating their success through appropriate indicators, as well as by encouraging Range States to be members of Agreements by showing the added value of such Agreements.

152. Concerning point 4, the group pointed to the need to promote membership of Agreements and CMS in Europe; to consider the extension of ASCOBANS to the rest of the United Kingdom and to Irish waters, and to the Atlantic coast of France and Spain; to consider the extension of ACCOBAMS to Portuguese waters; to promote the Europe-Iceland-Greenland-Canada flyway (with the Greenland white-fronted goose) through AEWA; to take substantive action to reduce small cetacean by-catch by inclusion within the European Union Common Fisheries Policy; to avoid having memoranda of understanding that overlapped with existing agreements; to assist European Union candidate countries, which were investing time and effort in accession to the Union and which needed to be made aware of the importance of CMS conservation activities in the region; and to finalise and operationalize the CMS-CITES memorandum of understanding.

153. Dr. van Klaveren (observer from ACCOBAMS) commented that the report of the regional working group for Europe highlighted the need for better circulation of information at national level, to foster awareness of obligations under the Convention. She also informed the Council that Portugal might consider extending the scope of ACCOBAMS to its Atlantic coast.

154. Mr. Wołoszyn (Councillor for Poland) noted the importance of Central and Eastern Europe for many species and informed the Council that experts of six countries were developing the ABC Programme to produce an atlas of bats of the Carpathians.

155. On behalf of the Council, the Chair expressed thanks to the members of the Working Group.

### Summary

156. The Chair, commenting on the reports of all the regional working groups, said it was clear that the overall profile of the Scientific Council had to rise in all regions, that new Parties must be encouraged to join and that staffing levels needed to be examined. He said there was great value in the integrity of the Council, as giving each region the opportunity to learn from the experiences of others. The reports had also pointed up the need for continuing contact among members, for intersessional activity and for the active efforts of the Chair, Councillors and the Secretariat to make sure things happened on time. As CMS matured, the Council needed to develop its ways of working with a view to greater clarity, and to become less ad hoc in its work within the regions and more strategic in its approach. The meeting agreed to this and re-iterated the need for a strategy document and for a pack of information outlining how the Council functions.

### Report of the Working Group on the Modus Operandi of the CMS Scientific Council

157. The Councillor for Nigeria, Chair of the Working Group on the modus operandi of the Council, reported that the Group had achieved consensus.

158. The Councillor for the Netherlands, Rapporteur of the Working Group, reported that all the Regional Groups – Africa, Asia/Oceania, Latin America and Europe – had tacitly accepted the concept of thematic working groups and had welcomed the concept of regional working groups. Asia/Oceania and Latin America had welcomed them as a means to attract new Parties to CMS and to agreements through regionally organized, intersessional meetings. All regions had welcomed the concept of regional working groups as a means to exchange regional information. However, the European group at one end of the scale would be satisfied with a meeting of its Regional Working Group during the period when the Council itself was meeting, while the African group felt a much greater need for meetings. It had advocated a regional structure with intersessional meetings to be held in the region in order to overcome any communications difficulties. The Latin American group already had experience with regional meetings and found them very useful.

159. It had been suggested in connection with the regional working groups that the number of Vice-Chairs of the Council might be increased to four, selected from the different regions.

160. A comment had been received that Appointed Councillors, whose role was in general highly appreciated, should ensure clear communications with the national Councillors on regional and thematic matters. *Mutatis mutandis*, the reverse was also true.

161. Dr. Perrin emphasized that the principle of the independent scientist is key to the work of the Council. The Chair took it that in elaborating the functions of national Councillors, the Working Group would ensure that scientific independence of Councillors was preserved.

162. Dr. Perrin said that in addition to regional and taxonomic working groups there could be clear consideration of cross-cutting issues such as by-catch and barriers to migration; it should be part of the strategy to have clear, limited and easy-to-monitor mandates. Such an approach would have the advantage that from an outsider's point of view they would offer a clear illustration of the relationship between CMS activities and the human and development impact on species.

163. Dr. Perrin noted that the participation of ASCOBANS had been very helpful and called for it to be continued in the future, including intersessionally, and called upon the Secretariat to facilitate such intersessional participation and cooperation.

164. He noted that members of the Working Group on Marine Mammals and Large Fishes had expressed dissatisfaction with the timeliness of some document production before the current session of

the Council and suggested that deadlines should be imposed for submissions from Councillors and others, and for those deadlines to be observed. The Working Group believed that a taxonomically oriented strategy focussing also on cross-cutting themes would be helpful and could lead to better indicators of success than the current, operationally oriented approach, which it felt was rather unfocused.

### Summary

165. The Council adopted the Chair's suggestion that the Secretariat should develop an information pack on the work of the Council concerning its modus operandi and setting out project listings, terms for concerted and cooperative actions, what it expected of its councillors, what it expected of its officers and what it expected of the Secretariat. Such an information pack would be particularly useful to new Council members.

166. The Chair thanked the Working Group and others involved in the work on the modus operandi of the Council. He concluded that the Council wished to establish regional, taxonomic and cross-cutting working groups with simple, clear and focused mandates. Towards that end, a workshop on strategy would be required before the 12th Meeting to develop a draft strategy, indicators and other matters of relevance to the modus operandi of the Council.

## **VI. REVIEW OF PROPOSALS FOR AMENDMENTS TO APPENDICES I AND II OF THE CONVENTION**

### **(a) Implications for CMS of the New IUCN Red List Categories and Criteria**

167. Mr. Baker (Councillor for Australia) introduced a report on the Implications of the IUCN Listing Criteria for CMS (ScC11/Doc.6). The IUCN Red List, a global standard for conservation assessment reports, had been the subject of an extensive review of its categories and criteria. The report proposed that CMS regard the IUCN listings as guidance for decisions on which species should be placed in Appendix I, and as providing some guidance for listings in Appendix II.

168. The Chair drew attention to the recommendation, which would align the IUCN categories "Critically Endangered" and "Endangered" with CMS Appendix I and IUCN categories "Near Threatened" and "Vulnerable" with Appendix II.

169. Dr. Devillers (Councillor for the European Community) said it should be made clear that guidelines were only guidelines and that listings in the CMS Appendices were a matter for sovereign decisions.

170. Dr. Wolff (Councillor for the Netherlands) questioned a proposal that species in the IUCN "Data Deficient" assessment group might be brought under an international agreement. If there were no data it was not possible to draw any conclusions, he said. Mr. Baker said that such a listing might happen when the data were not quite enough for a definite conclusion. Dr. Perrin (Appointed Councillor) stressed that "Data Deficient" was not a category of threat.

171. The Council established a working group to consider issues raised in the discussion and to report back to the Council.

172. At the third plenary session, on 15 September 2002, Dr. Moser (Appointed Councillor) asked for clarification that during the present meeting taxonomic working groups would continue to follow the Council's established procedures, unaffected by proposals with respect to the IUCN Red List.

173. The Chair concurred and noted that there were two schools of thought about the procedure needed with respect to the IUCN Red List. One view was that it was an internal matter for the Scientific Council what use it made of the IUCN list, and there was no need to bring the matter before the Conference of the Parties. The other view was that the matter was of such importance that the Council ought to make sure

the Conference of the Parties was fully informed. His view was that the latter was necessary and he would raise this in his report to the Conference of the Parties.

174. Mr. Baker (Councillor for Australia), convenor of the Working Group, subsequently reported that, as a result of its discussions, the group had produced a revised version of the report on the implications of the IUCN listing criteria for CMS, which was available as document ScC11/Doc.6 (Rev.2). He briefly described the main changes to the document, explaining that in a number of cases the changes had been made in order to reinforce the Scientific Council's flexibility in determining the most appropriate listing for species. He thanked all members of the working group for their constructive work and commended the paper for adoption by the Scientific Council.

#### Summary

175. The Scientific Council approved the revised report on the implications of the IUCN listing criteria for CMS, as contained in document ScC11/Doc.6 (Rev.2), for transmission to the Seventh Meeting of the Conference of the Parties. The report is contained in Annex IX to the present report (ScC Report Annex IX).

176. On behalf of the Council, the Chair expressed thanks to all members of the group for their constructive efforts, and to the convener Mr. Baker.

### **(b) Discussion and evaluation of amendment proposals**

#### **(c) Conclusions and recommendations to the Conference of the Parties**

177. The meeting considered the above subitems together.

178. The Chair introduced the item on the review of proposals for amendments to Appendices I and II of the Convention, and noted that a summary of the proposals was contained in document UNEP/CMS/Conf.7.12. He suggested that the review by the Council should be conducted taxon by taxon.

#### Marine mammals and large fishes

179. Dr. Perrin summarised the deliberations of the Working Group on six proposals submitted by Australia for additions to Appendices I and II for great whales.

180. The proposal for listing the Antarctic minke whale (*Balaenoptera bonaerensis*) on Appendices I and II contained a number of technical errors resulting from confounding of the two species of Minke whale (*B. bonaerensis* and *B. acutorostrata*), which had largely been corrected in a revised document that Australia submitted to the Secretariat and which had been reproduced on Australia's request for the purposes of the Working Group. The species was considered to be migratory and subject to a range of threats. The Group therefore endorsed the proposal that it should be added to Appendix II.

181. In respect of the proposal to list the species on Appendix I of the Convention, the Working Group had held an extensive discussion, but had been unable to reach consensus. Most of the Councillors believed that, although no figures were available on the population size, it was in the order of magnitude of half a million, and exploitation amounting to a few hundred per year was not unsustainable. In addition, the species was protected under IWC and listed in Appendix I of CITES. If future exploitation was allowed, quotas would be in accordance with the IWC Revised Management Procedure. A lack of confidence in the effectiveness of that procedure had been expressed noting that there were considerable uncertainties about populations trends and the species was subject to a range of threats owing to its aquatic habitat. A view was expressed that the species should be listed on Appendix I as a precautionary measure. No consensus was reached on this point.

182. In considering the proposal to include Bryde's whale (*Balaenoptera edeni*) on Appendices I and II, Dr. Perrin said that the Working Group had considered that the proposal did not sufficiently cover the complicated taxonomic position of the "species", which was now considered to consist of two species. However, the Group had concluded that all units embraced by the name *B. edeni* were migratory and would benefit from cooperative conservation measures. It endorsed the proposal to list the species on Appendix II.

183. With regard to the proposed listing on Appendix I, the Working Group had faced a similar situation as during its consideration of the proposal for the Minke whale. While the species was data-deficient, there was no indication that it was either depleted or endangered. The exploitation of a few animals per year was not likely to be unsustainable, and IWC and CITES offered protection. Other Councillors had felt that the species was subject to a range of threats as a result of its marine habitat and that listing should be recommended as a precautionary measure. No consensus was attained in the working group.

184. In response to a question from the Chair, Dr. Perrin confirmed that he agreed with the majority view from the working group.

185. In respect of the Fin whale (*Balaenoptera physalus*), the Working Group considered that the species was migratory, highly depleted and classified as endangered by IUCN and could be endorsed for listing on both Appendix I and Appendix II. The Group noted that the proposal by Australia did not include complete lists of existing international protection instruments and Range States.

186. The case of the Sei whale (*Balaenoptera borealis*) was considered to be very similar to that of the Fin Whale and was also endorsed for listing on Appendices I and II.

187. The Working Group noted that it had no information on migratory movements of the Pygmy right whale (*Caperea marginata*). However, seasonal strandings in Australia and South Africa and occurrence in the Antarctic in the austral summer indicated that it was likely to be a migratory species. There was no information regarding population size. The species faced indirect threats because of living in the ocean and could profit from regional protective measures; it was therefore endorsed for listing on Appendix II.

188. Some Councillors felt that, while the species was classified by IUCN as data deficient, there was no compelling reason for listing it on Appendix I as the species had never been hunted commercially. Others considered its rarity and its habitat to be sufficient reason to include it on Appendix I. There was therefore no consensus on this point.

189. In response to a question from the Chair, Dr. Perrin confirmed that he agreed with the majority view of the Working Group.

190. In respect of the proposal for listing of the Sperm whale (*Physeter macrocephalus*), Dr. Perrin recalled the agreement of the Sixth Meeting of the Conference of the Parties that the names *Physeter catodon* and *P. macrocephalus* concerned the same species and the latter name should be used. The Working Group had noted that the species was migratory and was classified as vulnerable rather than endangered by IUCN. A view was expressed noting concerns that the species was endangered. Despite major efforts by IWC, there were no reliable indications of population size. Given this particular case, the Working Group endorsed the proposal to list the species on Appendices I and II.

191. The proposal to list on Appendix II all populations of the Killer whale (*Orcinus orca*), some populations of which were already listed, was endorsed by the Working Group as all the populations were migratory and could profit from cooperative protective measures.

192. The Chair raised concern over the lack of consensus and expressed the view that the Scientific Council was under an obligation to render advice to the Conference of the Parties, even if note was made that the position of the Council had not been unanimous. This view was supported by Dr. Devillers (Councillor for the European Community). The meeting therefore agreed by majority that the proposals

endorsed by the majority of the Working Group, as reported to the Council by Dr. Perrin, would be transmitted to the Conference of the Parties.

### Summary

193. The Chair summarised the deliberations as follows:

In relation to a few proposals, relating to some of the whale species, the proposals appeared to contain some key data and information gaps as well as a number of technical inaccuracies. The Council formed a working group to consider these proposals, chaired by the Appointed Councillor for Marine Mammals. This working group was however unable to reach a consensus view on how to proceed. The Council was therefore guided in particular by the Appointed Councillor and by the Chairman of the Council, who considered that where there were clear information gaps and technical inaccuracies. The Council could not advise the Conference of the Parties to support these particular proposals at this time. This was a majority view of the Scientific Council. The Council was, however, aware of the conservation needs of the species concerned and was keen that their view on this matter was not seen by the Conference of the Parties or indeed by others as downplaying in any sense the conservation needs of the species concerned. The species remain proposed for listing on Appendix II which left the way open for regional cooperative action. In addition the Council had supported listing on Appendix I and on Appendix II for a number of whale species and remained receptive to receiving further, scientifically accurate, proposals for the species concerned in future if deemed appropriate by any Party to the Convention. The Council would encourage further information gathering and collaboration to allow any further action on this issue.

194. Further to the proposal to list the Great white shark (*Carcharodon carcharias*) on Appendices I and II, the Working Group concluded that it was a migratory species crossing international borders. It was the subject of directed fisheries both commercially and by sport fishermen and was classified by IUCN as vulnerable. However, it was near endangerment. The Working Group considered that world wide there was a clear decline and that local populations had been extirpated or ran that risk in the near future with potential consequences for populations on an ocean-basin scale. Hence, the Working Group had concluded that the species met the criteria to be listed on Appendices I and II.

195. For the proposal to list the South American sea lion (*Otaria flavescens*) on Appendix II, the Working Group concluded that the species was migratory, significantly reduced in abundance and facing numerous conservation threats and that it would benefit from cooperative regional protective measures. The Working Group agreed to endorse the proposal.

196. As regards the proposal to list the Southern fur seal (*Arctocephalus australis*) on Appendix II, the Working Group discussed whether the listing should concern the entire species or only one of the two subspecies (*Arctocephalus australis australis* on the Falkland Islands (Malvinas) and *A.a. gracilis* on the South American mainland). It was considered that both subspecies were migratory, the mainland populations were greatly reduced in abundance and that the species would profit from regional cooperative protective measures. The Working Group had endorsed the proposal to list the entire species on Appendix II.

197. On the proposal to list the Amazonian manatee (*Trichechus inunguis*) on Appendix II, the Working Group had concluded that the species was migratory and crossed international borders. It had shown a clear decline in the recent past and would profit from cooperative regional protective measures. The Working Group agreed to endorse the proposal.

198. A draft of the proposal to list the West African manatee (*Trichechus senegalensis*) had been reviewed and endorsed at the 10th Meeting of the Scientific Council. The Working Group had concluded that the species was migratory in part, greatly reduced in abundance and faced with numerous severe conservation threats. The Working Group endorsed the proposal.



199. Mr. Moksia (Councillor for Chad), who had not been a member of the Working Group on Marine Mammals, said that Chad had two or three large lakes containing manatees. He noted that the species was highly threatened and called on the Council to support measures to protect the species in landlocked countries. Dr. Perrin agreed that the species could well be considered for listing under Appendix I in the relatively near future.

200. The Chair thanked Dr. Perrin and the members of the Working Group on Marine Mammals and Large Fishes for their work.

### Birds

201. Dr. Moser (Appointed Councillor), introducing the report of the Working Group on Birds (ScC11/CRP.8), said that the Group had reviewed proposals for the addition of 14 species to Appendix I and 5 species for addition to Appendix II. For waterfowl species, the Group had had the benefit of the latest population estimates, to be published in the near future by Wetlands International.

202. The 14 species proposed for listing under Appendix I were as follows: *Puffinus creatopus*; *Pelecanoides garnotii*; *Gorsachius goisagi*; *Platalea minor*; *Anser cygnoides*; *Anas formosa*; *Haliaeetus leucorypha*; *Grus vipio*; *Grus monacha*; *Tringa guttifer*; *Eurynorhynchus pygmeus*; *Sterna bernsteini*; *Sporophila palustris*; and *Alectrurus tricolor*. The Group had unanimously endorsed all 14 species, with the following comments.

203. The Working Group had noted in particular in respect of *Pelecanoides garnotii* that the species moved cyclically and predictably across borders in response to the El Niño and La Niña effects and therefore qualified for the attention of the Convention. It was agreed that Chile and Peru would harmonise their separate listing proposals for the species, prior to the deliberations of the Conference of the Parties.

204. For *Anas formosa*, it was noted that the species had recently been found in the Republic of Korea in substantial numbers, although in very localised areas. It was agreed that a cautious approach should be pursued and the Working Group supported its listing under Appendix I.

205. For *Sterna bernsteini*, it was noted that the species had recently been rediscovered; it had previously been thought to be extinct. The proposal for Appendix I listing was endorsed and it was hoped that it would be followed by concerted action.

206. The five bird species/sub-species proposed for addition to Appendix II were *Brotogeris pyrropterus*, *Polystictus pectoralis pectoralis*, *Sporophila ruficollis*, *Pseudocolopteryx diuelliianus*, and *Streptopelia turtur turtur*. The group considered that all five birds met the criteria for listing on Appendix II, and supported the proposals with the following comments.

207. *Brotogeris pyrropterus* was an endangered species and should therefore have been proposed for listing on Appendix I rather than Appendix II, as intended by Peru, the proposer. The proposal for listing on Appendix I was supported in a written statement from Hungary and was strongly endorsed by the Working Group.

208. In respect of *Polystictus pectoralis pectoralis*, the Working Group questioned whether the entire species and not just the subspecies should be listed on Appendix II. However, in the absence of the Party making the proposal, it was agreed that only the subspecies should be recommended for listing. The matter could be reviewed on the basis of additional information at a later stage.

209. Dr. Gibson (observer for the United Kingdom) drew the attention of the meeting to the common threats to four species, (*Anas formosa*, *Platela minor*, *Tringa guttifer*, and *Eurynorhynchus pygmeus*). The four species, were all to be found in the non-breeding season in the same coastal habitat along the East Asian coast from the Korean peninsula and China in the north, and Indonesia and Australia to the south. There was habitat loss and degradation in those areas, and considerable, and probably increasing, taking of birds for food and trade. Reclamation of estuarine habitat for development made habitat loss

particularly intense. It would be useful to note the co-occurrence of the four species proposed for addition to Appendix I in the same areas and habitats, and draw the link to measures needed to address the common factors that were strongly affecting current conservation status.

210. Concerning *Streptopelia turtur turtur*, the Councillor for Senegal stressed the serious nature of the threats to the bird and its habitats in Senegal. The Working Group had felt that some further work was necessary to improve the listing proposal, including specifying whether a subspecies or the whole species should be added, and to agree priority actions.

211. Dr. Pfeffer noted that the species was subject to illegal hunting in France during its migration in May, and that a decision by CMS would help focus attention on the problem. The Chair proposed that a small group, including the Councillors for Mali, Morocco and Togo, which were Range States, should continue to review the proposal and report to the Council at a later stage.

212. Subsequently, the Chair of the European Turtle Dove Working Group, the Councillor for Senegal, reported that he and the Councillors for Morocco, Mali and Togo had met and thoroughly discussed the proposal for inclusion of the European turtle dove (*Streptopelia turtur* subspecies *turtur*) in Appendix II, which had originated with the Government of Senegal, between themselves and with the observer for BirdLife International, who were to be commended on their good work. The revised proposal II/20 now met all concerns and he commended it to the Council for submission to the Seventh Meeting of the Conference of the Parties.

213. Mr. O'Sullivan (BirdLife International) introduced the report of the European Turtle Dove Working Group pointing out that many of the species' Range States were not represented on the Council and it was therefore to be expected that there would be some discussion of the proposal at the Conference of the Parties.

#### Summary

214. The Chair took it that the listing proposal on the European turtle dove was acceptable to the Council and requested the Councillor for Senegal, whose Government would present the proposal to the Parties, and the observer of Birdlife International to track the progress of the proposal through the Conference of the Parties.

215. The Council accepted the proposals of the Working Group on Birds and agreed to incorporate the Group's conclusions in the Council's report. The Chair thanked Dr. Moser and the members of the Working Group for their work.

#### Terrestrial Mammals

216. Dr. Pfeffer confirmed that the Working Group on Terrestrial Mammals had been unanimous in its response to all proposals for listings on Appendices I and II.

217. With reference to proposal II/12 on the inclusion in Appendix II of the Asian wild ass (*Equus hemionus*), he noted that the proposal applied the species name *Equus hemionus* in its broadest sense, including the three species *Equus hemionus*, *Equus onager* and *Equus kiang* recognized in Wilson & Reeder (1993, Mammal Species of the World), the taxonomic authority for mammals according to Recommendation 6.1. It was therefore recommended that, should the Conference of the Parties decide to include the Wild ass in Appendix II, all three species should be listed separately, while still based on the existing proposal.

#### Summary

218. The Chair summarised that the meeting was content to put forward the proposals as contained in the report of the Working Group. He thanked Dr. Pfeffer and the members of the Working Group for their work.

219. The Chair expressed the Council's thanks to all involved in the working groups on proposals for listing for their professional handling of matters and procedures which had been both difficult and complex in this Council meeting. The proposals themselves were mainly non-contentious and were well formed, based on effective data and information. It was therefore relatively straight-forward for the Scientific Council to reach a clear view on each.

## **VII. REVIEW AND ENDORSEMENT OF THE RANGE STATE LIST FOR SPECIES LISTED ON THE CMS APPENDICES**

220. The Technical Officer introduced document UNEP/CMS/Inf.7.2 Rev.1 on the list of Range States of migratory species included in the CMS Appendices. The document had been prepared in accordance with the Convention, under whose provisions the Secretariat was required to compile and keep up to date a list of Range States to the species under Appendices I and II. The Secretariat had circulated the draft list to the Councillors in June 2002.

221. The revised version of the list which was before the meeting incorporated the comments of three Parties (Czech Republic, Slovenia and Uzbekistan) which had been received by the deadline. The revised list was proposed for endorsement by the Scientific Council to be submitted to the Conference of the Parties for adoption.

222. He noted that there was a linkage between the future management of the list of Range States and the ongoing efforts to develop an information management system. That issue could be discussed further at the 12th Meeting of the Scientific Council.

### Summary

223. Noting that such a document was inevitably a work in progress, the meeting endorsed the list of Range States for transmission to the Conference of the Parties at its Seventh Meeting.

## **VIII. PROGRESS ON OTHER MATTERS REQUIRING SCIENTIFIC COUNCIL ADVICE**

### **8.1 Potential new Agreements (including Memoranda of Understanding and Action Plans)**

#### Bats

224. The Council heard a presentation from Mr. Hutson on bats. He presented an overview of the situation facing bats in various regions, informing the meeting that there were nearly 1,100 species of bats in 18 families. He reviewed the global status of bats and conservation action plans, noting that bats were confronted not only with diminishing habitats and environmental problems, but also often suffered persecution and superstition. Some bats, as in South-East Asia, were threatened not only because they were considered a pest for eating fruit crops, but also as a source of food. He noted that bats were a source of considerable diversity, that they were important pollinators and seed distributors, and also were often indicators of deteriorating environmental conditions. He suggested that eight species, from Africa, South-East Asia and Latin America may be potentially appropriate for listing under CMS, to gain particular conservation focus.

Summary

225. The Council took note of the report on possible regional agreement on bats (ScC11/Doc7) and encouraged the Secretariat to continue activities in that field, including the development of further agreements on bats. The Chair expressed the Council's appreciation for the study and the interest in pursuing a substantive discussion on bats at the 12th Meeting of the Scientific Council.

Marine Mammals

226. Dr. Perrin reported on the second Workshop on the Biology and Conservation of Small Cetaceans and Dugongs of South-East Asia, held in the Philippines in July 2002. A total of 40 scientists had participated in the Workshop from a number of countries in the region. The Workshop had considered a regional action plan to address by-catch of small cetaceans and dugongs in South-East Asia, and had produced a draft regional CMS agreement. Dr. Perrin reported that it had been proposed that work on the action plan would continue by correspondence.

Summary

227. The Chair encouraged the continued work on the action plan by correspondence and invited Dr. Perrin to report back to the Scientific Council when appropriate.

**8.2 Small-scale projects funded by CMS****(a) Progress report by the Secretariat on completed and ongoing projects**

228. The Technical Officer introduced document ScC11/Doc.8, "Overview of the Status of Small-scale Projects Financed by the CMS Trust Fund", and its three-part annex giving the status of completed and ongoing projects, projects in an advanced stage of elaboration and due to start during the current year, and projects which had been approved in principle but which had not been carried out. He observed that \$700,000 had been withdrawn from the CMS Trust Fund for project implementation. The Secretariat proposed that the unallocated funds should be allocated to Part III projects subject to full project proposals being developed before the end of the 2002 budget year, and that any unused funds might be reallocated to fund newly identified projects meeting the conditions for implementation.

229. Dr. Beudels (Councillor for Belgium) raised a query about the Sahelo-Saharan ungulates projects mentioned in the annex to the document. The Chair proposed that details such as these be taken up bilaterally in the respective taxonomic Working Groups and/or with the Secretariat.

**(b) Procedures for project elaboration and submission**

230. The Technical Officer introduced document ScC11/Doc.9, "Draft Guidelines for the Preparation and Submission of Project Proposals". The format for the previous guidelines, which had been based on a model letter of agreement, had proved to have intrinsic drawbacks. The revised format suggested in section B of the draft was designed also to facilitate the screening and monitoring process by the Council. He pointed especially to the recommendation in section C for routing project proposals through CMS Scientific Councillors and Focal Points, and the provisions requiring support by the relevant national authority for projects to be implemented in non-Party countries. Projects of wide geographical scope would be elaborated in consultation with the appropriate Scientific Councillors, such as the focal point for the species or Conference-appointed Councillors for the taxonomic group or for the region. Project proposals would be considered intersessionally only as exceptional cases. Selected projects would be subjected to an in-depth evaluation of their expected benefits in respect of their cost.

Summary

231. The Chair concluded that there was general agreement within the Council that the revised guidelines on project submission were acceptable and could be adopted for use.

**(c) New project proposals**

232. The Deputy Executive Secretary confirmed that the budget proposal before the Conference of the Parties provided for an allocation of \$500,000 over three years for conservation measures.

233. It was decided that the taxonomic Working Groups should review the project proposals with a view to providing clear recommendations concerning present and future small-scale project work.

234. Dr. Moser (Appointed Councillor), speaking for the Working Group on Birds, said the group had found project listing a difficult process because of lack of clarity in some proposals and saw a need for better guidance on how such submissions were made. The Working Group also saw a need for the allocation of resources for the development of the over-all strategy for birds.

235. Dr. Limpus (Appointed Councillor), speaking for the Working Group on Marine Turtles, said the group also saw a need for better guidance about the submission of project proposals, and a need to strengthen the linkage between the Council and the regional memoranda of understanding for marine turtles of West Africa and the Indian Ocean/South East Asia.

236. Mr. Ba (Councillor for Senegal) said that for local and regional efforts in pursuance of the goals of the Convention to have their full effect, more support must be forthcoming for regional networking and capacity-building, and for public awareness raising. Otherwise there was a risk of a loss of momentum and even a reversal of gains.

237. At the Chair's request, the Secretariat met with Drs. Limpus, Moser, Perrin and Schlatter (Appointed Councillors) concerning the details of project proposals to be presented to the Conference of the Parties for funding. A table summarising the retained proposals was before the meeting, and is attached to this report as Annex X (ScC Report Annex X).

Summary

238. The Chair pointed out that the amount of funding available would only be known once the final budget had been approved by the Conference of the Parties. He therefore proposed, and the meeting agreed, that he would take on the responsibility, in consultation with the Secretariat and the Appointed Councillors, to make any necessary adjustments in the final approved list of projects. In that regard, he requested and received assurances from the Secretariat that the proposed projects were within reasonable bounds of possible funding. The Chair said that this issue was also important in relation to the discussions on the modus operandi of the Council, in that ideally much of the detailed work on project proposals should be dealt with by the Chair, in cooperation with the Secretariat and the Appointed Councillors, in advance of the meetings of the Scientific Council.

**8.3 Global Register of Migratory Species (GROMS)**

239. Dr. Blanke (Councillor for Germany), referring to documents UNEP/CMS/Inf.7.18 and UNEP/CMS/Conf.7.7 on the Global Register of Migratory Species, expressed the view that in the light of the presentation given by UNEP-WCMC under agenda item 4.3 (d) on the prototype CMS information system, it was time to begin merging GROMS, which was available through URL <http://www.groms.de>, with that system, while still maintaining its connections with the University of Bonn and the Museum Koenig, and with other organizations such as BirdLife International.

240. Dr. Riede then gave a Powerpoint presentation illustrating the capabilities of GROMS and informed the Council that, as a stand-alone database, GROMS had been published both as a CD-ROM and in print form. As part of the project, three workshops had been held, including one on capacity-building.

241. He explained that of the some 3,600 species and 5,600 subspecies identified as migratory using purely biological criteria and a lower migration distance limit of 100 km - rather than the definition of “migratory” used by CMS - GROMS currently covered 1,567 species. In that connection, he presented a graphic based on the GROMS threat assessment function highlighting the fact that about 100 threatened species on the IUCN Red List were not listed in the CMS Appendices, which gave an idea of the scale of the task which still lay before the Council.

242. Under the action requested in paragraph 7 (e) of document UNEP/CMS/Conf.7.7, he considered that GROMS should be developed as an integral component of the Information Management Plan. That being the case, harmonisation would be required in a number of areas, including the calculation of species range and the States in that range. In that connection he pointed out that GROMS was linked to a Geographical Information System (GIS) and expressed the belief that linkage was vital because the concept of migration involved movement in place and over time which static data alone could never satisfactorily reflect.

243. He reported that it was the intention of the German partners in the GROMS project to work with the Secretariat over the next two years on merging GROMS with the CMS information system and to propose to the Eighth Meeting of the Conference of the Parties that it should be formally handed over, with the University of Bonn and the Museum Koenig continuing to provide the infrastructure. In the interim, some €110,000 in matching funds were needed, which GROMS had every hope of receiving.

#### Summary

244. In conclusion the Chair noted the progress on GROMS and the linkage to the overall information needs of the Council.

### **8.4 Artificial barriers to migration and other threats to migratory species and their habitats, with special attention to dams and offshore wind farms**

245. Mr. Pritchard (observer from BirdLife International) introduced the report prepared by BirdLife International on behalf of the Secretariat (UNEP/CMS/Conf.7.16) on the subject of impact assessment and migratory species. Explaining that CMS had not formally prepared any principles or guidelines on environmental impact assessment (EIA) or strategic environmental assessment (SEA), he noted that Parties had expressed their need for technical advice and guidance on the subject. It appeared that countries would benefit from a formal identification of points of relevance, and a statement of the importance of the issue in achieving the effective implementation of the Convention. He suggested that countries would also benefit from international harmonization of guidance on principles, standards, techniques and procedures.

246. Introducing the draft resolution on the subject (UNEP/CMS/Res.7.10), which was being proposed by Hungary and Kenya in collaboration with BirdLife International, he recalled that the Sixth Meeting of the Conference of the Parties to the Convention on Biological Diversity, held in The Hague in April 2002, had endorsed “Guidelines for incorporating biodiversity-related issues into environmental impact assessment legislation and/or processes and in strategic environmental assessment”. To avoid any duplication of effort, and consistent with the efficient cooperation between Conventions, the draft resolution before the Council simply commended those Guidelines to CMS Parties for use, as appropriate. It further proposed activities that the Council could undertake, in cooperation with other organizations. He expressed appreciation for the interest in EIA activities on the part of CMS, and considered the draft resolution to be a valuable step forward on the subject.

247. Dr. Davidson (observer from the Ramsar Bureau) said that the Scientific Panel and the Standing Committee of the Ramsar Convention had decided that the Guidelines endorsed by the Convention on Biological Diversity were applicable, albeit with annotations to interpret how they applied and related specifically to the Ramsar Convention. He suggested that a similar course of action might be taken by CMS. Dr. Gibson (observer for the United Kingdom) expressed support for the intent of the draft resolution and the proposal made by the observer from Ramsar.

248. Dr. Bagine (Councillor for Kenya) underlined the fact that the draft resolution was in line with the goals of CMS and commended the resolution to the Council.

### Summary

249. The Scientific Council approved the draft resolution for transmission to the Seventh Meeting of the Conference of the Parties, on the understanding that the Councillors from Kenya, the observer from the United Kingdom and the observers from Ramsar and BirdLife International would hold informal consultations to fine-tune the draft resolution prior to its submission to the Conference of the Parties.

250. On behalf of the Council, the Chair expressed thanks to the Governments of Hungary and Kenya, and to BirdLife International for preparing and proposing the draft resolution.

251. Introducing a number of additional documents, Dr. Blanke (Councillor for Germany) said that his Government and non-governmental organizations working for conservation had addressed four threats to migratory species that could be seen as artificial barriers to migration.

### Ship collisions with whales

252. He drew attention to document ScC11/Inf.7, on the significance of ship collisions with whales. In light of the considerable impact such accidents had on the migratory whales, he asked that the problem be thoroughly examined and discussed at the next meeting of the Council, with a view to advising on how to proceed.

253. Appreciation for the document had been expressed by Dr. Perrin (Appointed Councillor) on behalf of the Working Group on Marine Mammals and Large Fishes, noting that the North Atlantic right whale (*Eubalaena glacialis*) in particular was increasingly suffering collisions with ships because of the increase in shipping traffic.

### Impact of wind-parks

254. Concerning the impact of offshore wind turbines on migratory species, Dr. Blanke introduced document UNEP/CMS/Res.7.13, containing a draft resolution submitted by Germany. In light of the increasing exploitation of new and renewable energy sources, wind-parks were rapidly being constructed and many more were planned, particularly for offshore locations. However, a lack of knowledge of the migration patterns of many marine species meant that the negative impacts of such wind-parks on migratory species were, as yet, unknown. The Convention on the Protection of the Marine Environment of the North-East Atlantic (OSPAR) had collected information on such impacts and had decided that guidance for Parties was needed. It was necessary to address issues of the marine environment during the planning process for such wind-parks and to adopt a harmonised approach to their development. He outlined the key elements of the draft decision.

255. Mr. Pritchard (observer from BirdLife International) noted the possibility of cooperation between CMS and the Bern Convention, which was preparing a review of the impact of wind-parks on birds, scheduled for completion by the end of 2002. He proposed that the resolution should take into account the need to mitigate the effects of wind-parks on species in general, not just listed species. In addition, land-

based wind-parks showed the same negative impacts, and should also be brought within the ambit of the proposed resolution, since the focus on the marine environment was too narrow.

256. Dr. Schlatter (Appointed Councillor) supported the view that the impact of land-based turbines on birds should also be taken into account.

#### Summary

257. The Scientific Council approved the draft recommendation, as amended during the discussion, for transmission to the Seventh Meeting of the Conference of the Parties. The Council also agreed that Dr. Blanke and Dr. Perrin would liaise in the period up to the 12th Meeting of the Scientific Council on the question of the impact of offshore wind-parks on marine mammals.

258. On behalf of the Council, the Chair expressed thanks to Dr. Blanke and to the Government of Germany for preparing and proposing the draft resolution.

#### Impact of offshore oil pollution

259. Concerning the impact of offshore oil pollution on migratory species, Dr. Blanke introduced document UNEP/CMS/Res.7.11, containing a draft resolution submitted by Germany, and enumerated the key points contained therein.

260. Dr. Moser observed that onshore oil facilities in wetland areas gave rise to the same issues affecting migratory species, and cited several examples in the Caspian region and Mexico. The resolution should thus be extended to all aquatic systems, not just offshore marine facilities. It was necessary to develop guidelines on the issue and also to examine the role of the corporate and private sector, which could provide valuable information for the process.

261. Mr. Moksia (Councillor for Chad) drew attention to the problem of uncontrolled pesticide use in his region, which impacted on migratory species. Substances were being used in his region that were banned in Europe and elsewhere, and a global approach to the problem would be desirable.

#### Summary

262. The Chair proposed, and the Scientific Council agreed, that the issue of the impact of pesticide use on migratory species would be discussed intersessionally.

263. The Scientific Council approved the draft recommendation, as amended during the discussion, for transmission to the Seventh Meeting of the Conference of the Parties.

264. On behalf of the Council, the Chair expressed thanks to Dr. Blanke and to the Government of Germany for preparing and proposing the draft resolution.

#### Electrocution of migratory birds

265. Concerning the electrocution of migratory birds, Dr. Blanke introduced document UNEP/CMS/Res.7.11, containing a draft resolution submitted by Germany, and enumerated the key points contained therein. He also drew attention to document UNEP/CMS/Inf.21, a booklet prepared by the German Society for Nature Conservation (NABU), which outlined suggested practices for bird protection on power lines. He explained that technical solutions to the problem existed which were economically feasible and which even improved the stability of the power supply. Protection for migratory bird species, particularly the most endangered species, was needed from the dangers of electricity transmission lines. He expressed thanks to the non-governmental organizations, particularly NABU, that had carried out work on the subject.



266. Mr. Nipkow (observer for NABU) outlined the content of the NABU booklet and expressed the hope that there would be broad support for the draft resolution. In answer to a question, he explained that the issue of bird mortality through strikes on power lines had not been addressed because such a broad task did not promise any rapid solution. His organization had decided to proceed step by step in order to ensure limited but feasible success.

#### Summary

267. The Scientific Council approved the draft recommendation, as amended during the discussion, for transmission to the Seventh Meeting of the Conference of the Parties.

268. On behalf of the Council, the Chair expressed thanks to Dr. Blanke and to the Government of Germany for preparing and proposing the draft resolution, and to NABU for its contribution on the subject.

269. The Council also agreed to return to the subject at its 12th meeting and to address the wider aspects of the issue.

### **8.5 Guidelines for satellite telemetry of migratory birds**

270. Dr. Limpus (Appointed Councillor) informed the Council that the issue of guidelines for satellite telemetry of migratory birds had been discussed at the 10th Meeting of the Scientific Council, in Edinburgh. A report on the issue was contained in annex 6 of the report of the Edinburgh meeting (ScC.11/Inf.1).

271. Mr. Baker (Councillor for Australia) noted that the paper had originally targeted the endangered Slender-billed curlew, but had subsequently been extended to cover all migratory birds. There was a need to update references in the paper.

#### Summary

272. The Chair requested Mr. Baker to provide the complete updated paper to the Secretariat, which would circulate it to all Councillors. The meeting agreed to take note of the paper.

### **8.6 Impact of climate change on migratory species**

273. The Chair introduced a discussion of climate change by recalling the discussion at the 10th Meeting and noting that the topic was very large. Although it was difficult to identify exactly which activities by CMS would be valuable, the need remained to review scientific aspects.

274. Dr. Davidson (observer for the Ramsar Bureau) noted that the Conference of the Parties of the Ramsar Convention had authorised a study of the impact of climate change by the Scientific and Technical Review Panel. He suggested the task of CMS at the current stage could be to establish what information was held by various Parties and organizations and to identify gaps that needed to be filled.

275. Dr. Perrin (Appointed Councillor) said that climate change was a continuing concern for IWC, particularly in its effects on the Arctic and Antarctic.

#### Summary

276. The Council noted the importance of the subject and its particular relevance to the work of the Ramsar Convention and IWC. It agreed that the Secretariat should ask the Parties to undertake a review the impact of climate change on migratory species, to be brought together for the Council's 12th Meeting.

### 8.7 Updating of CMS Appendices as a consequence of changes in species taxonomy

277. The Technical Officer introduced document ScC11/Doc.11. He highlighted that the issue was one where the species *Procellaria aequinoctialis* and the subspecies *Procellaria aequinoctialis conspicillata* were both listed on Appendix II. This had been the consequence of changes in species' name following the adoption of taxonomic references at the Sixth Meeting of the Conference of the Parties.

278. Dr. Ebenhard (Councillor for Sweden) commented that the situation was unfortunate. The course of action was in his view simply to drop the subspecies, while noting that that did not mean that the subspecies was no longer included in Appendix II, but simply that it was covered under *Procellaria aequinoctialis*. Mr. Baker (Councillor for Australia) concurred with Dr. Ebenhard.

279. At the request of the Chair, the Deputy Executive Secretary confirmed that such anomalies had occurred in the past and that the clarification could be brought to Appendix II by means of a note against the species.

#### Summary

280. The Chair summarised that the Council agreed to the suggested way forward. He would raise the matter in his report to the Conference of the Parties.

281. Dr. Perrin reminded the meeting that a new taxonomy for the Right whales had been agreed at the 10<sup>th</sup> Meeting of the Council (Edinburgh, May 2001), which also implied a rectification of the appendices. *Balaena glacialis glacialis* was now *Eubalaena glacialis* (North Atlantic) and *Eubalaena Japonica* (North Pacific); while *Balaena glacialis australis* was now *Eubalaena australis*.

### 8.8 Other resolutions and recommendations under development

282. None were reported.

## IX. COLLABORATION WITH OTHER INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

283. The Deputy Executive Secretary introduced a report on collaboration with intergovernmental and other non-governmental organizations (UNEP/CMS/Conf.7.11).

284. He noted the conclusion of a joint work programme with CBD (UNEP/CMS/Inf.7.13). A joint work programme with IWC was envisaged.

285. Memoranda of understanding were ready to be signed with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (UNEP/CMS/Conf.7.11/Annex 2) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) (UNEP/CMS/Conf.7.11/Annex 3). Memoranda were being prepared with the United Nations Convention to Combat Desertification (UNCCD) and with Wetlands International.

286. A 1997 memorandum of understanding with the Ramsar Convention was being expanded to make it a much more substantial document through a detailed programme of work, and to extend it to AEWA. The document required further fine-tuning before it could be presented for comment.

287. Dr. Davidson (observer for the Ramsar Bureau) stressed the value of identifying complementarities and synergies between organizations. Contracting Parties faced a large number of tasks under a variety of agreements, so it was important to simplify their work at national and local level by identifying common ground.

288. He invited the Scientific Council Chair to represent CMS at the forthcoming meeting of the Scientific and Technical Review Panel of Ramsar Convention. The Chair thanked him for the invitation and said he hoped to attend.

289. The Council took note of the value of joint work programmes and indicated that it looked forward to more such agreements in future.

290. Dr. van Klaveren (observer for ACCOBAMS) noted, as an example of synergy, that the conservation project for Adriatic turtles that had been submitted to CMS could be implemented with further support from the Bern and Barcelona Conventions.

291. Dr. Boere (observer for Wetlands International) informed the Council that a proposal for a joint work plan was now with the Secretariat. Discussions were taking place on the common strategy for the wetlands of Central America and the Pacific coast of South America, with a view to reaching a formal agreement.

292. The Council expressed its appreciation for the role that Wetland International played in providing scientific data to underpin much of the work of CMS.

#### Presentation on Millennium Ecosystem Assessment

293. An information document on the Millennium Ecosystem Assessment was before the Council in document UNEP/CMS/Inf.7.22. Dr. Nevil Ash (Secretariat of the Millennium Ecosystem Assessment) gave a presentation, explaining that it was designed on the global and sub-global levels to provide a multi-scale assessment of the capacity of ecosystems to support human well-being and life on Earth. It was intended to address the needs of a variety of users, including environmental conventions, intergovernmental organizations, the private sector, civil society and indigenous organizations. The Assessment was based on three main elements: political legitimacy, scientific credibility and saliency. It included four working groups, on conditions and trends; scenarios; responses; and sub-global assessment. The Assessment was intended to continue until 2004. In 2001, the project had held a series of design meetings; it had started work in 2002 and would continue that work in 2003; and in 2004 a review process would be conducted. Reports produced by the Assessment would include a report on the conceptual framework, assessment reports out of each of the working groups, sub-global assessment reports, and synthesis reports on biodiversity, desertification, wetlands, the private sector, and human well-being.

294. He outlined how CMS could benefit from the Millennium Assessment, through opening of a dialogue between the two through access to information for management and policy decisions by Parties. The project was designed around the needs of its users, and any additional user needs could be incorporated.

#### Summary

295. The Chair thanked Dr. Ash for his presentation and informed the meeting that there would be a side event on the Millennium Assessment in conjunction with the Seventh Meeting of the Conference of the Parties. The Millennium Assessment could be important in terms of the holistic view of the information needs of the Parties to CMS and this should be considered further by the Secretariat.

## **X. ELECTIONS**

296. The Chair and the Vice-Chair chose to leave the meeting room during the consideration of election of officers for the forthcoming triennium of the Conference of the Parties.

297. The Deputy Executive Secretary reminded the Council that under the Rules of Procedure it must elect a Chair and Vice-Chair for the forthcoming triennium before the Seventh Meeting of the Conference

of the Parties. This had been announced in the annotated agenda of the meeting, and at the opening of the meeting with a view to seeking candidates. He informed the Council in that connection that Dr. Galbraith had expressed willingness to continue serving as Chair.

298. The Deputy Executive Secretary informed the meeting that no other candidatures had been presented for the office of Chair of the Scientific Council by the deadline previously established by the Secretariat. He therefore invited the meeting to endorse, by acclamation, the continuation of Dr. Colin Galbraith (United Kingdom) as Chair of the Council for the forthcoming triennium. The meeting agreed, by acclamation, to the re-election of Dr. Galbraith.

299. The Deputy Executive Secretary also informed the meeting that no other candidatures had been presented for the office of Vice-Chair of the Scientific Council by the deadline previously established by the Secretariat and that Mr. John Mshelbwala (Nigeria) had indicated his willingness to continue serving as Vice-Chair. He therefore invited the meeting to endorse by acclamation the continuation of Mr. Mshelbwala as Vice-Chair of the Council for the forthcoming triennium.

300. Dr. Pfeffer (Appointed Councillor) raised the issue that the major posts in the Council were occupied by English-speaking members. He also noted that Mr. Abdellah El Mastour (Councillor for Morocco) had been a candidate for the position of Vice-Chair on a previous occasion and had confirmed that he would be willing to be considered again in order to achieve linguistic balance between the officers of the Council. Dr. Pfeffer therefore nominated Mr. El Mastour for the position of Vice-Chair.

301. The Deputy Executive Secretary noted that the deadline for submission of names of candidates had already passed. He suggested that the concerns concerning linguistic balance could perhaps be overcome in connection with the notion of creating positions for four Vice-Chairs on a regional basis, as mentioned earlier in the meeting. This explanation was accepted by Mr. El Mastour and Dr. Pfeffer.

302. The meeting then agreed, by acclamation, to the re-election of Mr. Mshelbwala.

303. The Chair and Vice-Chair returned to the meeting. The Chair congratulated Mr. Mshelbwala on his re-election.

304. The Chair thanked Dr. Moser for his contribution to the work of the Council as Appointed Councillor for Birds and announced that Dr. Moser's departure required the Council to recommend a candidate to replace him in that position. The Chair nominated Mr. John O'Sullivan as a candidate for the position with deep knowledge and with enthusiasm for the work of the Scientific Council and CMS overall.

305. Dr. Moser said that the Appointed Councillor for Birds should have a broad knowledge of the bird taxon, clear regional links throughout the world and strong institutional backing. In Mr. O'Sullivan, he was particularly pleased to see a successor who had a wider experience than his own, which was mainly limited to waterbirds. Mr. O'Sullivan would also bring a high degree of commitment and experience to the work of the Council.

306. The Chair noted that Dr. Devillers (absent) had asked that his support for Mr. O'Sullivan's candidature be recorded. He noted also that there was a widespread support for Mr. O'Sullivan. He concluded that the meeting had agreed to recommend to the Conference of the Parties his appointment as Appointed Councillor for Birds.

## **XI. DATE AND VENUE OF THE 12TH MEETING OF THE SCIENTIFIC COUNCIL**

307. The Deputy Executive Secretary invited the Council to consider the date and venue of the 12th Meeting of the Council which, following the practice of holding one intersessional meeting before the Eighth Conference of the Parties, should likely be held in early 2004. While no invitation to host the meeting was forthcoming during the meeting, Parties could contact the Secretariat on the host

Government's obligations, which included offsetting the additional costs of holding the meeting away from Bonn.

## XII. ANY OTHER BUSINESS

### Presentation on the Lesser white-fronted goose

308. Mr. Johan Mooij (ZWFD) gave a presentation on a project to reintroduce individuals of the Lesser white-fronted goose (*Anser erythropus*) into the Fennoscandian population of the species by means of imprinting juveniles on ultralight aeroplanes.

309. Following the presentation, the Chair invited interested Parties to pursue further questions and discussion of the project bilaterally and encouraged all Parties to CMS to work together for the conservation of the entire population of the Lesser white-fronted goose.

### Adoption of the report

310. The Chair announced that the report of the Council on its deliberations up to the conclusion of its deliberations on Monday, 16 September had been distributed in documents SC11/Doc.L.1 and Add.1. He invited participants to provide any corrections to the Secretariat in writing.

311. The Chair summarised the issues that had been considered by the Council over the course of its meeting and which he intended to highlight in his report to the Conference of the Parties. He mentioned in particular the successful use of regional and taxonomic working groups at the current meeting, the progress made towards improvement of the modus operandi of the Council, consideration of proposals for listing on Appendices I and II and for concerted and cooperative action, and the need to increase contact and work of the Council on an intersessional basis, even if that required additional funding. He thanked all participants in the meeting for their enthusiastic and professional contributions to the work of the Council.

### Dissemination of meeting documents

312. Mr. Baker (Councillor for Australia) requested the Secretariat to produce a CD-ROM with the documentation of the current meeting for distribution to all Councillors. He also proposed that pre-session documentation should be distributed for the next meeting on CD-ROM, to facilitate prior review of the documents by Councillors without access to high-speed Internet links.

313. The meeting endorsed this suggestion and asked the Secretariat to pursue the issue intersessionally.

314. Noting that the Deputy Executive Secretary, who had been involved in the work of the Scientific Council since 1991, was serving a meeting of the Council for the last time, the Chair thanked him for his past contributions. The Chair also thanked the CMS Technical Officer and others for their contributions to the current meeting.

### Report of the 11th Meeting of the Scientific Council

315. The Secretariat was entrusted with the finalisation of the report of the meeting.

## XIII. CLOSURE OF THE MEETING

316. After the customary exchange of courtesies, the Chair declared the meeting closed at 1.05 p.m.

LIST OF SCC REPORT ANNEXES

- ScC Report Annex I: List of Participants
- ScC Report Annex II: Agenda of the Meeting
- ScC Report Annex III: Report of the Working Group on Concerted Actions (including revised Secretariat's report, ScC11/Doc.3)
- ScC Report Annex IV: Report of the Working Group on Terrestrial Mammals (*original French*)
- ScC Report Annex V: Report of the Working Group on Marine Mammals and Large Fishes
- ScC Report Annex VI: Report of the Working Group on Birds
- ScC Report Annex VII: Report of the Working Group on Marine Turtles
- ScC Report Annex VIII: Report of the Working Group on By-catch
- ScC Report Annex IX: Report on the Implications of the IUCN Listing Criteria for CMS
- ScC Report Annex X: Draft Summary of Projects Approved in Principle by the 11th Meeting of the CMS Scientific Council

## ScC Report Annex I

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## ScC Report Annex II

**AGENDA OF THE MEETING**

1. Opening remarks
2. Adoption of the agenda
3. Report on intersessional activities
  - (a) Chair
  - (b) Secretariat
  - (c) Councillors (on the work of other conventions that they were requested to follow on behalf of CMS, and the tasks allocated to them during the 10th Meeting of the Scientific Council)
4. Scientific Council tasks arising *inter alia* from resolutions, recommendations and other decisions of the Conference of the Parties
  - 4.1. Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1 and 6.1 refer)
  - 4.2. Co-operative actions for Appendix II species (Recommendations 5.2 and 6.2 refer)
  - 4.3. Other resolutions and recommendations (not already covered under previous agenda items)
    - a) Resolution 6.2: By-catch
    - b) Resolution 6.4: Strategic Plan for 2000-2005
    - c) Performance indicators (in relation to Resolution 6.4)
    - d) Resolution 6.5: Information Management Plan and National Reporting
5. Review of the modus operandi of the CMS Scientific Council
6. Review of proposals for amendments to Appendices I and II of the Convention:
  - (a) Implications for CMS of the new IUCN Red List Categories and Criteria
  - (b) Discussion and evaluation of proposals
  - (c) Conclusions and recommendations to the Conference of the Parties
7. Review and endorsement of the Range State List for species listed on the CMS Appendices
8. Progress on other matters requiring Scientific Council advice
  - 8.1. Potential new Agreements (including Memoranda of Understanding and Action Plans)
  - 8.2. Small-scale projects funded by CMS
    - a) Progress report by the Secretariat on completed and ongoing projects
    - b) Procedures for project elaboration and submission
    - c) New project proposals
  - 8.3. Global Register of Migratory Species (GROMS)
  - 8.4. Artificial barriers to migration and other threats to migratory species and their habitats, with special attention to dams and offshore wind farms

- 8.5 Guidelines for satellite telemetry of migratory birds
- 8.6 Impact of climate change on migratory species
- 8.7 Updating of CMS Appendices as a consequence of changes in species taxonomy
- 8.8 Other Resolutions and Recommendations under development
9. Collaboration with other intergovernmental and non-governmental organizations
10. Elections
11. Date and venue of the 12th Meeting of the Scientific Council
12. Any other business
13. Closure of the Meeting

ScC Report Annex III

**REPORT OF CONCERTED/COOPERATIVE ACTIONS WORKING GROUP**

**CONCERTED ACTION SPECIES**

1. The Working Group welcomed the paper prepared by the Secretariat (ScC11/Doc.3) as a useful contribution to its mode of operation, with the following remarks:

(a) The introduction should make reference to the original purpose of the concerted actions, which was to formalize the implementation of article III, paragraph 4, of the Convention, relative to the conservation of Appendix 1 species;

(b) The proposed procedure for the identification of Concerted Action Species needs to allow adequate flexibility for species which are under immediate threat, and for which the initiation of a concerted action needs to be rapid;

(c) Point 6 of the procedure should read as follows:

“For those species retained in the candidate list, review reports would be prepared, under the responsibility of the Councillors who submitted the proposal, if necessary using for this purpose funds allocated by the Conference of the Parties”;

(d) In “Periodic Revision of the List of Concerted Action Species”, paragraph 13 should be expanded to clarify that any proposal for removal of a species should be fully justified in writing, for the consideration of the full Scientific Council, and this justification should be forwarded to the Conference of the Parties. The subsequent steps to be taken for the conservation of the species by the Convention or other instruments should be clearly identified, including the provision of adequate funding;

(e) In the event that a species is proposed for removal because of the lack of prospect for action in the coming triennium, the desirability of reinstatement in future triennia should be clearly stated;

(f) Paragraph 14 should be replaced as follows: “The preliminary note referred to in paragraph 5 of the Procedure should emphasise in particular:” (continue with points (i) – (iv));

(g) The Scientific Councillors should be informed of the possibility of information support regarding Concerted Action Species from the Information Management System, developed by UNEP-WCMC in collaboration with the CMS Secretariat.

The revised paper is annexed as document ScC11/Doc.3/Rev.1.

Cooperative Action species

2. The Working Group recommended the development of a document similar to ScC11/Doc.3 for Cooperative Action Species, taking into account a review of the current achievements of this mechanism. This paper should be discussed by the 12th Meeting of the Scientific Council.

## Attachment

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ScC11/Doc. 3 (Rev.1)

15 September 2002

IDENTIFICATION AND IMPLEMENTATION OF CONCERTED  
ACTIONS FOR SELECTED APPENDIX I SPECIES / GROUPS

1. Historically, the decision to designate a species as warranting concerted action was made to formalize the implementation of Article III paragraph 4 of the Convention, relative to the conservation of Appendix I species, by drawing attention to the need for immediate conservation measures for those species. This decision, taken at the third meeting of the Conference of the Parties (COP), has resulted in some successful projects with ongoing prospects for continued conservation work. The resolution that institutionalized “Concerted Action” species, Resolution 3.2, also established a formal review process and called on the Secretariat to coordinate the preparation of Review Reports following a prescribed format. The Review Reports were meant to provide a summary of the most up-to-date knowledge of the species, particularly identifying the needs and conservation actions that should be taken for that species.

2. At the fourth (Nairobi, 1994), fifth (Geneva, 1997) and sixth (Cape Town, 1999) Meetings of the Conference of the Parties, species were added to the list for concerted action (Resolutions 4.2, 5.1 and 6.1 respectively). The total number of species or groups now acknowledged as requiring concerted action is 27 (where marine turtles are considered as a single group). Concomitantly, the Conference of the Parties gave its approval, at the above-mentioned meetings, to the allocation of funds from the Trust Fund account, for use in undertaking “small projects” to benefit *inter alia* Concerted Action species.

3. The Secretariat considers that it would be useful to review progress to date on Concerted Action species, and to refine the goals and objectives of this programme of action in order to avoid generating what amounts to “shadow” list of Appendix I species, and in so doing, weakening the notion of “concerted action”. Furthermore, it is important that the funding source for concerted actions be identified and, ideally, institutionalized so that the Convention can continue to support the conservation of migratory species in this way. This paper has been prepared as a basis for discussion.

Procedure for the identification of Concerted Action species

4. The Secretariat suggests that the Review Report process be used as a basis for deciding whether or not a species warrants “concerted action” and for defining more precisely what concerted action is needed. This would differ from the current practice whereby a species is nominated for concerted action without any particular criteria and then a Review Report (or, more often, an intervention of a Councillor) is made in order to monitor progress.

5. Under this new approach, species to be considered for concerted action would be brought to the attention of the Scientific Council by one or more members of the Council, preferably through the submission of a preliminary note indicating the circumstances concerning the species that suggest the opportuneness of a concerted action. This preliminary consideration of candidate species should preferably be made at the intersessional meetings of the Council. Upon examination of the different submissions, the meeting would compile a Candidate List for Concerted Action.

6. For those species retained in the Candidate List, Review Reports would be prepared, under the responsibility of the Councillor(s) who submitted the proposal, if necessary using for this purpose funds allocated by the Conference of the Parties.

7. On the basis of a careful assessment of the Review Report, the meeting of the Scientific Council preceding the Meeting of the Conference of the Parties would decide whether or not to recommend to the COP the designation of the species for concerted action. In so doing, the Council should indicate the type of action foreseen under the Convention, its objectives, and the time frame in which they should be accomplished. This would give the possibility to measure the success of the intervention against definite targets.

8. The identification beforehand of the type of intervention required would also allow the COP, where necessary, to allocate financial resources for the implementation of the action in the Convention's budget. In this regard, concerted actions under the Convention may be classified in two main categories:

- (i) Development of a management regime, such as an Action Plan and/or a Memorandum of Understanding, that can be agreed relatively quickly, without the need for a lengthy ratification process

*Funding would need to be identified by the Conference of the Parties under a specific budget line, to be used for fostering international cooperation such as drafting of Action Plan or MoUs and for convening meetings of experts of Range States.*

- (ii) Small scale catalytic research/conservation projects

*Funding would be identified from the "Species Conservation Measures" allocation made by the Conference of the Parties, in much the same way as it is currently done now.*

9. It should be noted, however, that the proposed procedure needs to be applied with adequate flexibility for species which are under immediate threat, and for which the initiation of a concerted action needs to be rapid.

#### Monitoring the implementation of Concerted Actions

10. No substantial change to the current procedure is proposed in this regard, apart from having a more comprehensive assessment (report) available on which to base recommendations and decision-making. The Scientific Council would keep under review the implementation of the agreed concerted actions, on the basis of reports presented at the meetings by the Councillors identified as Focal Points for the active species. As a general rule, it would be expected that the Councillor who has made the proposal to designate a species for concerted action would act as Focal Point for the Species within the Council, and would assist in the regular updating of the initial Review Report.

#### Periodic Revision of the list of Concerted Action species

11. With a view to maintaining the list of concerted action species as a dynamic, manageable and credible initiative, a periodic revision of the list should be undertaken. This should be done by the Scientific Council at each meeting held in conjunction with the COP, and should lead to recommendations to the COP on the maintenance or removal of a species from the list.

12. One could envisage removing a species from the concerted action list once its conservation status had improved through the prescribed management interventions, or once the concerted action identified at the moment of its inclusion in the list (e.g. the elaboration of an action plan) had been successfully accomplished and/or a separate institutional framework (such as a Memorandum of Understanding or Agreement), set up to oversee its recovery. A good example of this approach would be the intervention made with respect to the Siberian crane, whose recovery is being actively monitored in the framework of a

separate MoU.

13. A removal of the species from the list might also be envisaged when the agreed action could not be realized due to unforeseen reasons, and there were no reasonable prospects for removing the obstacles preventing activities to be undertaken in the foreseeable future. This general principle should be applied with a certain degree of flexibility. In particular, a revision of the objectives and identification of new actions for a given species could be foreseen in the light of new elements arising in the course of the implementation of the concerted actions. Recourse to this possibility should however not be done systematically, in order to avoid maintaining a species on the list indefinitely without active interventions being made.

14. The removal of a species from the Concerted Action List should by no means be interpreted as a lack of the interest of the Convention in that particular species, but only the fact that a specific phase in the action of the Convention had been accomplished. Any proposal of removal of a species from the List should be fully justified in writing, for the consideration of the full Scientific Council, and this justification should be forwarded to the COP. The subsequent steps to be taken for the conservation of the species by the Convention or other instruments should be clearly identified, including the provision of adequate funding

#### Guiding principles for the future identification of Concerted Action Species

15. The preliminary note referred to in Paragraph 5 of the procedure should emphasize in particular:

- (i) Degree of threat on the species. The designation of species for concerted action being a means to prioritize action under the Convention, it is logical that the application of this tool be directed primarily towards species facing specific and immediate threat. When possible, reference to widely accepted standards for the evaluation of threat, notably IUCN Red List criteria and categories of threat should be made, and a consistent approach taken.
- (ii) Appropriateness of CMS as a framework for action. Consideration should be given to whether CMS constitutes the most appropriate framework for action to address the threats faced by the species. The possible existence of initiatives (ongoing or planned) in other frameworks should be explored, in order to avoid duplication of effort. In particular, the designation for concerted action should be avoided for taxa covered under CMS Agreements already in force or whose entry into force is expected in a foreseeable future.
- (iii) Potential value of CMS contribution. Consideration should be given to whether CMS has adequate tools and means to address the problems faced by the species.
- (iv) Existence of suitable conditions for action. The prospects for the development of effective action under the Convention should be evaluated. This may involve consideration of elements such as CMS membership in the species' range, existence of political support, political stability and security, potential for institutional/technical/financial support, etc.

16. Should the current arrangements for dealing with "Concerted Action" species be refined as outlined above, some planning with regard to timing will be required to make a successful transition from the current system. It is proposed that, once agreed by the Council, the guiding principles already be taken as a reference in the Council's forthcoming deliberations (e.g. in its recommendations to COP7 on possible new Concerted Action Species) and that the new system become fully operational in the 2003-2005 triennium.

## ScC Report Annex IV

**REPORT OF THE WORKING GROUP ON TERRESTRIAL MAMMALS**A. Evaluation of concerted actions**1. Sahelo-Saharan antelopes**

*Oryx dammah*, *Addax nasomaculatus*, *Gazella dama*, *Gazella cuvieri*, *Gazella leptoceros*, *Gazella dorcas*.

- The group heard a detailed report by the CMS Working Group (WG/ASS) on the activities carried out during the last triennium. This report is available.
- It also heard additional reports from representatives of the Range States, i.e., Chad, Mali, Morocco, Niger, Nigeria and Senegal.
- The Group is of the view that the concerted action has made considerable progress during the past triennium.
- The Group also believes that concerted action should be continued and supported.

**2. The Mountain gorilla**

*Gorilla gorilla beringei*

- The Group is conscious of the degree of danger under which the Mountain gorilla lives.
- The Group is closely monitoring the activities of the International Project for the Conservation of the Mountain gorilla, which enjoys the support of three international non-governmental organizations and which has been working on the ground for the past ten years.
- The Group is very much aware of the very unstable present conditions under which the Mountain gorilla lives in the Range States.
- The Group is of the view that the Mountain gorilla should be maintained on the list of species requiring concerted action, but for the moment it is not yet clear in what way CMS could undertake effective action in the context of a concerted action.

**3. The South Andean deer**

*Hippocamelus bisulcus*

An observatory "Pablo Canevari" has been built in the province of Chubut in southern Argentina and a full report thereon will soon be submitted to the Secretariat.

B. Evaluation of cooperative actionsThe West and Central African elephant

- Last year in Edinburgh it had been decided to work towards a memorandum of understanding relating to these populations of elephants.
- A focal point Councillor had been designated (the Councillor of Burkina Faso).
- Unfortunately for internal reasons the Councillor was unable to attend the last two meetings of the Scientific Council.



The Working Group decided that, prior to the next meeting of the Scientific Council:

- It will organize and hold a meeting of the 16 Range States.
- The States in question are: Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, Guinea Bissau, Mali, Niger, Nigeria, Senegal and Togo.
- Each State will be represented by two officials preferably a member of the elephant conservation movement and an administrator/policy maker authorised to negotiate such an agreement.
- The Working Group will ensure that the function of focal point is guaranteed.

#### The financing of projects

1.	<b>The West and Central African elephant</b> Organizing and holding a regional meeting to prepare a memorandum of understanding	\$15,000
2.	<b>The Sahelo-Saharan antelope</b> Implementation of the CMS Action Plan.	
(a)	Contribution towards the coordination of the FFEM project (2005)	\$25,000
(b)	Establishment and maintaining of a database on the web and of a Sahelo-Saharan antelope CMS web site (2003-2004)	\$25,000
(c)	Participation in the Ferlo development project in Senegal (2003-2004)	\$20,000
(d)	Development of a joint Chad/Libyan Arab Jamahiriya/Niger project (2003-2004)	\$20,000
(e)	Development of a project in Egypt (reserved to be used when adequate structure developed)	\$10,000
	<b>Total</b>	<b>\$100,000</b>

#### C. Proposal to include new species in the Appendices of the Convention

##### 1. **Proposal I/7: the wild Bactrian camel**

*Camelus bactrianus*

Proposal by Mongolia

- This Bactrian camel is clearly an endangered species, with a world population of less than 900 animals.
- The species has been constantly decreasing in number as a result of poaching and the destruction of habitat.
- IUCN has placed it in the endangered species category.

- The Bactrian camel migrates seasonally and in a very erratic manner depending on the changing climatic conditions and feeding grounds.
- The species regularly crosses the border between China and Mongolia. This Bactrian camel is particularly vulnerable to poaching when migrating.

The Working Group endorses the proposal to include the Bactrian camel in Appendix I.

## **2. Proposal II/12: The Wild ass of Asia (Hemione)**

*Equus hemionus*

This proposal relates to the species *Equus hemionus* sensu lato, which includes three species: *Equus hemionus*, *Equus onager* and *Equus kiang* according to the Wilson and Reeder classification (1993), the reference selected for CMS (Recommendation 6.1).

- The Scientific Council recommends that these three species be included in Appendix II in order to cover the whole complex "Equus hemionus" in the meaning of the proposal. The status of this complex is not positive, with one entity of the complex being considered as extinct, several seriously threatened and others declining dangerously. The range area has been considerably reduced. IUCN considers *Equus hemionus* as being "Vulnerable", and *Equus onager* as being "Endangered". The populations cross national borders and could benefit from regional management measures.

The Working Group endorses the proposal to include the Wild ass of Asia in Appendix II.

## **3. Proposal II/13**

*Gazella subgutturosa*

The Working Group confirms that the status of conservation of this species is not favourable and expresses concern over the rapid reduction of the range area and the populations.

IUCN lists this species as "near threatened". The species is an erratic migrant which moves considerably depending on climatic changes. It crosses national borders.

The Working Group endorses the proposal to include the Goitered gazelle in Appendix II.

## **4. Proposal II/14**

*Procapra gutturosa*

The population of the Mongolian gazelle although existing in large numbers in Mongolia is considered by the Working group as having a negative conservation status, because of the serious decline in other parts of the range and local extinction.

IUCN lists the species as "near threatened". The Mongolian gazelle used to migrate until recently from east to west but no longer does that now. However, a large part of the population in Mongolia migrates to China in the winter.

The Working Group endorses the inclusion of the Mongolian gazelle in Appendix II.

## **5. Proposal II/15**

*Saiga tatarica tatarica*

This proposal relates only to the nominal sub-species of the Saiga antelope due to the fact that Mongolian sub-species (*Saiga tatarica mongolica*) is not considered as a migratory species.

IUCN lists the nominal sub-species as "conservation dependant", but clearly the situation has changed since. The population has been reduced by 85 per cent since 1980 and the rate of decline is increasing. The population of the Ural would decline by 79 per cent per year. The Working Group therefore considers the status of conservation of this species as being extremely unfavourable. The Saiga antelope moves in a seasonal manner from north to south between the winter and summer feeding grounds, crossing national borders.

The Working Group endorses the inclusion of this species in Appendix II.

#### D. Proposed concerted action for Appendix I species

##### **The Snow leopard**

Consideration of the proposal relating to the Snow leopard.

*Uncia uncia* (ScC11/Doc.15).

The Working Group has assessed the proposals on the basis of the guiding principles set out in document ScC11/Doc.3.

- The Snow leopard is an endangered species, requiring concerted action as a top priority.
- The world population is probably less than 7,000 animals and overall the populations are reducing in number. CMS provides an appropriate framework for action in favour of the Snow leopard. Appropriate transboundary management would certainly be of benefit to the species, which is at present confined to mountains along international borders. Five Range States are Parties to the Convention: India, Mongolia, Pakistan, Tajikistan and Uzbekistan;
- China and the Russian Federation on the contrary are not parties to CMS.
- Four Range States have national action plans but without regional coordination.
- There is a regional strategy which, however, lacks a structure to implement it.

CMS could therefore be instrumental in the regional management and conservation of the Snow leopard, by working in collaboration with local authorities, non-governmental organizations and research groups.

Tajikistan has expressed a willingness to assist in the process and the Working Group proposes that the representative of Tajikistan be designated as the focal point for the concerted action, if the Conference of the Parties decides to go ahead with this action.

The Working Group endorses the addition of the Snow leopard to the list of Concerted Action species.

## ScC Report Annex V

**REPORT OF WORKING GROUP ON MARINE MAMMALS AND LARGE FISHES**

Chair: Dr. W.F. Perrin

Rapporteur: Dr. W.J. Wolff

**REVIEW OF LISTING PROPOSALS****1. Antarctic minke whale (*Balaenoptera bonaerensis*) on Appendices I and II [Australia]**

The group noted a number of technical errors in the proposal, due primarily to confounding of the two species of Minke whales (*B. bonaerensis* and *B. acutorostrata*). These have largely been corrected in a revised version of the proposal submitted to the Secretariat. The species is considered to be migratory and because of a range of threats to qualify for listing on Appendix II. Hence the working group endorsed this part of Australia's proposal. However, considerable discussion arose on the listing on Appendix I. Most Councillors considered that, although no exact figures are available on the population size, it is nevertheless in the order of magnitude of half a million. In the recent past exploitation of this population under scientific permit has amounted to a few hundreds of animals per year, which is not an unsustainable rate of exploitation. Moreover, IWC at present offers complete protection to the species under its moratorium on commercial whaling; the species is also listed in Appendix 1 of CITES. If in the future the IWC would enable exploitation, quotas would be allotted according to the Revised Management Procedure. One Councillor, however, expressed a lack of confidence in the effectiveness of the RMP and pointed out that there are considerable uncertainties about trends of the population, which is subject to a range of threats owing to its aquatic habitat. This Councillor believed that Appendix I listing should be recommended as a precautionary measure. It was finally concluded that the working group could not arrive at a consensus recommending listing on Appendix I.

**2. Bryde's whale (*Balaenoptera edeni*) on Appendices I and II [Australia]**

The working group considered that the proposal, including in its revised form (ScC11/Doc.19), insufficiently covered the complicated taxonomic position of this 'species', which is now recognized to consist of two species. On the other hand the working group concluded that all taxonomic units embraced by the name *B. edeni* in this proposal were migratory and would profit from protective measures given the assumed earlier exploitation and a range of identified threats. Hence, the working group endorses the proposal by Australia to list this species complex on Appendix II. With regard to the listing on Appendix I most Councillors agreed that while this species is Data Deficient, there is no indication that it is depleted or endangered. In the recent past exploitation of this population under scientific permit has amounted to a few animals per year, which is unlikely to be an unsustainable rate of exploitation. Moreover, as for the Antarctic minke whale, IWC and CITES at present offer complete protection to the species. Other Councillors, however, pointed out that there are considerable uncertainties about the trend of its population, which is subject to a range of threats owing to its marine habitat and that listing should be recommended as a precautionary measure. As for the Antarctic minke whale, the group was unable to arrive at a consensus recommendation to list the species on Appendix I.

**3. Fin whale (*Balaenoptera physalus*) on Appendices I and II [Australia]**

The chairman recalled that this species and the Sei whale had been reviewed at the 9th Meeting of the Scientific Council but that at that occasion it had not been recommended for listing because of

the lack of “concerted action” with regard to other, already-listed species of large whales, and because these whales were considered to be adequately covered by the IWC.

However, the group concluded from the information presented in the proposals that from a scientific viewpoint the species meets all criteria for listing on the Appendices of CMS. It is migratory, highly depleted, and is classified as Endangered by the IUCN. The working group concluded that it could endorse the proposal by Australia to list this species on both Appendices I and II.

The group noted that in this and some of the other proposals by Australia the lists of existing international protection instruments and of range states were incomplete.

**4. Sei whale (*Balaenoptera borealis*) on Appendices I and II [Australia]**

The situation of *B. borealis* was considered to be very similar to that of *B. physalus*, including classification by IUCN as Endangered. Hence the working group endorses the proposal by Australia to list this species on Appendices I and II.

**5. Pygmy right whale (*Caperea marginata*) on Appendices I and II [Australia]**

The proposal contained no information on migratory movements, but the working group concluded that seasonal strandings in Australia and South Africa combined with occurrence in the Antarctic during the austral summer indicate that it is likely a migratory species. However, there is no information on its population size. Because the species is subject to a range of indirect threats owing to its marine habitat, the working group agreed that it could profit from regional cooperative protective measures and that it thus qualifies for listing on Appendix II.

With regard to listing on Appendix I some Councillors noted that while the species is classified by IUCN as Data Deficient, it has never been hunted and there is no reason to believe that it is depleted or endangered and therefore no compelling reasons to list it on Appendix I. Other Councillors, however, believed that the habitat and other potential threats identified in combination with the presumed rarity of the species warranted listing on Appendix I. The working group was not able to arrive at a consensus to recommend listing the species on Appendix I.

**6. Sperm whale (*Physeter macrocephalus* [“catodon”]) on Appendices I and II [Australia]**

The working group first draws attention to the fact that the names *Physeter catodon* and *P. macrocephalus* concern the same species and that the latter name should be used, as agreed previously by the Conference of Parties. The species is migratory. The IUCN classifies the species as Vulnerable rather than Endangered, and one Councillor expressed a reservation about any conclusion that the species is endangered. However, because, despite major assessment efforts in the IWC, there still exist no reliable estimates of the degree of its undoubted great depletion through whaling nor of its present population size, the working group concluded that it could endorse Australia’s proposal to list this species on Appendices I and II.

**7. Killer whale (*Orcinus orca*) on Appendix II [Australia]**

Some populations of the killer whale have already been listed on Appendix II. This proposal suggests placing all other populations on this Appendix as well. Since all these populations are migratory and could profit from cooperative protective measures, the working group endorses Australia’s proposal to list this species on Appendix II.

**8. Great white shark (*Carcharodon carcharias*) on Appendices I and II [Australia]**

The working group concluded that this is a migratory species crossing international borders. It is the subject of directed fisheries both commercially and by sport fishermen. It was noted that the IUCN classified the species in its 2000 assessment as Vulnerable but stated that it was near endangerment. The working group considered that worldwide there is a clear decline and that local populations have been extirpated or run this risk in the near future with potential consequences for populations on an ocean basin scale. Hence, the working group concluded that this species meets the criteria to be listed on Appendices I and II and supports the proposal of Australia.

**9. South American sea lion (*Otaria flavescens*) on Appendix II [Peru]**

The working group concluded that this species is migratory, significantly reduced in abundance and facing numerous conservation threats and that it would benefit from cooperative regional protective measures. The working group agreed to endorse the proposal by Peru.

**10. Southern fur seal (*Arctocephalus australis*) on Appendix II [Peru]**

The working group discussed whether the listing should concern the entire species or only one of the two subspecies (*Arctocephalus australis australis* on the Falkland Islands (Malvinas) and *A.a. gracilis* on the South-American mainland). However, it was considered that both subspecies are migratory, the mainland populations are greatly reduced in abundance and that the species would profit from regional cooperative protective measures. Hence the working group endorsed the proposal by Peru to list the entire species on Appendix II.

**11. Amazonian manatee (*Trichechus inunguis*) on Appendix II [Peru]**

The working group concluded that the species is migratory and crosses international borders. It has shown a clear decline in the recent past and would profit from cooperative regional protective measures. The working group agreed to endorse the proposal by Peru.

**12. West-African manatee (*Trichechus senegalensis*) on Appendix II [Ghana]**

A draft of this proposal was reviewed and endorsed at the last meeting of the Scientific Council. The species is migratory in part, greatly reduced in abundance and faced with numerous severe conservation threats. The working group endorsed the present proposal by Ghana.

## FUTURE LISTING PROPOSALS

### Gangetic river dolphin (*Platanista gangetica*) on Appendix I [India]

The Secretariat informed the group that a proposal by India to place this species on Appendix I arrived too late for consideration at this meeting of the Council. A draft of the proposal was reviewed and endorsed at the previous two meetings of the Council.

## REVIEW OF PROGRESS ON CONCERTED ACTIONS FOR APPENDIX-I SPECIES, AND SUGGESTIONS FOR SPECIES TO ADD

### 1. Franciscana (*Pontoporia blainvillei*)

A study of abundance, habitat use and stock identity was approved for funding following endorsement by the Council at its last meeting and slated to begin in March this year. Schlatter reported that the funding has yet to materialize, severely affecting the field schedule. Members of the group expressed concern about this delay and urged that the funding be expedited so that the project can begin as soon as possible.

### 2. Mediterranean monk seal (*Monachus monachus*)

González reported that development of a recovery plan has not yet been completed, but a population viability and habitat assessment (PVHA) has been carried out.

### 3. Marine otter (*Lontra felina*)

A survey of abundance and a Chile/Peru workshop are in the advanced stages of preparation and scheduled to begin in October this year (ScC11/Doc.8; Conf. 7.8).

### 4. Addition of species to the list for concerted action

Australia stated its intent to begin efforts to develop a regional cooperative agreement covering the great whales of the South Pacific region should its listing proposals be approved. Considering this, the group recommends that in the event that any of the Appendix I proposals are approved by the Conference of the Parties those species should be added to the list of species for concerted action. In addition, the great whales already on Appendix I which also occur in the region should be added to the list; these include the southern right whale (*Eubalaena australis*), blue whale (*Balaenopera musculus*), and humpback whale (*Megaptera novaeangliae*).

## PROGRESS ON COOPERATIVE ACTIONS FOR APPENDIX II SPECIES, AND SPECIES TO ADD TO LIST

### 1. Whale shark (*Rhincodon typus*)

The Philippines at the last Council meeting announced an intention to pursue a regional memorandum of understanding toward conservation of the species. There was no information available to the group on progress of this effort.

There was no information available to the group on progress of plans by India to host a workshop on inventory of Whale shark fisheries and data on international traffic in Whale shark products (ScC11/Doc. 8). The project was expected to start in January of 2002.

## 2. Sturgeons (18 species)

Blanke presented a comprehensive report of progress since listing of the species on CMS Appendix II and listing by CITES in 1997. The listings did not stop the dramatic decline, especially of the populations around the Caspian Sea, despite agreed strict trade regulations, labelling and reporting requirements. A major reason is the uncontrolled illegal trade, which is 10-12 times as large as the legal trade. Because of the continuing decline, CITES in June 2001 decided to halt caviar trade by all the major Caspian nations except the Islamic Republic of Iran. The five major Caspian states in response initiated new monitoring, conservation, and hatchery efforts; this resulted in a lifting of the CITES ban in 2002. The consensus is that the critical conservation problems are not yet solved but that some progress has been made. The continuing threats include habitat degradation, pollution, by-catch, overfishing, poaching, and introduction of exotic sturgeon species and the resulting hybridization. A major problem in addition to international traffic is internal illegal catch and consumption in Russia. It was noted that the only access to potential effective assessment and management of all the endangered sturgeons in the Caspian basin is because of their immense commercial value in international trade. Without this trade, conservation efforts in the basin would likely diminish. One disadvantageous factor at present is that most of the Range States are not members of CMS. It is recommended that the CITES efforts be given 3-4 years to yield adequate results, following which CMS should consider whether it needs to pursue additional cooperative actions.

## 3. Franciscana (*Pontoporia blainvillei*) - see Concerted Actions above

## 4. Southern South American dolphins and porpoises (6 species)

No cooperative actions have been undertaken for these species. The CMS Workshop on the Conservation Status and Research Priorities of Aquatic Mammals in Latin America to be held in Chile in October this year may give rise to proposals for cooperative actions.

## 5. Appendix II species to add to the list for cooperative action

Considering the number and wide variety of completed, ongoing and planned cooperative actions involving Appendix II species in the South-east Asia region and aimed at promoting a potential regional agreement (ScC11/Doc.8), the group recommends that the species be added to the list for cooperative actions. These include the porpoise *Neophocaena phocaenoides*; the dolphins *Sousa chinensis*, *Tursiops aduncus*, *Stenella attenuata*, *S. longirostris*, *Lagenodelphis hosei* and *Orcaella brevirostris*; and the dugong *Dugong dugon*.

## NEW PROPOSALS

The group reviewed two documents relating to proposed research on small cetaceans of South Asia. The first (ScC11/Doc.16) is a briefing document submitted by the Wildlife Conservation Society and the Whale and Dolphin Conservation Society laying out the need, rationale and objectives for an international regional initiative on marine mammal research and conservation in South Asia (Myanmar, Bangladesh, India, Sri Lanka, Maldives and Pakistan). It is clear that many marine mammal populations in the region are severely threatened, primarily by by-catch in



fisheries. Objectives as stated in the document are 1) to provide training to enhance in-country capacity, 2) to convene a workshop to review distribution, abundance, population structure, habitat status, directed catches, and research and conservation needs, and 3) develop a preliminary draft regional CMS agreement. The group endorsed the initiative in principle. It considered the first two objectives appropriate but believed that development of a draft agreement would better be left to governments. The group suggests that the authors of the document be encouraged to submit proposals for projects aimed toward the first two objectives.

The second document was a pre-proposal from the same group for an assessment of cetacean populations and mortality in the Bay of Bengal. The working group considered the proposed research timely and relevant to needs for cooperation in the region and recommends that the authors be encouraged to submit a full proposal in the required CMS format.

## **OPERATING METHODS OF THE COUNCIL**

The group wishes to note that the participation by the chair of the ASCOBANS Scientific Committee was very helpful and encourages further such collaboration at future meetings and intersessionally. It believes that more intersessional activity by the Council is badly needed and suggests that the Secretariat should be urged to provide the needed support to the Chair and Vice Chair to make this possible and efficient. This would contribute to easing of the current somewhat ad hoc nature of the Council proceedings caused by shortage of time during the meetings. The group also suggests that the Secretariat should be asked to investigate the general problem of inordinate delays in funding projects once they have been approved in principle by the Council and formatted proposals provided by the principal investigators. Members also expressed dissatisfaction with the delayed distribution of documents at the current meeting; some were distributed just as the topic in question was being opened for discussion in plenary, with no time to read the document before the discussion. This is felt to hinder full discussion and consideration of the issues at hand.

## **SHOULD THERE BE TAXONOMICALLY ORIENTED STRATEGIES?**

Members of the group agreed that a carefully constructed strategy would contribute greatly to the workings of the Council on the marine mammals and large fishes. It would provide direction for researchers and others wishing to apply for CMS funding, serving in effect as a request for proposals. It would also provide a basis for judging success in reaching objectives in explicit terms relating to on-the-ground conservation research and action. The system at present encourages a rather scattered approach based on unsolicited requests for project funding.

## **OTHER**

The group welcomed the report on collisions of whales with ships (ScC11/Inf. 7). It noted the serious nature of the threat to the continued existence of some endangered species, e.g., the North Atlantic right whale (*Eubalaena glacialis*) and especially that it will continue to increase with the current increasing use of fast ferries and coastal shipping.

## ScC Report Annex VI

**REPORT OF THE WORKING GROUP ON BIRDS**

Sunday 15 and Monday 16 September 2002

Some twenty Councillors, observers and others attended the several sessions of the Working Group. Dr. Moser, the Councillor for Birds, was in the chair. He requested a rapporteur, suggesting John O'Sullivan of BirdLife International, and this was agreed.

**Proposed additions to appendices**

The following species had been proposed.

Appendix I: *Puffinus creatopus*; *Pelecanoides garnotii*, *Gorsachius goisagi*; *Platalea minor*; *Anser cygnoides*; *Anas formosa*; *Haliaeetus leucorypha*; *Grus vipio*; *Grus monacha*; *Tringa guttifer*; *Eurynorhynchus pygmeus*; *Sterna bernsteini*; *Sporophila palustris*; *Alectrurus tricolor*.

Each species was reviewed, in particular as to its migratory nature and its IUCN threat category, taking into account any written comments from the Parties. For waterfowl species, the Group had the benefit of the latest population estimates, to be published shortly by Wetlands International. While there was agreement among delegates on the proposals, the following points merit particular recording.

For *Pelecanoides garnotii*, it was agreed that the species does move cyclically and predictably across borders (in response to El Nino and La Nina effects), and therefore qualifies for the attention of the Convention. Two Parties (Chile and Peru) have proposed the species separately; it was agreed that the national focal points would combine their proposals into one in order to avoid any discrepancies.

For *Anas formosa*, the point was made that in recent years hitherto unknown numbers of the species have been found in South Korea, and the population may not be declining. However, it was agreed that in the particular circumstances a cautious approach should prevail.

For *Sterna bernsteini*, the point was made that it was the recent rediscovery of the species, until then thought to be extinct, which had triggered its proposal for the Appendix I listing.

After analysis of the proposals, it was agreed that the Working Group would support the addition of all the proposed species to Appendix I.

Appendix II: *Brotogeris pyrrhopterus*; *Polystictus pectoralis pectoralis*; *Sporophila ruficollis*; *Pseudocolopteryx dinellianus*; *Streptopelia turtur turtur*.

Again, the Working Group discussed each species, noting the following points in particular.

*Brotogeris pyrrhopterus* is felt to be a migrant as defined by the Convention (crossing international boundaries during its regular e.g. circadian movements). As it is endangered, the question had been raised by Hungary whether it should be added to Appendix I, rather than II. Peru confirmed that the proposal for Appendix II listing was erroneous, and that their proposal was indeed to list the species on Appendix I. The Working Group endorsed this.

*Polystictus pectoralis pectoralis*: it was suggested that it might be appropriate to add the species as a whole to the Appendix, not only the race *pectoralis*. However, in the absence of a representative from the Party that proposed the bird, it was decided to list the race as had been proposed: work would be enabled in the forthcoming triennium, and should listing of other subspecies prove appropriate, this could be done

at a future Conference of the Parties. (On a matter of taxonomy, it was noted that the species has usually been considered to belong to the Tyrannidae.)

*Polystictus pectoralis*, *Sporophila ruficollis* and *Pseudocolopteryx dinellianus* could usefully form the basis of an Agreement covering migratory grassland species of South America.

*Streptopelia turtur turtur*: Senegal stressed the serious nature of the threats to this bird and its habitats in Senegal. The Group felt that some further work was necessary on this proposal, including whether a subspecies, or the whole species, should be added, and to agree priority actions. The regional Working Group could usefully look at it, and BirdLife International could assist, in particular with information on distribution and threats in the breeding range. This work proved sufficiently complex and time-consuming for a decision on the proposal to be referred to a late plenary of the Council. In view of the large number of Range States, comments on this proposal might well be expected at the Conference of the Parties.

**Subject to progress on this last, the Working Group agreed to recommend the addition of all the taxa proposed.**

### **Concerted Action**

Focal Points for the individual species were asked to give updates. The following points are a summary of these.

*Chloephaga rubidiceps*: cooperation continues between Argentina and Chile on research and other matters. At the end of 2001, a manual had been published (in cooperation with Wetlands International), and distributed to farming organizations in the relevant provinces. A project had been drawn up to study migration issues and the level of genetic differentiation; funding was being sought for this. A framework agreement between the two countries, already signed, might lead to the quicker signing of a memorandum of understanding on the species. Agreement had been reached at the last Scientific Council meeting which should result in action beginning in November this year.

*Anser erythropus*: the previous Focal Point on the species, Jesper Madsen, has resigned from the Council. A new Focal Point is being sought; it was agreed that until a proposal comes forward, the Councillor for Birds should keep an oversight of the species. One of the Focal Point's priorities would be to pursue the existing CMS-supported project on the species. Either the project should be implemented urgently, or it should be removed from the list. It was reported that, against a background of continuing decline, the reintroduction programmes in Finland and Sweden had been stopped; work may restart in Sweden, subject to the solution of certain genetic problems. In Germany, a group of non-governmental organizations wishes to start a project in training young birds to follow a microlight aircraft (a test project has shown positive results). Such a project would probably attract commercial funding, as well as generate a lot of public interest in the species. Delegates drew attention to the plight of the wild population, arguably a higher priority, which is suffering from hunting, particularly in Kazakhstan; the killing of tagged migrating birds there has prevented the exact identification of the wintering grounds.

*Chlamydotis undulata* (Asian population): the Focal Point for the species indicated the progress that had been made in producing a final draft of an Agreement, which would be circulated to previous consultees. A meeting of the Range States is now proposed for September 2003, probably in either Saudi Arabia or the United Arab Emirates; some planning details remain to be finalised with the Secretariat. Funding, in particular to cover the attendance of delegates, would be needed. The Chair thanked the Focal Point, and welcomed this encouraging news, particularly as regards the proposed meeting. On the particular question of funds, he urged a speedy application to the Secretariat in the agreed format.

*Otis tarda* (Central European population): a Memorandum of Understanding came into force on 1 June 2001, and 10 Parties have joined. A workshop is planned for April 2003. A fully developed project proposal has been submitted for funding.

***Numenius tenuirostris***: a working group report has been circulated to the Scientific Council (Doc 14). The challenges remain the same in conserving a species we can hardly find. Among news worthy of note are the separate research projects now being undertaken in the United Kingdom and Belgium, which it is hoped will enable, by the analysis of isotopes in feathers, the identification of the regions where birds have bred. It is proposed that existing efforts continue to be supported, including support for the Secretariat (provided by BirdLife International). Note that a meeting on the species will be held as a side-event to the Conference of the Parties on 23 September. Dr. Boere, who is resigning as the Chairman of the Working Group, was thanked for his great contribution. A reporting link from the Working Group to the Scientific Council will be provided in future by John O'Sullivan.

***Grus leucogeranus***: there is little reported change in population levels; it is possible that some birds are using unidentified wetlands. There are certainly more activities and better coordination, the latter thanks to the CMS-funded coordinator. Among the activities, the use of the ultralight aircraft technique to reinforce populations gives hope of success; work is currently underway in Russia. A new publication on the species will be distributed during the Conference of the Parties.

***Falco naumanni***: there is nothing substantially new to report. (A project proposal from Israel for work on the species in Africa is reported on below.)

***Acrocephalus paludicola***: a draft Memorandum of Understanding was circulated to Range States towards the end of 2001, and replies were received from about a dozen of them. Almost all the replies were positive, and a meeting to finalise the memorandum of understanding and work on an Action Plan is now planned to be held in Belarus (the main breeding state) in the coming winter or spring. Funding for the meeting has been offered by the United Kingdom, and by the Royal Society for the Protection of Birds. The CMS Secretariat has recently sent a draft letter of agreement to the Royal Society. In the absence of a Focal Point for this species, the Councillor for Birds would retain an oversight.

***Aythya nyroca***: a project on the species is under way, implemented by BirdLife and its partner organization in Bulgaria. Activities include updating and geographical extension of the existing Action Plan, the development of a web site, and an international workshop to be held in Bulgaria in October 2002. The project is co-funded by AEW in coordination with CMS. The offer of the Councillor from Latvia to fill the role of Focal Point for this species, was warmly welcomed by the Working Group, and accepted.

***Oxyura leucocephala***: again a study project, this time by Wetlands International, is ongoing, and draft outputs are available. The situation in Spain is positive, with a rapid increase in the population, but the situation in another key state, Turkey, which is not part of the Wetlands International project, is not clear, and information on what is happening there is required. In the absence of a Focal Point for this species, the Councillor for Birds would retain an oversight.

***Sarothrura ayresi***: the Focal Point for the species was not present at the meeting; it was proposed to ask the South African delegation for more information when they arrive.

***Hirundo atrocaerulea***: as for *Sarothrura ayresi*.

***Spheniscus humboldti***: a project for the species was approved at the last Scientific Council meeting, but funding has not yet been provided; it was agreed that this needed to be resolved as a matter of priority.

**Andean flamingos**: information has been difficult to gather for this meeting, but the populations are believed to be stable. The outline memorandum of understanding between Range States is still pending (frequent changes of government have not helped).

### **Cooperative Action for Appendix II species**

Discussions were characterised by the feeling that, unless there was progress towards an Agreement, a memorandum of understanding or similar, there was no point in maintaining such species on the list for such action triennium after triennium. Arguably, *Crex crex* and *Coturnix coturnix* have reached this situation. It was decided to retain them on the list for cooperative action, but to put down a marker at the Eighth Meeting of the Conference of the Parties, where the matter could be discussed with the proposed review of the methodology of Appendix listing and the operation of the concerted/cooperative action lists. At that time, related issues for consideration could include: whether there is a place for species on Appendix II *unless* cooperative action is underway or planned; stress on the fact that action needs to be *between Parties* to qualify; and even the possibility that once a species is the subject of a satisfactory Agreement, it should be removed from Appendix II.

*Cygnus melanocorypha* is still declining in Uruguay and Chile (despite evidence of an increase in breeding numbers in the latter). The Chair urged delegates from the Southern Cone countries, whilst they were here at the Scientific Council, to take a look at what could realistically be done for this species, and to comment to the plenary.

With regard to southern albatrosses and petrels, there has of course been considerable progress, particularly in the conclusion of the Agreement on the Conservation of Albatrosses and Petrels.

For *Spheniscus demersus*, in the absence of the Focal Point, Dr Boere noted that the species was one of the coastal birds proposed by South Africa for inclusion in the AEWA, a matter that would be dealt with at the forthcoming second Meeting of the Parties. It should remain for the present on the list of species for cooperative action.

### **Strategic issues**

The Chair had proposed this item for discussion by the Working Group because he believed that the Convention has so far not approached in a strategic way what it might be able to do for birds: there appeared to be no vision or goal in place. He felt that there were a number of weaknesses in our current way of working, including the fact that we spend too much time on repetitive reporting and other operational issues.

In the discussions that followed, the point was made that the Convention's work on birds can certainly claim some successes. However, there was room for more strategic thinking. Among the ideas suggested, the following were noteworthy. Strategic thinking can be crosscutting; thus the value of bird/mammal and/or bird/regional combinations should be assessed. A catalogue of threats by taxonomic group could be a useful tool leading to strategic action. The Convention itself would benefit from considering its unique niche, especially in the post-World Summit on Sustainable Development situation. It should look for synergies externally. For birds, and other groups, time at Scientific Council meetings could be saved by more and better briefing papers, minimizing duplication, plus other streamlining measures. Improvements could be made to the way in which Councillors, Focal Points, the Secretariat and others communicate and work together. Project work could certainly be streamlined: there are confusing parallel systems in operation in connection with inviting, evaluating, and prioritizing proposals, and in particular of releasing funds and moving to the activation of projects. The Convention should not be seen as just a source of funds (as some instruments are); on the contrary, it should actively seek the projects it needs to fulfil its important, specific role.

Concluding the discussions, the Chair confirmed the Working Group's support for the proposed development of an implementation strategy, and welcomed the ideas suggested.

### **New species for concerted action**

In discussion, there were no proposals to add species to the concerted action list from amongst those already on Appendix I. From those 15 species that were proposed at this meeting to be added to Appendix I, the following were suggested as priorities: *Platalea minor*, *Eurynorhynchus pygmeus*, and *Sterna bernsteini*. As the first and third of these are species for which Range State Parties are particularly few in number, it was felt to be important to draw the attention of the Secretariat, Parties, and others in a position to act, to the importance of getting new Parties, in particular China.

### **New species for cooperative action**

The delegates from the Southern Cone countries, with the support of BirdLife International, proposed adding the three grassland passerines, proposed by Paraguay for listing in Appendix II at this Conference of the Parties, to the list of those for cooperative action.

The question arose of funding for global/regional monitoring and assessment programmes. Although the matter was of wider application than birds alone, it would be appropriate for the Working Group to underline the importance of the work being done by, for instance, Wetlands International (for instance, on the basis of the Joint Work Plan) and BirdLife International, and the need to support these financially, and in other ways.

### **New projects**

The Chair emphasized that this item did not include those projects that had already been signed, but only entirely new projects. He listed these, and discussion followed. The Working Group recommendations are given, project by project.

*Otis tarda*: a workshop to initiate action under the memorandum of understanding (\$10,000). Supported.

*Numenius tenuirostris*: Secretariat coordination (\$22,000 for two years); survey and preparing a GEF proposal (\$53,000). The Secretariat coordination is supported; further rationalization of the remaining elements is required.

*Grus leucogeranus*: a project at Poyang Lake, China, for this and other Appendix I species (\$14,500). Supported. It was noted that this is a Ramsar site; there are obvious synergies possible between the conventions (and with the major WWF project at the site). This is of course a flagship species of the CMS.

*Falco naumanni*: a proposal for survey and mapping in Africa (\$41,000). Not supported, as, although a good project, it is out of line with the usual CMS practice for survey and allied work, of allocating rather smaller sums (typically \$5,000-\$10,000). The Councillor on Birds could be mandated to get in touch with the proposers, and see whether a more modest proposal might be appropriate.

In addition to these proposals, at the meeting itself Peru suggested one on *Phoenicopterus andinus* with a cost of some \$18,700. The Chair said that it was difficult to comment without more detail, but that a proposal should be submitted as soon as possible.

The Working Group should advise the Scientific Council to set aside a contingency fund for this possible project, for a possible revised proposal for *Falco naumanni* and also, importantly, for the development of the strategy for the Working Group (to cover, in particular, a workshop for Councillors, regional representatives and others).

**Other matters**

*Phalacrocorax carbo*: a decision at the Fifth Meeting of the Conference of the Parties was taken to initiate action on this bird (which appears in neither appendix of the Convention), because of the impact on fisheries issue. Following that meeting, a regional meeting was held and an Action Plan was developed: nothing has been heard since then. It was felt appropriate to note this situation. Although the Scientific Council did not propose to raise this matter for discussion at the Seventh Meeting of the Conference of the Parties, a Range State Party would of course be free to do so.

The Chair noted the less than ideal situation where the Councillor for Birds was acting as a Focal Point for several species (see above). It was felt that the Councillor's time is best kept free for a coordinating role, and continuing efforts to find Focal Points were therefore appropriate.

The Working Group on Birds concluded its series of meetings at 11:50 on Monday 16 September, with the Chair expressing his thanks in particular to the interpreters and the rapporteur.

In concluding its work, the meeting warmly applauded the Chair, and outgoing Councillor for Birds, Dr Mike Moser, for the enormous contribution he had made over the years to the success of the Working Group on Birds in particular, and to the CMS as a whole.

## ScC Report Annex VII

**MARINE TURTLE WORKING GROUP REPORT**

Discussion chaired by Dr C. Limpus.

There were no proposals to consider for changes to Appendix listings.

Four proposals that had been tabled for consideration for funding as a CMS project were examined and prioritised as follows.

<b>Project ID</b>	<b>Project title</b>	<b>Requested</b>	<b>Comments</b>	<b>Recommendation</b>	<b>Priority</b>
	Conservation of Sea Turtles along the coast of Peru	\$29,214	The project has the support of the CMS focal point. It targets quantification of turtle by-catch in commercial fisheries in an area widely believed to be critical for South Pacific turtle stocks. It contains a strong link with a good genetics lab to provide stock identification of turtles captured. The linkage of these aspects to a sound on-going community education project makes for a very desirable project.	Consider for full funding.	Very High
Doc.10/A6	Enhancing turtle conservation in Kenya	\$16450	The project has the support of the CMS focal point. It targets actions that are identified within the draft regional work plan for the IOSEA MoU. It emphasises community participation in Kenya turtle conservation. It is strongly focussed on community education towards turtle conservation. The nesting data and mortality data phases are being strategically managed with respect to national planning within Kenya.	Consider for full funding.	High
Doc.10/A1	Tracing the migration of Indian marine turtles towards an integrated and collaborative conservation program.	\$44,500	The proposed work conforms within the draft regional work plan for the IOSEA MoU. It has focussed well on significant breeding areas that are data deficient. It includes emphasis on identification of the marine turtles resources and the local threatening processes as well as local capacity building. The project has been well planned and is achievable. The genetics and satellite telemetry components are not considered of high enough priority for funding.	Recommended for consider for funding but at a reduced level of \$34,500. (not providing for the administrative costs)	Medium



Project ID	Project title	Requested	Comments	Recommendation	Priority
Doc.10/A1	Movements, behaviour, and habitat utilisation of the loggerhead sea turtle <i>Caretta caretta</i> in the Adriatic Ocean	\$42,600	This is primarily a research project. While the project is scientifically sound, the results from tracking of a few (8) animals is unlikely to add substantially to the substantial body of existing knowledge that could be used immediately to guide the proposed management planning process. The project would provide an excellent opportunity for good public relations/education activities for regional marine turtle conservation.	Worthy of funding only if funds are not limited, because of its regional educational value.	Low

It is apparent from discussion within the group that there is a need to strengthen linkage between the CMS signatory states and the operations of the West African and Indian Ocean – Southeast Asian memorandum of understanding.

## ScC Report Annex VIII

**BY-CATCH WORKING GROUP REPORT**

By-catch was considered by a number of the delegations and appointed Councillors to be the greatest threat to migratory species from human activities in the marine environment. This echoes the views expressed in Resolution 6.2 of the Sixth Meeting of the Conference of the Parties and the discussion at the 10th Meeting of the Scientific Council. ScC11/Inf.6 by the United Kingdom reviewed the activities of other international and regional organisations with respect to fisheries by-catch. This review had been requested (of the Secretariat) at ScC10. This draft report was welcomed as an important and necessary step to identifying the main organizations responsible for the issue and capable of taking stronger actions than those currently in place. It was noted that the by-catch issue extended beyond the seabirds, marine turtles and cetaceans listed in Appendices I and II to fish, including sharks, rays and sturgeons. By-catch also impacts non-migratory species including benthic invertebrates and plants. By-catch of migratory species may also occur in fresh water fisheries (and to a lesser extent in aquaculture).

The By-catch Working Group of the Scientific Council considered the issue further. A number of issues emerged.

- The definition of by-catch is not stable. Differing cultural approaches to living marine resources means that in some cultures by-caught catch is not discarded but is instead utilized and considered part of the wanted catch. Ultimately all resource takes need to be sustainable from the point of view of the species caught, whether the catch is wanted (and utilized) or not.
- The complexity of the fisheries sector means that any assessment of by-catch needs to be conducted in detail and at the individual fishery level. Experience has shown that by-catch can vary by gear, season, time of day, geographical area, and fishers behaviour.
- In many cases, it is not clear that Parties are aware of the full range of fisheries occurring in their waters that incur by-catch. A suitable first step may be an inventory of fisheries occurring in areas under their control or by fleets under their jurisdiction.
- Assessment of by-catch may be viewed as a four-stage process (akin to environmental impact assessment).
  - 1) Describe resource being caught
  - 2) Describe activity and its effects on the resource (estimate total by-catch in the fishery(ies))
  - 3) Determine population impact of catch
  - 4) Consider and implement appropriate mitigation.
- Experience within CMS and its daughter Agreements indicate that scientific recording of by-catch in fisheries needs to be conducted where possible by independent on-board observers. Where on board observers are impossible, independent studies are still required. Observer schemes need to be carefully designed to sample the many dimensions of possible variance effectively.
- ‘Ghost’ nets: lost and discarded gear can continue to catch. Ideally all such gear should be removed from the oceans and disposed of safely. Although inherently difficult, some assessment of the by-catch caused by such gear needs to be made and added to the impact of the relevant fishery.
- For migratory species listed on Appendices I and II, by-catch should be minimized. Assessment of the scale and impact of the by-catch is desirable.

- Determination of the impact of catch requires information such as the potential growth rate of the populations being impacted. This information may be difficult to obtain and in addition resource description may often be costly. Several fisheries may impact on the same resource. The cumulative impact requires assessment. In the absence of data, suitable proxies may be used. Advice and decision-taking should be based on the precautionary principle. Animal welfare issues should not be overlooked.
- Fishers are often the best source of suggestions for mitigation options. Many solutions have arisen from fishers and scientific observers working together. By-catch assessment is best conducted with the cooperation of the fishers.
- Mitigation approaches can include changing fishery type, modifying gear, reducing fishing effort and closing areas either temporarily or permanently. The effects of mitigation measures need to be assessed in terms of all taxa at risk of capture. Management measures within protected areas should include appropriate consideration of by-catch issues.

The above issues indicate that the by-catch issue is most appropriately dealt with at the Party level, dealing directly with fisheries under their control. Parties may need to develop and agree measures through relevant regional bodies or economic integration bodies.

In response to the invitation in Resolution 6.2 of the Sixth Meeting of the Conference of the Parties, the Scientific Council recommends that the above may be viewed as appropriate concerted measures to be taken by Parties. By-catch is a major issue in three of the daughter agreements of CMS. We noted the excellent concerted action of the negotiation of the Agreement on albatrosses and petrels (ACAP) since the Sixth Meeting of the Conference of the Parties and encourage Range States to ratify this Agreement as soon as possible, and to participate fully in both ACCOBAMS and ASCOBANS. The memoranda of understanding on turtles also may be important mechanisms in addressing by-catch problems.

We noted that assessments and measures might be costly in some areas, and therefore recommend that proposals for research be sought from Parties in areas/fisheries thought to have particular undocumented problems at present and which are not covered by Regional Agreements. Of particular importance in this regard are:

- Artisanal fisheries generally, and certain industrial fisheries.
- For cetaceans, these include South, South-East, and East Asia and West Africa.
- For turtles, these include the Pacific Ocean (long-line fisheries) and impacts on Olive Ridley turtles in South Asia.
- For birds, South America and northern gillnet fisheries.
- For sharks and rays, all fisheries.

The working group was aware of a wide range of work on by-catch research and mitigation that had occurred since the Sixth Meeting of the Conference of the Parties, but found it difficult to evaluate this formally due to lack of easily available reports. Parties are encouraged to report on their progress, especially as sharing of this information may well increase the speed of progress by other Parties. Such reports may also avoid wasted resources.

**Recommendations**

1. The Scientific Council recommends that by-catch be recognized as the greatest threat to migratory species from human activities in the marine environment.
2. The Scientific Council notes that the Sixth Meeting of the Conference of the Parties passed Resolution 6.2 on this issue, but despite some progress in this area, the overall problem has not decreased significantly, and therefore the Scientific Council urges Parties to undertake greater efforts, including through existing CMS-sponsored agreements, to:
  - a) Compile an inventory of fisheries in waters under their control or by fleets under their jurisdiction
  - b) Describe resources being caught
  - c) Describe activities and their effects on the resource (estimate total by-catch in the fishery(ies))
  - d) Determine population impacts of catch
  - e) Consider and implement appropriate mitigation.(Further detail of these recommendations is included in the Scientific Council report.)
3. The Scientific Council further requests all Parties to implement by-catch observer or other appropriate schemes on fisheries within their territorial waters and exclusive economic zones (or equivalents) in order to determine the impact of fisheries on migratory species. Where relevant, this should be carried out in the context of FAO's IPOAs on seabirds and sharks.
4. The Scientific Council suggests that all Parties consider and implement ways of reducing the amounts of discarded and lost nets in waters under their control, and ways of minimizing losses from vessels flying their flag.
5. Parties should encourage research proposals in the following areas where there is a particular absence of information and the area is not covered by an existing CMS Regional Agreement:
  - a) Artisanal fisheries generally, and certain industrial fisheries.
  - b) For cetaceans, these include South, South-East, and East Asia and West Africa.
  - c) For turtles, these include the Pacific Ocean (long-line fisheries) and impacts on Olive Ridley turtles in South Asia.
  - d) For birds, South America and northern gillnet fisheries.
  - e) For sharks and rays, all fisheries.

**By-catch Working Group**

Mark Tasker (Convenor)

Barry Baker, Steve Gibson, Noritaka Ichida, Colin Limpus, Bill Perrin, Marina Sequeira, Marie-Christine Van Klaveren, Wim Wolff, John O'Sullivan, David Pritchard.

## ScC Report Annex IX

**REPORT ON THE IMPLICATIONS OF THE IUCN LISTING CRITERIA FOR CMS**

**Prepared for the Secretariat of the Convention on the Conservation of Migratory Species  
of Wild Animals**

**By Barry Baker, Tara Hewitt and Robyn Bromley (Australia)  
Colin Galbraith and Alison Gilmour (the United Kingdom)  
in their expert capacity. \***

**Background**

At the 10th Meeting of the CMS Scientific Council a working group was established to consider the implications of the revised IUCN listing criteria for CMS. This is the resulting report.

**Overview of the IUCN Red List System**

The IUCN Red List System is a hierarchical classification system developed to assess and highlight species of animals and plants under higher extinction risk. First conceived in 1963 and originally used by the IUCN's Species Survival Commission (SSC), the IUCN Red List System has set a global standard for species listing and conservation assessment efforts. For more than 30 years SSC has been evaluating the conservation status of species and subspecies on a global scale – highlighting those threatened with extinction and promoting their conservation.

The system was developed to focus attention on conservation measures designed to protect species at risk. Over time, IUCN has recognized that a more objective and scientific system for determining threat status, as well as a more accurate system for use at the national and regional level were needed. The IUCN Red List Categories were reviewed in the early 1990s through extensive consultation and testing involving more than 800 SSC members, and the wider scientific community. This resulted in a more precise and quantitative approach that was adopted by IUCN in 1994 (IUCN 1994).

Since their adoption in 1994, the Categories have become widely recognized internationally, and they are now used in a range of publications and listings produced by IUCN, as well as by numerous governmental and non-governmental organizations. Such broad and extensive use revealed the need for a number of improvements, and SSC was mandated by the 1996 World Conservation Congress to conduct a review of the system, principally to ensure the criteria were applicable to a wide range of organisms, especially long-lived species, and species under intensive management. It was also considered desirable to ensure the highest standards of documentation, information management, and scientific credibility were embodied in the resulting document.

The Species Survival Commission completed an extensive review of the categories and criteria used to list species on the IUCN Red List in 2000. The review, involving broad consultation with users and organizations from around the world, has produced a clearer, more open, and easy-to-use system. With particular attention paid to marine species, harvested species, and population fluctuations, the review has refined the effectiveness of the Red List Categories and Criteria as indicators of extinction risk. Extensive consultation and testing in the development of the system strongly suggest that it is now robust across most organisms.

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\* The report was revised by the Working Group and endorsed by the 11th Meeting of the Scientific Council.

The revised Categories were adopted by IUCN Council in February 2000 and have now been published (IUCN 2001). SSC intend to leave this system unchanged for a period long enough to allow genuine changes in conservation status to be monitored. IUCN believes that stability in the categorization system is essential if the IUCN Red List is to be used as a reliable indicator of trends in biological diversity.

### **Description of the listing categories**

IUCN (2001) recognizes the following categories of threat:

**Extinct (EX)** – A taxon is Extinct when there is no reasonable doubt that the last individual has died. A taxon is presumed extinct when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon’s life cycle and life form.

**Extinct in the Wild (EW)** – A taxon is Extinct in the Wild when it is known only to survive in cultivation, in captivity or as a naturalized population (or populations) well outside the past range. A taxon is presumed Extinct in the Wild when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon’s life cycle and life form.

**Critically Endangered (CR)** – A taxon is Critically Endangered when the best available evidence indicates that it meets any of the criteria A to E for Critically Endangered (see Section V of Attachment A), and it is therefore considered to be facing an extremely high risk of extinction in the wild.

**Endangered (EN)** – A taxon is Endangered when the best available evidence indicates that it meets any of the criteria A to E for Endangered (see Section V of Attachment A), and it is therefore considered to be facing a very high risk of extinction on the wild.

**Vulnerable (VU)** – A taxon is Vulnerable when the best available evidence indicates that it meets any of the criteria A to E for Vulnerable (see Section V of Attachment A), and it is therefore considered to be facing a high risk of extinction in the wild.

**Near Threatened (NT)** – A taxon is Near Threatened when it has been evaluated against the criteria but does not qualify for Critically Endangered, Endangered or Vulnerable now, but is close to qualifying for or is likely to qualify for a threatened category in the near future.

**Least Concern (LC)** – A taxon is Least Concern when it has been evaluated against the criteria and does not qualify for Critically Endangered, Endangered, Vulnerable or Near Threatened. Widespread and abundant taxa are included in this category.

**Data Deficient (DD)** – A taxon is Data Deficient when there is inadequate information to make a direct, or indirect, assessment of its risk of extinction based on its distribution and/or population status. A taxon in this category may well be studied, and its biology well known, but appropriate data on abundance and/or distribution are lacking. Data Deficient is therefore not a category of threat. Listing of taxa in this category indicates that more information is required and acknowledges the possibility that future research will show that threatened classification is appropriate. It is important to make positive use of whatever data are available. In many cases great care should be exercised in choosing between DD and a threatened status. If the range of a taxon is suspected to be relatively circumscribed, and a considerable period of time has elapsed since the last record of the taxon, threatened status may well be justified.

**Not Evaluated (NE)** – A taxon is Not Evaluated when it has not yet been evaluated against the criteria.

Listing to one of the above categories requires that a taxon be assessed against five quantitative criteria – meeting any one of these criteria qualifies a taxon for listing at that level of threat. The five criteria are:

Reduction in population size;

Geographic range limited either in extent of occurrence or the area occupied;

Declining population size;

Small population size; and

a high probability of extinction.

**In Attachment A the five criteria are described in more detail with respect to their relevance to the CR, EN and VU categories of threat.**

The criteria can be applied at any taxonomic unit at or below the species level. The criteria may also be applied within any specified geographical area, although in such cases special notice should be taken of point 14, Attachment A, and Gardenfors *et. al.* 2001 (Attachment B).

The IUCN Red List Categories are intended to be an easily and widely understood system for classifying species at high risk of global extinction. The general aim of the system is to provide an explicit, objective framework for the classification of the broadest range of species according to their extinction risk.

The changes now embodied in IUCN (2001) do not represent a significant departure from the principles and structure of IUCN (1994). They have been made largely to provide clarification and guidance to users, and to ensure wide application across most taxonomic groups of plants and animals. In order to assist those who are familiar with IUCN (1994), a summary of the changes to the criteria are described at Attachment C.

### **The implications for CMS**

The revised categories and criteria provide for rigorous and scientifically defensible information. The new documentation standards, which provide guidance to scientists in their analyses, bring greater credibility and transparency to listings. It is considered that the IUCN categories and criteria are now sufficiently developed and widely understood as to recommend them for use in providing guidance in determining the appropriateness of listing a taxon to CMS Appendix I. In the case of evaluating proposals for listing species or populations to Appendix II, the IUCN categories and criteria may provide some guidance but fail to fully address the CMS ‘criteria’ as set out in paragraph 1 of Article IV.

“Appendix II shall list migratory species which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement” (our emphasis).

Issues that need to be considered by Scientific Council are discussed below:

#### ***1. Changes to the IUCN categories and criteria***

At the 10th Scientific Council concerns were raised that developing and transitional countries in particular had difficulty keeping up with changes in the IUCN categories, and that CMS had only just approved the first version. Concern was also voiced that as data on numbers and distribution were not always readily available, implementing the latest version may be difficult. Similar concerns were raised during the recent review and we believe they have been addressed, particularly in clarifying how to deal with uncertainty

when applying the criteria (see Annex 1 of IUCN 2001). We consider IUCN (2001) is a well developed system of categories and criteria that:

- can be applied consistently by different people;
- improves objectivity by providing users with clear guidance on how to evaluate different factors which affect the risk of extinction;
- provides a system which facilitates comparisons across widely different taxa;
- gives people using threatened species lists a better understanding of how individual species were classified; and
- delivers greater transparency to decision-making as it requires documentation of the assessment process, including statement of assumptions, with clear guidelines for dealing with uncertainty in levels of knowledge for a taxon.

To assist users in assessing species against the criteria, a software programme *RAMAS Red List version 2.0* has been developed, which is endorsed by the SSC. *RAMAS Red List* implements the rules as used by the IUCN, and also allows explicitly incorporating uncertainties in the input data. Input data such as the number of mature individuals can be specified either as a number, or as a range of numbers, or a range of numbers plus a best estimate. The programme propagates these uncertainties. Depending on the uncertainties, the resulting classification can be a single category, or a range of plausible categories. An added benefit of the programme is the facility that allows the programme outputs for a taxon assessed to be printed, thus facilitating documentation of the assessment procedure. Further information on this programme can be found at <http://www.ramas.com/redlist.htm>.

## 2. *Scale of applicability*

The IUCN Red List Categories and Criteria were designed for global taxon assessments. However, there is often interest in applying them to subsets of global data, especially at species population, and geographic levels (regional, national or local). In applying the Categories and Criteria it is important to refer to the guidelines prepared by the IUCN/SSC Regional Applications Working Group (current version at [Attachment B](#)). When applied at national or regional levels there is a need to recognize that a global category may not be the same as a national or regional category for a particular taxon. For example, taxa classified as Least Concern globally might be Critically Endangered within a particular region where numbers are very small or declining, perhaps only because they are at the margins of their global range.

Provided that the regional population to be assessed is isolated from conspecific populations outside the region, the criteria of the IUCN Red List can be used without modification. The extinction risk of an isolated population is identical to that of an endemic taxon, and in these situations the criteria can be used with unaltered thresholds at any geographical scale.

When the criteria are applied to part of a population defined by a geo-political border or to a regional population occasionally interchanging individuals with other populations beyond the border, the thresholds listed under each criterion will be incorrect because the unit being assessed is not the same as the actual population. As a result, the estimate of extinction risk is likely to be inaccurate.

In the past CMS has listed both species and populations on Appendices I and II. If CMS is to use the IUCN Red List criteria to assist in assessment of future nominations, it will be important to recognize the context of the nomination (species or population) and to apply the principles embodied in Gardenfors *et al.* (2001) as appropriate for where the nomination is regionally based.



### 3. *What Categories of Threat Should Qualify a Taxon to be Considered as ‘Endangered’ for the Purposes of Appendix I?*

We consider the criteria for nominating and listing a species to CMS Appendix I or II could be made clearer. At present the guidance provided is contained in the legal, rather than scientific, language of the CMS. For example in the case of Appendix I it is - “1. *Appendix I shall list migratory species which are endangered*” and “2. *A migratory species may be listed in Appendix I provided that reliable evidence, including the best scientific evidence available, indicates that the species is endangered.*”

The guidance for Appendix II is - “*Appendix II shall list migratory species which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement*”.

Adoption of the IUCN criteria as a decision support tool in the assessment for CMS listing to Appendix I may prove useful. The criteria would provide clarity and transparency in decision-making and provide clear definitions of the various listing criteria. To assist CMS Scientific Council in conceptualising how this could operate, we provide the following proposal:

<b>IUCN criteria assessments for migratory species</b>	<b>Qualifies for CMS</b>
CR, EN, VU	Appendix I and/or Appendix II
NT	Appendix II
All other categories	Qualifies for Appendix II if a taxon’s conservation status would significantly benefit from international cooperation that could be achieved by an international agreement.

#### **Recommendation**

That the Scientific Council considers the suggestions in this paper and recommends to the CMS Conference of Parties that the Scientific Council uses the IUCN Red List Categories 2001 as a **decision support tool** in assessing the conservation status of listing proposals of migratory taxa or populations to Appendix I and II. Scientific Council will use the IUCN Red List on the following basis:

- (a) IUCN Categories of Threat for CR, EN and VU **to contribute towards** the assessment of listing a migratory taxa or population to Appendix I in recognition that the CMS Appendix I taxa or populations are broadly defined as “endangered”. These categories of threat may also **contribute towards** the assessment of listing taxa or species to Appendix II;
- (b) IUCN Category of Threat for NT **to contribute towards** the assessment of listing a migratory species to Appendix II; and
- (c) Given that Article IV of the convention does not require a taxon or population to have an unfavourable conservation status to be listed to Appendix II, taxa or populations not meeting any of the IUCN categories of threat CR, EN, VU or NT may be considered for listing provided that there is explicit justification to do so.

**References**

- IUCN. 2001. *IUCN Red List Categories and Criteria: Version 3.1*. IUCN Species Survival Commission. IUCN: Gland, Switzerland and Cambridge, UK.
- IUCN. 1994. *IUCN Red List Categories: Version 2.3*. IUCN Species Survival Commission. IUCN: Gland, Switzerland.
- Gardenfors U., Hilton-Taylor C., Mace G. and J. P. Rodriguez. 2001. *The Application of IUCN Red List Criteria at Regional Levels*. Conservation Biology 15: 1206-1212.

## ScC Report Annex X

**DRAFT SUMMARY OF PROJECTS APPROVED IN PRINCIPLE DURING THE 11TH CMS SCIENTIFIC COUNCIL MEETING (AS AT 17.09.02)**

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
<b>BIRDS</b>							
First Workshop to the Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard ( <i>Otis tarda</i> )	Range states to the Great Bustard MoU	Jan.-June 2003	10,000		yes	Dr. Attila Bankovics	Priority
Studies of waterbirds, water levels, and aquatic food plants as a basis for conservation of threatened wetlands at Poyang Lake, China	China	Jan-Dec 2003	14,500	13,875	yes	International Crane Foundation (ICF)	
Secretariat Services to the Slender-billed curlew Working Group		2003-2004	22,000		yes	BirdLife International - European Division	
Conservation action for <i>Platalea minor</i> , <i>Eurynorhynchus pygmeus</i> , and <i>Sterna bernsteini</i> .			40,000		No	Dr. Noritaka Ichida	High Priority, however pending approval by COP7 of the inclusion of the species in Appendix I
<i>Falco naumanni</i> - Implementation of priority activities of the Action Plan					No	App. Councillor for Birds	
Conservation of passerine species ( <i>Polystictus pectoralis pectoralis</i> , <i>Sporophila ruficollis</i> , <i>Pseudocolopteryx dinellianus</i> ) of Southern South America - to be defined					No	Dr. Roberto Schlatter	Pending approval by COP7 of the inclusion of the species in Appendix II
Black-necked Swan - To be defined					No	Dr. Roberto Schlatter	
SUB-TOTAL			86,500 + ca. 40,000				

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
<b>MAMMALS</b>							
Meeting for the development of an MoU on Central and West African Elephant			15,000	Expected (France)	No		
Sahelo-Saharan Antelopes: Contribution to the coordination of the FFEM project	Chad, Mali, Mauritania, Morocco, Niger, Senegal, Tunisia	2005	25,000	France USFWS	No	Roseline Beudels (IRSNB),	Matching Funds
Sahelo-Saharan Antelopes: setting up and maintenance of a web site and a web data base		2003-2004	25,000		No	Roseline Beudels (IRSNB)	
Sahelo-Saharan Antelopes: participation in the development of the Ferlo project in Senegal	Senegal	2003-2004	20,000		No	Roseline Beudels (IRSNB)	
Sahelo-Saharan Antelopes: Development of a project Chad, Libya, Niger	Chad, Libya, Niger	2003-2004	20,000		No	Roseline Beudels (IRSNB)	
Sahelo-Saharan Antelopes: development of a project in Egypt	Egypt		10,000		No	Roseline Beudels (IRSNB)	Reserve (to be developed when adequate structures will be set
SUB-TOTAL			115,000				
<b>AQUATIC MAMMALS AND LARGE FISHES</b>							
Assessment of cetacean populations and by-catch mortality in the Bay of Bengal	Myanmar, Bangladesh, India, and Sri Lanka	2003	38,000	30,000 (expected)	No	Brian D. Smith -Wildlife Conservation Society, Margi Prodeaux, Alison Wood - Whale and Dolphin Conservation Society	Highest Priority Project concept available
Training workshop in Bangladesh on Marine Mammal conservation research techniques appropriate for scientists and conservationists in developing countries	Bangladesh, India, Myanmar, Pakistan	2003	25,000	Possible	No, but offer to prepare the full proposal has been received	Brian D. Smith - Wildlife Conservation Society, Margi Prodeaux, Alison Wood - Whale and Dolphin Conservation Society	CMS main sponsor

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
Training workshop in Sri Lanka or India on Marine Mammal conservation research techniques appropriate for scientists and conservationists in developing countries	Sri-Lanka, India	2004	25,000	Possible	No, but offer to prepare the full proposal has been received	Brian D. Smith (Wildlife Conservation Society), Margi Prodeaux, Alison Wood (Whale and Dolphin Conservation Society)	CMS main sponsor
Workshop to review the distribution, abundance, population structure, habitat status, directed catches, bycatches, and research and conservation needs of marine mammals in South Asia	Bangladesh, India, Myanmar, Pakistan, Sri Lanka, Philippines	2005	40,000	Possible	No, but offer to prepare the full proposal has been received	Brian D. Smith (Wildlife Conservation Society), Margi Prodeaux, Alison Wood (Whale and Dolphin Conservation Society)	CMS main sponsor
<b>SUB-TOTAL</b>			128,000				
<b>MARINE TURTLES</b>							
Conservation of Sea Turtles along the coast of Peru	Peru	Aug. 2003 - Dec. 2004	29,200		Yes	National Institute of Natural Resources ( <i>INRENA</i> )	Highest priority
Enhancing sea turtle conservation in Kenya	Kenya	2003-2004	16,450		Yes	Kenya Sea Turtle Conservation Committee ( <i>KESCOM</i> )	High priority
Tracing the migrations of Indian marine turtles: towards an integrated and collaborative conservation program	India	Aug. 2003 - Sept. 2004	34,500	55,000 + 14,000 (searched)	Yes	Centre for Herpetology Madras Crocodile Bank Trust, & Wildlife Institute of India	medium priority Funding approved for core activities, but administration
Projects emanating from meeting of IOSEA Marine turtle MoU	IOSEA range states		ca. 45,000		No		

Project title	Country/ies involved	Tentative implementation time frame	Approved budget in US\$ (estimated)	Co-funding available?	Project proposal available?	Contact for follow-up and developing the full project proposal	Comments
Movements, behaviour, and habitat utilization of the loggerhead sea turtle <i>Caretta caretta</i> in the Adriatic Sea	Slovenia, Croatia	Jan. 2003 - Dec. 2004	[42,600] Not included in the subtotal for turtles	77,400	Yes	Department of Zoology, Croatian Natural History Museum	Reserve Not a priority. Can be funded if - other approved projects do not materialize or if additional funding becomes available.
SUB-TOTAL			125,150				