Convention on the Conservation of Migratory Species of Wild Animals

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REPORT OF THE 16TH MEETING OF THE CMS SCIENTIFIC COUNCIL BONN, GERMANY, 28-30 JUNE 2010

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UNEP/CMS/ScC16/REPORT

1. OPENING REMARKS

1. The Chairman, Mr. John Mshelbwala (Nigeria), called the Meeting to order and welcomed participants to the 16th Meeting of the CMS Scientific Council and expressed his delight at the high turn-out of members. He said that CMS was a key MEA and that the Scientific Council was the engine for the Convention's ideas and provided it with sound scientific advice. (The list of participants is contained in Annex X to the present report).

2. Mr. Mshelbwala welcomed Ms. Elizabeth Maruma Mrema, who was attending a Scientific Council Meeting for the first time in her capacity as Executive Secretary of CMS, and then paid tribute to the two Vice-Chairs, Mr. Pierre Devillers (European Union) and Mr. Colin Galbraith (United Kingdom) for their support. Unfortunately Mr. Devillers was unable to attend the Scientific Council as he was on mission to Peru. Mr. Mshelbwala noted the presence of seven of the eight Appointed Councillors, the exception being Mr. Roberto Schlatter (neo-tropical fauna) who was ill and unable to attend and to whom he expressed the best wishes of the meeting. He thanked Mr. Olivier Biber (Switzerland), who was Chairing the Intersessional Working Group on the Future Shape of CMS and would be reporting on progress later (see agenda item 3), and welcomed all the observers whose contributions added considerably to the value of the debates. He congratulated Mr. Ian Redmond, who had served as Ambassador for the Year of the Gorilla campaign, on his appointment as a CMS Ambassador. He thanked Mr. Bert Lenten, the Acting Deputy Executive Secretary of CMS for all of his work and acknowledged the presence of Mr. Lahcen Moulay el Kabiri, the former Deputy Executive Secretary, who was now heading the Abu Dhabi Project office. He concluded by giving a special welcome to several new members of the Scientific Council, including the Councillors appointed by South Africa (Ms. Malta Qwathekana), Australia (Mr. Nigel Routh), Ecuador (Ms. Julia Cordero) and Ethiopia, a relatively new Party, (Mr. Kahsay Gebretensae Asgedom).

3. Mr. Galbraith (Vice Chair) in turn, congratulated Mr. Mshelbwala on his chairmanship and added his welcome to Ms. Mrema. He pointed out that CMS and its Family were growing, but were also facing daunting challenges. The Convention had to set its priorities. The issues to be tackled included climate change, where some scientific questions had to be resolved; habitat change and habitat loss; by-catch and the general state of the oceans; diseases such as avian influenza, which had adversely changed the public's perception of wildlife; and changes to migration patterns. He stressed that scientific advice was a fundamental building block to developing policy and noted that the reliability of some science had been brought under scrutiny by recent events in the global climate change debate. Clearly, there was a need for continued scrutiny of the science used by CMS, and the work of the Scientific Council was key to ensure the accuracy on objectivity of the information used by the Convention. He noted also that CMS should not operate in isolation but needed to seek linkages with other MEAs, especially in relation to scientific matters.

4. Mr. Galbraith concluded his remarks by observing that the agenda of the meeting was onerous and some of the issues were quite contentious and might test the Council's characteristic consensual approach. He encouraged all Councillors, especially the new ones, to participate as fully as possible in the Scientific Council's discussions.

5. Ms. Mrema said that she was delighted to be attending her first Meeting of the Council since her appointment as Executive Secretary. She stressed that good science was the key to addressing the problems facing CMS, such as combating biodiversity loss. She realised that in this forum she was "preaching to the converted", but it was evident that human demands on the planet were pushing it to the limit. The 2010 targets had been missed, but the International Year of Biodiversity was an opportunity to put nature conservation in the centre stage again. She quoted Einstein who had said: "Any intelligent fool can make things bigger, more complex, and more violent. It takes a touch of genius - and a lot of courage - to move in the opposite direction". The Scientific Council, as the eyes and ears of CMS, had a vital role to play in analysing trends and filtering out and digesting key data to present to policy makers. CMS had to identify what research was needed and which species populations were most threatened and therefore were to be added to the appendices. It had to investigate the effect of climate change on migratory species and develop critical networks. The threats to be addressed were increasing in number. CMS was examining the role of critical sites and the Secretariat had prepared a paper on dealing with emergencies. The Scientific Council unfortunately only had three days to discuss issues which ideally should be discussed at far greater length.

6. COP9 had launched an intersessional process to decide on the future shape of CMS, so the Convention might find itself at the dawning of a new age. Existing unity should be built upon and delivery of services should be improved. The Council was to receive an update of progress achieved so far and the Working Group would then convene for two days immediately after the current meeting.

7. Ms. Mrema reported on some changes to the Secretariat. Mr. Borja Heredia, a former member of the CMS Scientific Council from Spain, had been appointed as Scientific and Technical Officer, and Ms. Aline Kühl had taken up the post as his assistant. Ms. Laura Cerasi had also been appointed as Associate Fundraising Officer. Progress was being made with the recruitment of a Deputy Executive Secretary and the ASCOBANS Coordinator/Marine Mammal Officer. She added that the next COP would take place in Norway in November 2011 and AEWA had just celebrated the 15th anniversary of its signing. Flyways, not only those of Africa and Eurasia, were important to CMS.

8. Ms. Mrema concluded her remarks by thanking the German Government for making the excellent facilities available to the Convention and announced that all members of the Scientific Council would be receiving a copy of a new book on migratory species written by CMS Ambassador Mr. Stanley Johnson and the Secretariat's consultant editor, Mr. Robert Vagg.

9. Mr. Mshelbwala then introduced Ms. Elsa Nickel of the German Federal Ministry of the Environment, Nature Protection and Nuclear Safety, representing the Host Government. Ms. Nickel addressed three themes in her speech: the discussions of the previous week in Pusan, Korea which had given the green light to IPBES; secondly, the harmonisation of taxonomy used in MEAs and European legislation; and thirdly, the Future Shape process which aimed to present three options to COP10 for the Convention's structure and relations with other bodies, with the possibility of merging existing instruments.

2. ADOPTION OF THE AGENDA

10. Thanking the Secretariat for preparing the meeting, Mr. Mshelbwala asked Mr. Heredia to introduce the agenda. As there were no comments from the floor, the agenda and schedule were adopted as presented which is attached as Annex I to the present report, with the exception of Agenda Item 15.6 (Survey of expertise of Scientific Council members) which was taken first.

15.6 Survey of expertise of Scientific Council Members

11. Mr. Heredia reported that only 18 replies had been received to the questionnaire circulated to all Scientific Councillors. The Secretariat needed a higher response rate to assess the expertise available to the Council and its ability to provide advice on certain issues and in certain circumstances, such as emergencies. Scientific Councillors were therefore requested to complete and submit the questionnaires during the course of the meeting. In response to a question from Mr. Mahamat Hassane Idriss (Chad), Mr. Heredia said that the questionnaire had been prepared in the Convention's three working languages, English, French and Spanish.

Outputs and Actions
Secretariat to analyse questionnaires and prepare a data base

3. INTERSESSIONAL PROCESS REGARDING THE FUTURE SHAPE OF CMS

12. Mr. Mshelbwala invited Mr. Biber to report on the progress achieved by the Inter-sessional Working Group on the Future Shape of CMS. Mr. Biber explained the background to the process which was based on Resolution 9.13 adopted at COP9 in Rome in 2008. The Working Group, of which Mr. Biber was the Chair, included Australia as Vice-Chair, Cuba, France, India, Kenya, Morocco, Peru, South Africa, United Kingdom and Yemen plus the Chair and Vice-Chair of the CMS Standing Committee, was working towards preparing three options to present to COP10 in 2011. He described the initial step of the process which had identified how the Convention was currently organised and explained that the consultants, ERIC, had been engaged with funding provided by France. The process had now reached the second stage and the second meeting of the Working Group was to take place immediately after the Scientific Council. Mr. Biber reported that unfortunately the response rate to the questionnaire issued to CMS Parties, countries participating in CMS instruments, MEAs and partner organizations, to ascertain their views on how CMS could evolve was too low to be confident that the views were representative. He recognized that completing the questionnaires was time-consuming, but the decisions to be made would have far-reaching consequences for the Convention. The Future Shape Working Group was operating in parallel with the Scientific Council's own Flyways Working Group. The final step of the process was due to start in summer 2010, when the seven options currently on the table would be reduced to the three required by the terms of the Resolution.

13. Mr. Mshelbwala thanked Mr. Biber and the Working Group for their work. He recalled the presentation at the Standing Committee by ERIC covering the first phase of the process, and proceeded to invite questions from the floor. Ms. Julia Cordero (Ecuador) asked whether the deadline for responding to the questionnaire might be extended to the end of July. Late responses would be accepted but it might not be possible for them to be taken fully into account.

Actions and Outcomes
The meeting noted Mr. Biber's report

4. REVIEW OF STRATEGY IMPLEMENTATION PLAN FOR THE SCIENTIFIC COUNCIL 2006-2011

14. Mr. Heredia outlined the background to the Strategic Plan, the current version of which dated from COP8 and covered the years 2006-2011. It contained ambitious targets but had not been backed with matching resources. Consideration had been given to extending the present plan by one year pending the outcome of the Future Shape process which had potentially a huge impact on the Convention's strategic direction. The Convention needed to address the activities described in the Plan that had not been fully implemented. A number of issues addressed in the Plan appeared on the Scientific Council's agenda, e.g. climate change, habitat conservation, corridors and fresh water fish.

15. Mr. Biber agreed that there was a clear link between the Future Shape process and the Strategic Plan. It was unfortunate therefore that COP9 had not given clear directions as to how the Strategic Plan was to be rolled forward. The Future Shape Working Group had made a proposal, namely that the current Plan should be extended by one year, allowing the next Strategic Plan to take account of the outcome of the Future Shape process. The Scientific Council was therefore in a procedural impasse and could not take the debate forward. Mr. Biber suggested that one solution would be for the next intersessional meeting of the Council to take place earlier in the triennium than usual.

16. Mr. Galbraith strongly supported Mr. Biber's suggestion regarding the timing of the next intersessional meeting of Scientific Council. He thought it was important for the Scientific Council to make an input into the Strategic Plan and identify key targets and success indicators.

17. Mr. Mshelbwala said that the Council could not meet too soon after the COP as it would have met immediately before. At the 17th Meeting, just before COP10, the Scientific Council would have seen the three options tabled under the Future Shape process without knowing which one would prevail. Mr. Biber, therefore, suggested that the Scientific Council should establish a Working Group to deal by correspondence with producing the Council's response. Mr. Alfred Oteng-Yeboah (Appointed Councillor, African fauna) agreed that the Scientific Council needed to make a rapid response and a small "think tank" was a good solution. Mr. Barry Baker (Appointed Councillor, by-catch) asked whether it would be feasible for a small group of councillors to meet immediately after the COP as many would possibly be staying on in Norway. Both Mr. Mshelbwala and Ms. Mrema thought that this idea had merit but would depend on the resources available to fund sponsored Councillors to stay in Norway for the additional time. The Group could, as was the case with the Activity Planning Group, be composed of the officers, the Appointed Councillors and the Working Group convenors.

Actions and Outcomes
Small group to be established to draft Council's response to Future Shape and to provide input to the new CMS Strategic Plan. The group to be composed of the appointed Councillors and chaired by Mr. Alfred Oteng-Yeboah

4.1 Review of freshwater fish

18. Mr. Heredia introduced Mr. Zeb Hogan (Appointed Councillor, Fish) briefly describing Mr. Hogan's report indicating species population declines and the problems caused by barriers to migration. He also commented that there were few freshwater fish species listed on the CMS Appendices, notable examples being sturgeon.

19. Mr. Hogan gave a power point presentation and first referred to the extensive review of shark species undertaken by Ms. Sarah Fowler, and explained that he was conducting a similar exercise for freshwater fish species. Of 15,000 known fish species found exclusively in freshwater, only one was listed by CMS (several other listed species inhabited fresh- and seawater), a possible reason being that the international dimension of their conservation was often overlooked and countries adopted a unilateral national approach. There was therefore some potential to expand the CMS Appendices.

20. Mr. Hogan had looked in species databases and reviewed literature in an attempt to define criteria for listing species under CMS. The IUCN Red List and Fish-base were primary sources, but even the IUCN Red Data list only covered 3,000 species (20% of the total), but despite not being comprehensive, it still represented the most extensive collection of data. Most assessments seemed to be regional rather than global with some good national records (gathered through workshops in Mongolia and South Africa). The Mongolian workshop had established that several species migrated along rivers shared with the Russian Federation and the People's Republic of China. The IUCN Specialist Group was being convened in November 2010 for the first time after a lengthy period without a meeting.

21. Key facts were:

- Only one true freshwater fish species of 15,000 known was listed under CMS
- 12,000 species had not been assessed at a global scale, so 80% of species were data deficient
- Of the 3,000 assessed, a high percentage was in a threatened category
- All species of diadromous fish (those migrating between fresh and salt water) had lost at least one population
- The two most threatened groups were large migratory species and small highly localised endemic species

22. Mr. Hogan had drawn up a list of 223 species which might meet criteria for listing under CMS, being both threatened (having an unfavourable conservation status) and migratory (based on Red List records in more than one country). Thirty-two species assessed by IUCN appeared to meet the criteria together with a further twenty for which there was evidence in expert literature.

23. Mr. Hogan proposed the establishment of a freshwater fish working group at the Council. It could consider how to treat species that were used for human consumption. Fish of interest could be dealt with species by species or grouped by family or genus. There were many diadromous species (salmon, sturgeon, eels, shad and sawfish) and others found in major international water bodies such as Lake Victoria and the Mekong River.

24. The data for catfish species in South East Asia showed that there were populations in the Mekong which had disappeared from at least one river in Thailand. The main problem from CMS's point of view was that none of the range states (Cambodia, Laos and Vietnam) were Parties. Another species was found in Pakistan and India, and was suffering from the effects of global warming, dam construction and overfishing. There was little hard data on the migration habits. The population of freshwater sawfish had declined by 95%. As there were many range states for these species, there was more potential for concerted international action under CMS. Some perch species, although not classical migrants, were found in international water bodies, and could benefit from international conservation measures. South American catfish were found from the estuary to the headwaters of the Amazon. They were affected by dam construction and catches were declining. IUCN had little data on them, however.

25. Mr. Hogan posed a series of questions for consideration by the Scientific Council and the Fish Working Group: How could the methodology for identifying candidate species for CMS listing be improved? Which water bodies should be considered (e.g. transboundary rivers and lakes)? Which species should be considered (freshwater sharks and rays) and which species were adequately covered by other instruments such as CITES (e.g. sturgeon and salmon)? He also wanted to develop a fish-related CMS database and requested that Scientific Councillors consult their national fish experts, with a view to a further, more detailed submission being made to the Scientific Council at its 17th Meeting.

26. Mr. Mshelbwala undertook to put Mr. Hogan in contact with the Nigerian fish expert as he felt CMS might have an interest in the fish species of the Niger Delta and Lake Chad.

27. Mr. Dieudonné Ankara (Republic of Congo) said that few freshwater fish species in Africa were covered by international agreements and most were not well researched. There was the additional problem of alien fish species spreading along river systems, and some of these alien species were edible and therefore consumed. These same river systems also supported populations of hippopotami and crocodiles, which might also be of interest to CMS.

28. Mr. Hogan felt that it was critical to receive input from the Scientific Council and the Range States, especially with a view to identifying countries to sponsor listing proposals. In some cases listing under CMS might serve as an incentive for greater national protection. He agreed that more research was needed but regretted that the status of non-fish species was beyond his area of expertise.

29. Mr. John O'Sullivan (Appointed Councillor, Birds) expressed his shock at the poor conservation status and level of knowledge of freshwater fish species. He suggested that a short list of a few species might serve as a first step towards broader action.

30. Ms. Maria Cristina Morales Palarea (Paraguay) said that her country had wanted to address migratory fish for some time and felt that they were a taxonomic group that had been neglected for too long in terms of conservation, possibly because some were commercially exploited. She did not believe that scientific issues should be sidelined because of economic considerations, especially where some species were close to extinction.

31. Mr. Idriss said that at a recent World Bank Fisheries meeting, Chad's plans for fisheries management had been discussed. Beyond knowing where fish occurred, there was little information available. As Lake Chad bordered several other countries, its fish stocks were an international concern and all riparian states exploited the fish commercially. There was insufficient regulatory legislation in place in Chad, and of the forty-five fish species known to occur in Chad, none was listed under CMS. Mr. Hogan replied that he needed more information on the status of fish species and asked that the contact details of the national fisheries expert of Chad be passed to him.

32. Mr. Galbraith, responding to questions about the application to international waters of the Convention, cited the example of ACAP and precedents could be found in the operation of that Agreement. Mr. Colin Limpus (Appointed Councillor, marine reptiles) said that in Australia the threats facing freshwater fish were similar to those faced by turtles and there was potential for synergies between experts dealing with these two taxonomic groups. Mr. William Perrin (Appointed Councillor, aquatic mammals) said that if Parties were concerned with the status of hippopotami then they should put proposals to the Council which would research them further. Mr. Donatien Muembo Kabemba (DRC) said that his country shared many freshwater habitats with its neighbours and although there were many fish species in the DRC little data had been

collected. He felt that CMS could help initiate international action, but account should be taken of other Millennium Developments Goals for food production and poverty alleviation. Mr. Djibril Diouck (Senegal) similarly said that core data available in his country were limited, but research institutes existed that could fill the gaps.

33. Mr. Hogan pointed out that the scoping exercise for sharks had been undertaken against the background of a wider global assessment involving numerous regional meetings. No such parallel exercise was being conducted for freshwater fish. He agreed with Mr. O'Sullivan's suggestion that identifying a few key species initially before building into a large-scale comprehensive initiative might be a wise approach.

34. Mr. Galbraith thanked Mr. Hogan for the dramatic report and for highlighting the glaring lack of data. Given the commercial exploitation of some species, there was a potential for collaboration with CITES, as there had been over sturgeons. Mr. Scott Newman (FAO) said that there were also potentially common interests with his organization, such as sustainable fisheries and livelihoods. Mr. Taej Mundkur (Appointed Councillor, Asiatic fauna) said that Wetlands International also had an interest in fish. He found Mr. Hogan's report disconcerting, especially the lack of basic data, which he was keen to address. He said that invasive species were another dimension to explore and related research was being carried out in central Asia. Mr. Hogan cited the Nile perch in Lake Victoria. This species was commercially exploited but it was an alien and had driven out many endemic species. Mr. David Morgan (CITES) expressed the interest of his Convention in working together with CMS and FAO.

35. Mr. El Mastour asked which regions were the worst for core data and suggested that a regional approach might be the best way of addressing this problem. There were, as Mr. Diouck had said, research institutes around the world that could be commissioned and numerous World Bank projects in progress which could be adapted and which provided scope for synergies. Mr. Lew Young (Ramsar) also saw scope for cooperation and explained that the criteria for listing sites under the Ramsar Convention included the number of endemic species and the importance of sites for the life cycle of species. He also mentioned the problems of dams constructed along the Mekong.

Actions and Outcomes
Mr. Hogan to incorporate input from the Scientific Council and to continue to work with the review
Mr. Idriss to pass the contact details of Chad's World Bank fisheries focal point to Mr. Hogan
Mr. Newman to pass contact details of relevant FAO officers to Mr Hogan
Closer collaboration and coordination between CITES, FAO and CMS on freshwater fish necessary

4.2 Artificial barriers to migration

36. No paper had been produced to support this item. Mr. Heredia commented that one such barrier – dams – had been mentioned in the earlier discussion on fish. A presentation had been made on power lines at a previous meeting of the Scientific Council, and recently the German utility firm, RWE, had agreed a substantial grant to CMS and AEWA to help establish construction guidelines to avoid the electrocution of birds. The Scientific Council would have the opportunity to contribute to the drafts.

Actions and Outcomes

There were no comments from the floor and the Secretariat's report was noted

5. *MODUS OPERANDI* IN CASES OF EMERGENCY SITUATIONS FOR CMS SPECIES

37. Mr. Heredia explained that there had been a number of emergencies in recent years involving sudden die-offs of CMS species (e.g. Monk seal (Monachus monachus) at Cap Blanc in 1997 and more recently Saiga antelopes).

38. Ms. Kühl introduced Document UNEP/CMS/ScC16/Doc.13. CMS was aware that sudden declines in species numbers or range size occurred from time to time and the Scientific Council was being asked for its advice on how the Convention should respond. While the Convention text made reference to emergencies, there was no guidance or mandated procedure for the Convention to follow. In response to the avian influenza outbreak, CMS had brought together a group of experts which had helped prevent the pointless culling of migratory birds. The group had explained the role of migratory birds as vectors of the disease and shown that poultry was the main culprit.

39. In May a mass die-off of Saiga antelope had taken place in the nursing aggregation sites, and 12,000 animals, mainly females and young, had died. The Kazakh authorities had responded quickly and tried to identify the cause, possibly bacteria coupled with severe winter conditions. The final report was still pending, but it appeared to have been a one-off occurrence. CMS had coordinated a telephone conference and a training workshop was being arranged to help local agents on how to conduct autopsies.

40. The Secretariat wanted to establish a set of practical, un-bureaucratic response guidelines, define "emergency" and draw up a list of authorities and experts to be contacted when an emergency arose. The Secretariat saw more need for a methodology and mechanism than for a new structure and possibly a funding stream to enable experts to be sent on mission at short notice (although it was pointed out that no funds had been requested in response to the Saiga die-off).

41. Mr. Ankara (Republic of Congo) said that "emergency" could cover a broad range of events, involving many species occurring anywhere in the world. He saw a link with the "One World, One Health" initiative and an interconnection between human and animal health, citing the example of Ebola fever, an outbreak of which had led to a multinational programme across Africa. This case could serve as a model for CMS to emulate. He pointed out that there were very few wildlife veterinarians dealing with animals in wild.

42. Mr. Biber pointed out that CBD was reluctant to deal with emergencies in the same way that it dealt with bio-fuels and other issues. He agreed that it would be a good idea to have a set of guidelines and also a specific area on the CMS website where messages could be posted on emergencies as they arose. To avoid having too many small working groups, emergency responses could possibly be linked to the Climate Change or other Working Groups.

43. Mr. Limpus commented that in the event of an emergency, anyone was at liberty to contact the Secretariat to alert CMS to events. The Secretariat with the expertise of the Scientific Council and the parties at its disposal, was in a position to evaluate how best the Convention could respond (if at all). He cited the current crisis of the oil leak in the Gulf of Mexico which threatened the endangered Kemp's ridley turtle. Most countries affected were not CMS Parties

and all possible action seemed to be being carried out. CMS might consider contacting the national authorities involved to see if intervention by the Convention could assist.

44. Mr. Oteng-Yeboah pointed out that CMS was the only MEA dedicated to species conservation and therefore the most likely to need to respond to emergencies. The Scientific Council was the body charged with providing technical advice and so he agreed that response guidelines should be developed. It was appropriate for CMS to develop its engagement in the International Year of Biodiversity and at a time when the international community had just approved the establishment of IPBES.

45. Mr. Hogan also agreed that a response mechanism was appropriate and supported the establishment of a budget line. He drew parallels with the Small Grants Programme, which also needed the more solid foundation of dependable finances.

46. Mr. Diouck (Senegal) pointed out that emergencies arose over different timescales which did not correspond to migration cycles. The most recent emergency to have occurred in Senegal was a dolphin stranding incident involving 100 animals. Immediate action had been required and the mission to save the dolphins had been difficult and many had died. Lessons needed to be learned so that the response would be better in the event of a recurrence. During an outbreak of avian influenza, instant decisions had been needed because of human health considerations.

47. Mr. Peter Pueschel (IFAW) welcomed the fact that the Secretariat had raised the issue. He felt that emergencies were likely to become more common as a result of climate change. IFAW had a track record of coordinating responses to emergencies and would be willing to offer any guidance to CMS. IFAW also had veterinary expertise at its disposal. Mr. Newman stressed the importance of inter-agency liaison, as agricultural, forestry and health authorities might all have to be involved. When the Saiga emergency had happened, communication networks had proved their worth with all interested parties alerted early. FAO had been able to deploy its "Empres-i" disease tracking programme, originally devised for agriculture but extended to deal with wildlife disease after H5N1.

48. Mr. Morgan commented that the proposed measures set out in paragraph 7 of the paper were heavily oriented towards CMS. It was possible that CITES too would wish to intervene or alert its network, if one of the species listed on the Appendices of that Convention were affected by an emergency.

49. Mr. Galbraith warned against precipitate action and stressed the importance of a measured and coordinated response. He also sought to distinguish between emergencies arising from accidents, such as oil spills for which preparation could be made, and unpredictable events such as the emergence of H5N1. He added that in the midst of a sudden crisis, there would be no time to launch a fund-raising campaign, so the resources needed to be available. In reply to Mr. Mshelbwala's question about the lessons learned from the avian influenza episode, Mr. Galbraith said that the response had been rapid and appropriate. The core group had been formed quickly and was of manageable size. The group's expertise was deployed well, roles clearly defined and work started quickly. Governments also committed resources. Mr. Jean-Philippe Siblet (France) added that a sound modus operandi established in advance was probably more likely to appeal to donors. Mr. Francisco Rilla (CMS) confirmed that his experience of the Avian Influenza Task Force was positive and agreed that keeping the numbers of those involved manageable had been a factor in the Task Force's success.

50. Ms. Kühl welcomed the constructive comments from the floor and undertook to revise the paper to add a reference to liaising with focal points of other MEAS. She pointed out that CMS

had contacted the CITES authority in Kazakhstan during the Saiga emergency. She also undertook to take account of the point regarding the division of responsibilities between national authorities and CMS's potential role in coordinating international assistance. Further thought would be given to devising a questionnaire to be posted on the CMS web-site to help assess whether and how the Convention should react to any given emergency. She stressed that the idea was not to create a new structure, but to devise guidelines that allowed existing pockets of regional, taxonomic or thematic expertise to be used to best effect.

51. Mr. Biber asked whether a resolution would be drafted during the current meeting or in the intersessional period leading to the 17th meeting of the Scientific Council. The aim was clearly to have COP10 adopt the guidelines and therefore clear advice from the Scientific Council was required on: the definition of "emergency"; who would determine whether CMS should act; how the emergency response would be funded; and an assessment of the capacity of the Secretariat and Convention to assist.

52. Mr. Newman said that the CMS network of focal points could provide valuable information on the ground. The challenge was to ensure that information reached those who needed it in timely fashion.

Actions and Outcomes
Councillors to comment by 31 July on the paper with a view to the Secretariat preparing a draft Conference resolution to be submitted to the Standing Committee based on the operative sections of Document 13
The Secretariat to devise a pro forma emergency notification questionnaire for posting on the CMS website
Closer collaboration and coordination with CITES and FAO, in particular, in cases of emergencies necessary

6. CRITICAL SITES AND ECOLOGICAL NETWORKS FOR MIGRATORY SPECIES

53. Mr. Heredia referred the meeting to Information Document UNEP/CMS/ScC16/Inf.15. He said the Convention realised that species conservation depended to a great extent on preserving habitats and called upon Mr. Erik van Zadelhoff (The Netherlands) to make a presentation on ecological networks and corridors. An example of an Agreement using the site network model was the African-Eurasian Migratory Waterbird Agreement (AEWA) and the Dutch government was developing ecological networks as a conservation concept.

54. In his presentation Mr. van Zadelhoff defined the term "eco-network", described current examples from Europe and some lessons learned. In the Netherlands, a densely populated and developed country, they were trying to stop the further fragmentation of the remnants of natural habitats. This would allow animals to move and help them build resilience to the effects of climate change. A more difficult concept was the "coherence" of the network of sites. The network itself consisted or core areas, corridors and buffer zones and efforts were made to enlarge the remaining fragments, which were often bisected by railways, roads and farmed land, and therefore needed to be connected. The initial scheme had been put to Parliament in the 1990s, with a map with colour coding to show land use and corridors depicted as arrows. It had been accepted and was recognised as a long-term undertaking. Funds were increased as land prices

rose and successive administrations had remained committed to the idea. It was yet to be seen how the new government following the June 2010 elections would carry the work forward.

55. The Natura 2000 network established under the EC Birds and Habitats Directives was not a network in the sense of the Dutch definition because the sites were not properly connected, especially for species needing land and water corridors. In Africa, connected cross-border networks were being developed, and in Kenya there was a network through the Masai Mara.

56. One lesson learned from the implementation of CBD was to make the concept easily comprehensible, so its practicality in addressing climate change and water management was evident, so that governments committed themselves. One negative aspect was that corridors present problems when a balance between conservation and agriculture had to be struck, as their socio-economic benefits were not so obvious, a distinct disadvantage during the financial crisis.

57. For CMS there would be no need to change the treaty, just an adapted approach to implementation. The removal of barriers to migration and the restoration and reconnection of habitats were all covered by the CMS text already. The next step would be to draft an appropriate resolution to be tabled at COP10.

58. Mr. Limpus's initial reaction was that the paper presentation had a very terrestrial focus and the marine aspects needed to be developed. From his experience in Australia, he estimated that over 50% of the east coast of that country was included within network systems. Mr. Samuel Kasiki (Kenya) explained that his country was grappling with problems of habitat fragmentation and some of the National Parks were now isolated.

59. Mr. Fernando Spina (Italy) said that in the case of migratory birds, more data and understanding of the connectivity between breeding and wintering areas were needed. Knowledge of how flyways operated as systems was needed, which could be achieved by better information exchange. Birds tended to be counted at particular sites but we still did not entirely understand what they were doing there. Organisations such as Euring should be supported.

60. Mr. Yeboah identified habitat loss and degradation as two key threats. He thought that corridors were one way to help re-establish lost habitat. Mr. Biber felt that the Council should support the work on the concept of corridors and networks, pointing to the new CBD Strategic Plan which included twenty targets related to networks of protected areas. With the CBD COP approaching, CMS should be prepared to contribute. He had one word of warning however concerning the fact that corridors also served as conduits for invasive species.

61. Mr. El Mastour agreed that it was time for CMS to develop the concept further. Some areas were protected nationally and others had international designations. The most difficult cases seemed to be marine sites, especially those in international waters, where implementation was problematic. Mr. Carlo Custodio (Philippines) sought clarification of the difference between corridors and networks and asked whether the concept worked as well with habitat that were naturally separated as well as with habitats that had become fragmented.

62. Mr. Kahsay Gebretensae Asgedom (Ethiopia) reported on activities in the South West of his country on the border with Sudan on the migration routes of hundreds of thousands of animals. A special Task Force had been established and bilateral actions were being pursued with Sudan, with considerable investment of resources.

63. Responding to the points made, Mr. van Zadelhoff said that the corridors and network approach was mainly a terrestrial concept. It tended to work better on national territories than in

international waters. He agreed with Mr. Spina's point about acquiring more information, but said that there was a great deal of data already available, so there was nothing to prevent work from going ahead. Action was needed to ensure remaining habitats functioned well and MEAs should seek to collaborate. As some animals used different landscape types and different altitudes, it was important to secure connections.

64. It was agreed to continue to work on a draft resolution to be tabled at COP10 and the Secretariat would try to find a Party willing to table it. The draft would be referred to the Standing Committee in the mean time.

Actions and Outcomes
Taking stock of the comments made, the Secretariat would work on developing a draft Resolution for submission to the Standing Committee and would seek a sponsoring country to table it at COP10

7. GLOBAL BIRD FLYWAYS

7.1 Review of existing administrative/management instruments for migratory bird flyways

7.2 Review of scientific/technical knowledge of migratory bird flyways and conservation priorities

65. Mr. Mselbwala explained that in the inter-sessional period he had set up a Working Group on flyways, led by Mr. Mundkur as Chair and Mr. O'Sullivan as Vice-Chair. Mr. Heredia said that the Working Group had been asked to prepare three reports, one on the current institutional framework for conservation in flyways, one on the state of knowledge and one proposing ways forward. Mr. Heredia invited Mr. Mundkur to present the first two reports (UNEP/CMS/ScC16/Doc.10, Annexes 1a, 1b, 2a and 2b).

66. Mr. Mundkur began by thanking those who had commented on the draft documents. The deadline for contributions had not yet passed so Councillors could still make their input. The Working Group had comprised the Appointed Councillors for Asian fauna, birds and neo-tropical fauna (Messrs Mundkur, O'Sullivan and Schlatter) together with other councillors from the regions. The Group had intentionally been kept as small as possible. It was noted that North America with no Parties to CMS was not represented, so information was sought from the USFWS and NGOs based in the USA. Others consulted included AEWA and its Technical Committee, BirdLife International, the East Asian and Australasian Flyway Partnership, FACE and individuals included Mr. Joost Brouwer, the author of the CMS Flyways booklet. Support had also been received from the Secretariat.

Presentation 1

67. Migratory birds constituted a large percentage of all avian species and 800 of the 2274 migratory bird species were covered by CMS. They were found in all regions of the world but there were some particular "hot spots". Flyways varied according to groups and species. Some followed very narrow and precise paths, and many of these were covered by the AEWA critical site network tool. Some birds with long migrations used narrow crossings such as Gibraltar and Panama. Some pelagic birds roamed vast areas of the oceans in a less predicable way.

68. The graphics in Mr. Mundkur's presentation showed that the conservation status of most migratory species had declined over recent years, with those listed by CMS faring worse than those not covered. Anatidae were particularly badly affected. The region with the highest share of threatened species was East Asia and 30% of all species of sea bird were threatened. In the case of waterbirds, more were in decline than were increasing in number, and the main threats were trapping, hunting and loss of habitat to agriculture. Taking of birds for falconry has an impact that needs to be evaluated. Collisions with structures such as TV towers and power lines took their toll, as did long line fisheries among seabirds, while some populations had been devastated by outbreaks on H5N1.

69. The Critical Site Network Tool developed under the Wings over Wetlands project provided information on each population of the waterbird species covered by AEWA. The tool was now accessible online.

70. As only 35% of all migratory birds were listed under CMS, there was room for extending the Appendices. It was insufficient to focus only on the species and their habitats; the broader picture had to be taken into account, including the effects of agricultural policies in Europe and the management of grasslands in South America. Flyway-scale networks were not widely used in Eurasia or Africa, but were being developed in East Asia and Australasia, with one example being the network developed for Siberian Crane and other waterbirds under the GEF project. CMS and its daughter instruments AEWA, ACAP and the Birds of Prey MOU built on local, national and international efforts, and addressed threats such as collisions with power lines and turbines and by-catch in long line fisheries. It was apparent that national legislation was not always adequate and Parties could also improvement implementation.

Presentation 2

71. In the first review, thirty different instruments had been examined. There were also many more that did not focus on a flyway but which still brought benefits to birds. In addition there were alliances and initiatives undertaken by NGO partnerships. There were overlaps and even competition between some of the initiatives. The tables in the first review set out the advantages and disadvantages of the current arrangements, where the Working Group posed itself questions on the flyway itself, the species, the threats (present and potential), the appropriateness of institutional arrangements and the geopolitical context.

72. While theoretically it was encouraging that an instrument existed to protect a species, in practice the instrument was only worthwhile if it was effective. The effectiveness was dependent on funding and staffing and how long the instrument had been operating. In general, networks covering pelagic areas were relatively weak. Species coverage was strong for waterbirds (waterfowl, waders and grebes) and raptors, but weaker for intra-tropical migrants, Eurasian passerines and seabirds outside ACAP, AEWA and the EAAFP. American passerines were generally well covered by bilateral arrangements.

73. Ingredients for success included the opportunity for holding regular meetings of the partners and having a clear decision-making mechanism, sound science foundation and clear, measurable and verifiable aims and objectives. CMS was not necessarily the only or best option, and one of the earliest treaties dated from 1916 between the USA and the UK (acting for Canada at that time). However, CMS was often the obvious channel to use as it had a large membership and was the UN treaty dealing with migratory species. It had a flexible approach and produced tailor-made instruments such as AEWA and ACAP and species-specific MOUs, such as the one for the Siberian Crane. These instruments were open to non-CMS Parties, while membership was not obligatory for countries that had acceded to the parent Convention. The growth in the number

of instruments in recent years had not been matched by additional resources, and strains were evident. The most effective instruments outside CMS included the Ramsar Convention, the bilateral treaties and NGO partnerships. The more informal, NGO-led arrangements were open and flexible, as they could accept many types of organisations as partners and were often more attractive to private sector sponsors, although funding might dry up. Inter-governmental treaties were often slow to negotiate, but had a more solid political basis and it was less likely for them to fall into disuse through lack of interest. Inter-governmental treaties had more formal lines of accountability and the different partners enjoyed different status.

74. Time constraints had meant that the review had not been as thorough as might have been desired, but the drafts were still open for comment and amendment. The Working Group was also keen to start on the third review, covering options for the future.

75. Ms. Qwathekana found the presentation most illuminating and useful as someone attending the Council for the first time. She asked why the species listed by the Convention appeared to be declining faster than those not covered. Mr. Routh thought that the most important issue was habitat protection, particularly key stopover sites. Reclamation of inter-tidal sites was a major threat in the East Asia region, and he was pleased that the report had picked up this point.

76. Mr. Mundkur said that it was difficult to pinpoint why species were still declining despite conservation actions. There was almost certainly no single answer. He cited the example of the Siberian Crane, whose Western population was now down to just two and whose central population had disappeared a few years ago. The 3,000 birds of the Eastern population were surviving and China was active in the Siberian MOU and had been involved in the GEF project. More work was needed to prevent the wetlands from drying out and despite legal protection, the birds were still being hunted. However, as CMS grew, its political weight increased and it was more likely to achieve results.

8. CLIMATE CHANGE IMPACTS ON MIGRATORY SPECIES. ASSESSMENTS OF THE VULNERABILITY OF CMS APPENDIX I SPECIES; PRELIMINARY RESULTS

77. Mr. Heredia explained that the study of the impacts of climate change had been commissioned by COP9 (Resolution 9.07) and the Zoological Society of London (ZSL) had been engaged to carry out the research funded from the CMS Trust Fund.

78. Ms. Kühl regretted that the Scientific Council had so little time to discuss such an important subject, but the following day's Working Group could examine the issues more closely. More data were becoming available on the changes to both temporal and spatial migration primarily where birds and fish were concerned. Some species had stopped migrating altogether. Papers had recently been published on corals and blackcaps, a small passerine species. Corals, although not migratory themselves, were a significant habitat for species that were. There was at least some good news on some coral species which were proving more resilient to warmer water. Other developments since the COP included specific reference to climate change in Action Plans (e.g. the White flufftail), and greater collaboration between the Secretariat and UNFCCC (CMS had been represented at Copenhagen) and the Bern Convention.

79. The ZSL had identified the CMS-listed species most threatened by climate change, focusing first on Appendix I. The ZSL team included Ms. Wendy Foden of IUCN and a PhD student, Mr. Ben Collen.

80. In his presentation, Mr. Collen highlighted the impact of climate change on iconic species, such as the polar bear. Climate change affected rain patterns and led to a higher incidence of extreme weather occurrences. Not all species reacted in the same way, and as changes in the climate were happening at a faster rate, species had had little time to adapt. It was also difficult to discern adjustments in behaviour. Using the Red Data List as a basis, the ZSL had tried to elaborate a model of climate change risks, taking a number of factors into account: biology (such as speed of reproduction); exposure (level of risk) and characteristics of individual species. ZSL applied this model to 44 species listed on CMS Appendix I to analysis which species were at high and which at low risk. The initial 400-page report had been posted on the ZSL website. Twenty-eight of the 44 species were found to be at risk, with marine turtles facing the worst threats both through habitat loss and biological changes. Long-lived species such as plankton eating cetaceans were also vulnerable. While some species classified as "least concern" by the IUCN were found to be at high risk, some species in more threatened categories were not badly affected.

81. In summary, Mr. Collen said that in the face of a novel threat, our response needed to be flexible. He recommended that the next stage of the research should include an expert scoping session. Given the complexity of the subject, the researchers had deliberately tried to adopt as simple an approach as possible, using the Red Data List categories.

82. Ms. Kühl thanked the ZSL for their research work and the presentation. Mr. Galbraith praised the ZSL for setting out clear priorities. He said that as Chairman of the Climate Change Working Group, he had wanted to organise a workshop under the auspices of the Working Group, and the report provided another incentive to seek the funds to convene it. We had a greater understanding of the possible scenarios and the report had a useful focus on CMS Species as indicators of change. The Convention should now identify in which fields it should seek to act. Mr. Tano Sombo (Cote d'Ivoire) stressed that CMS should target its actions on the species most affected.

83. Mr. Idriss sought further information on the ability of species to adapt to a projected 2ºC increase in temperature. Mr. Collen said that to complement species' adaptation to changing conditions, mitigation measures were important.

Outcomes and Actions
Further discussion was deferred to the Climate Change working group

9. IMPACTS OF BYCATCH ON MIGRATORY SPECIES AND BEST PRACTICE MITIGATION MEASURES

84. Mr. Heredia invited Ms. Heidrun Frisch (CMS, Marine Mammals Officer) to make a presentation to be followed by a report from Mr. Barry Baker (Appointed Councillor, By-catch). Ms. Frisch introduced Document UNEP/CMS/ScC16/Doc.9 and Information Document UNEP/CMS/ScC16/Inf.11 reporting on actions undertaken since the last meeting of the Scientific Council.

85. COP had asked for an assessment of by-catch in global fisheries. The Secretariat had issued a tender but no suitable offers had been received and the UK voluntary contribution was sufficient only to cover part of the costs. It as decided to simplify the terms of reference. An Australian voluntary contribution had been received for work on turtle by-catch, but it was subsequently discovered that another organisation had commissioned similar work. It was therefore suggested that the focus be changed to gill nets, as there was no point in duplicating work. The Secretariat had gathered some information from RFMOs, daughter agreements and

Scientific Councillors (8 replies to date). The Secretariat was also following "Project GloBAL" (global by-catch assessment of long-lived species) and an online bibliography which had 150 references to journals and articles.

86. Mr. Baker reported that he had attended a workshop in Brisbane to give a presentation on the mitigation tools available to Tuna RFMOs. As these FRMOS were responsible for virtually all tuna fisheries worldwide and accounted for 200,000 bird deaths per annum, it was vital to engage with them. His address to the Council was based on that presentation.

87. Mr. Baker said that he had undertaken a review and come to the conclusion that the three main means of combating by-catch were: temporal and spatial restrictions, as no fishing meant no by-catch; gear adaptation, whereby nets and lines were less likely to trap non-target species; and safe release techniques for animals accidentally caught. Avoiding interaction between fisheries and non-target species was the best solution.

88. The recent review of mitigation measures conducted by ACAP was included in the information document. BirdLife International had also produced a series of fact sheets which were available online. It was evident that there was no "silver bullet". Tori lines were popular but were not the complete answer. Weighting nets and setting them at night were effective. Line shooters were effective in terms of improving fishing efficiency but were less effective in reducing by-catch and were no longer approved. The use of live bait was also no longer approved as it took longer to sink. Techniques used in Hawaii had yet to be tested elsewhere. Underwater capsules which set the lines at a depth of 8-10 metres were being trialled in Australia and Uruguay. Purse seine nets which had not previously associated with seabird by-catch were now subject of reports of seabird mortality off Chile and this needed to be investigated.

89. In 2009 the FAO issued guidelines on turtle mortality produced some interesting results, including high levels of interactions in coastal fisheries using gillnets and trawls. Circle hooks being wide across the mouth were harder for turtles to swallow, and therefore animals were being snared in the mouth rather than in the gut. Reducing soak times to 2-3 sessions rather than 3-4 was found to be effective, as was not setting nets when turtles were seen to be present. Deck practice in releasing captured animals had also improved. Vessels setting longlines needed to communicate with each other.

90. With regard to marine mammal by-catch, Hamer's recent review on toothed whales submitted to the IWC meeting contained the following findings: baleine whales were prone to becoming entangled with 13 toothed whales notified as by-catch (mainly killer and false killer whales). It had previously been thought that longlines were not a problem for cetaceans, although fishers had complained of dolphins stealing catch. Hamer had examined "pingers" but his research was still at in early stage. Stopping fishing effort when cetaceans were present was effective. Hydrophones were however expensive which was a deterrent to their wider use. It was not clear how acoustic technology worked as a deterrent. Net sleeves were fitted to some gear. A streamer pod could be deployed when cetaceans were known to be present and dolphin gates were integrated into purse seine nets which allowed the animals to escape through a corked section. Fishers could refrain from setting nets when cetaceans were sighted, but their presence was often an indication that fish were in the vicinity.

91. Sharks were often targeted by tuna fisheries to the extent that tuna was almost the secondary catch in many cases. Sharks could bite their way out of monofilament nets. Wire nets were less easy to escape from. Decoys and distracters could lure sharks away from the nets. It might also be the case that sharks would benefit from being primary targets in fisheries, so that management measures could be devised.

92. There was an urgent need to reduce seabird by-catch, which required an acceptable compromise in the interests of fisheries and conservation. A device towed behind the ship to maintain tension in the tori line unfortunately led to high occurrence of line net entanglement (as high as 40% in some South American fisheries.

93. By-catch was now featuring on the agendas of RFMOs: by-catch is on the agenda. The aim from the conservationist stand point was to persuade RFMOs to promote and test gear modifications. Development could be expensive, costing US$ 500,000 in the case of one deep setting device, but none of the funding came from the RFMOs. Methods which were found to be effective in some circumstances did not necessarily work elsewhere and another major problem was overcoming resistance to change on the part of fishers, who were unwilling to try new techniques. Some Pacific and Indian Ocean fisheries were becoming more open to observer programmes which had the advantage of providing good data on by-catch and the efficacy of mitigation methods used.

94. CMS had a role in assisting Tuna RFMOs. In Mr. Baker's twenty years' experience of these organizations, rarely was an innovative move made without considerable pressure being applied. CMS Parties should lobby their fisheries colleagues. They were likely to encounter initial resistance but if handled correctly, positive results could be obtained. CMS and its Parties should encourage research.

95. Mr. Biber commented that many of the mitigation measures adopted were voluntary and he asked whether there was scope for RFMOs to make them mandatory. He also asked how CMS could apply pressure for more stringent measures to be introduced by UNCLOS or the General Assembly and its Advisory Group. Mr. Baker pointed out that Conventions were able to adopt binding management measures, but often lacked the political will to do so. He mentioned that some countries, Party to CMS, did not support conservation policies in RFMOs (others however did).

96. Ms. Qwathekana was concerned that without a sound basis in national legislation, mitigation measures would not be effectively implemented. She was also concerned that many countries relied on commercial fisheries and many communities on subsistence fisheries, and profit and survival would be higher priorities than conservation. Conservation measures needed to be mandatory and enforceable, and the Scientific Council should advocate a stringent policy line.

97. Mr. Baker said that his understanding was that when a country acceded to a treaty that it should do so ready, equipped with the legislation to meet its obligations. In his experience most RFMO parties did have the capacity to enforce binding measures, citing South Africa which was active in the Indian Ocean RFMO and always took conservation issues seriously and conducted research into mitigation measures. He stressed that those advocating conservation in RFMOs were always conscious of the needs of fisheries, seeking a balance between effective fishing gear and the avoidance of by-catch. He was aware of ships operating within CCAMLR waters using modified gear and changing to old nets outside CCAMLR waters.

98. Mr. Siblet stressed that France had had a by-catch problem in its Patagonian toothfish fisheries but had taken decisive action and by-catch levels reduced drastically. Success could be achieved where there was political will. Mr. Baker recognised the efforts of France within its EEZ and especially around Kerguelen Island, and for its support in ACAP. Mr. O'Sullivan was sorry to hear that RFMOs were often unsympathetic to conservation concerns. The public however was very responsive and was outraged at the pointless death of thousands of creatures. Mr. O'Sullivan suggested that RFMO members that did not support conservation initiatives

should be "named and shamed", and urged Mr. Baker to inform the Secretariat of the Parties whose stance in RFMOs could improve. Mr. Baker agreed to do so.

Actions and Outcomes
Mr. Baker to liaise with the CMS Secretariat to exert pressure on CMS Parties not supporting conservation measures in RFMOs Further discussion on bycatch deferred to the ad hoc working group

10. THREAT ABATEMENT PLAN FOR THE IMPACTS OF MARINE DEBRIS ON VERTEBRATE MARINE LIFE (PROPOSED BY AUSTRALIA)

99. Mr. Heredia invited Mr. Routh to speak on the subject of marine debris, referring to Document UNEP/CMS/ScC16/Doc.21 and Information Documents UNEP/CMS/ScC16/Inf.9 and UNEP/CMS/ScC16/Inf.9.1.

100. In his presentation, Mr. Routh illustrated measures taken by Australia to combat marine pollution, especially debris such as discarded lines and plastics, which was a problem as animals became entangled or ingested them. The Government had developed policies under environmental legislation including threat abatement plans, and was tabling the issue at appropriate international forums. Ideally, the pollution would be stopped at source but this was unlikely to be achieved in the short term. Examination of currents and drift patters and the occurrence of debris in Australian waters indicated that the source of the pollution was mainly from other countries immediately to the north. One part of the solution was employing indigenous communities to clear up ghost nets. Debris was an issue for CMS, because many migratory species were affected, especially those tired and hungry at the end of a migration, which either had no strength to free themselves from nets or eat plastics mistaking them for food.

101. Mr. Rilla asked whether there was information concerning countries or regions other than Australia. Mr. Baker referred to Information Document UNEP/CMS/ScC16/Inf.11.4 and mentioned the ACAP Working Group which had investigated the ingestion of discarded fishing gear off South Georgia and in the Patagonian toothfish fisheries, where parent birds were inadvertently feeding their chicks with hooks. CCAMLR now required the use of marked hooks and was adopting more responsible fishing management. Mr. Limpus welcomed the Australian initiative as a major contribution to conservation. Ingestion of plastics was now one of the two main threats to loggerhead turtles in the Pacific, while entanglement was threatening olive ridley turtles in the Indian Ocean. Mr. Siblet supported the idea of a COP resolution and stressed the importance of preventing pollution as well as clearing up operations. Mr. Adriaan Rijnsdorp (the Netherlands) added that debris was known to be a problem in the North-East Atlantic. Mr. Diouck said that debris was also a problem off the coast of Senegal and volunteered to help draft the resolution.

102. In conclusion, Mr. Routh said that he would welcome information about any other studies being conducted in other regions and was heartened by the supportive comments made by Councillors.

Actions and Outcomes
CMS Secretariat to liaise with Australia to work on a draft Resolution for COP10

11. SMALL GRANTS PROGRAMME (SGP)

11.1 Overview of small scale projects funded by CMS

11.2 Discussion on options for the future of this programme

103. Mr. Heredia introduced two documents UNEP/CMS/ScC16/Doc.22 and UNEP/CMS/ScC16/Doc.23 and Information Document UNEP/CMS/ScC16/Inf.14. UNEP/CMS/ScC16/Doc.22 by the Secretariat set out a wide range of possible options for funding, while UNEP/CMS/ScC16/Doc.23 had been drafted by Mr. Pierre Devillers and contained his assessment of the Small Grants Programme (SGP) and his proposals for the future. It was beyond dispute that the Small Grants Programme had been successful and everyone believed that it should be retained. The main outstanding question was funding the programme.

104. Mr. Mshelbwala reminded the Scientific Council of his impassionate plea at COP for the SGP, given its beneficial impact, to be properly supported with a reliable funding stream. Coming from a developing country, Mr. Mshelbwala was acutely aware of the SGP's value. At the Scientific Council meeting in Glasgow, a further tranche of projects had been added to the approved list, but since that time little additional money had become available, so there had been little point in encouraging new proposals. The Council had to find a way of persuading the Parties at the COP to provide the resources. Mr. Galbraith concurred that the SGP had made a valuable contribution to the implementation of the Convention and suggested that the Scientific Council should proceed with identifying projects for inclusion on a revised list. He suggested that each of the taxonomic and thematic Working Groups should choose two or three projects to put forward. Mr. John O'Sullivan said that the SGP's record spoke for itself as it had helped conservation projects in countries rich in biodiversity but without the means to implement conservation measures on their own.

105. Mr. James Williams (UK) recognised that the economic situation was unfavourable but funding sources did still exist. The UK's "Darwin Initiative" had broadened its remit and projects no longer had to be closely tied to CBD. Linking migratory species to poverty alleviation could also open other avenues.

106. Mr. Oteng-Yeboah likened the SGP to a shower of water that went straight to the roots of a plant, stressing that even relatively small grants could stimulate important and interesting research.

107. Mr. Young cited an example form the Ramsar Convention which operated a similar Programme to the SGP and faced similar problems of declining amounts of voluntary contributions. The list of potential projects was posted on a dedicated webpage (of forty proposals received every year, approximately ten were approved and added to the list). Parties had access to an immediate list of current projects in need of support.

108. Mr. Mshelbwala suggested that the newly appointed Fundraising Officer be asked to draw up some proposals. Mr. O'Sullivan stressed that the Convention needed a reliable funding mechanism and pointed to some of the suggestions contained in Mr. Pierre Devillers' paper (UNEP/CMS/ScC16/Doc. 23).

Actions and Outcomes
All Working Groups to identify 2-3 projects to be added to the CMS approved list
Voluntary contributions and grants from outside sources should be actively sought
Projects should be advertised on the web in a similar way to Ramsar

109. Mr. Camillo Ponziani, the Operations Manager of the Wings over Wetlands Project reported on developments concerning the **Global Environment Facility (GEF)**. The next cycle of GEF would begin in July 2010 and last until July 2014 and the allocation of funding had increased by 50% in comparison to the last cycle. The Focal Area Strategy paper set out the rule and regulations of the scheme and included biodiversity, climate change and land degradation as focal areas (international waters were excluded). Projects needed to identify at least 50% matching funding and secure national backing through the endorsement of their Focal Point. Countries had to be Party to any related MEA but EU countries were ineligible. Experience showed that projects submitted early in the cycle stood the best chance of success.

110. The lead-in periods could be lengthy. The WOW project had taken six years from inception until it became fully operational. GEF was now trying to speed the process up with an express procedure and reduce the bureaucratic burdens as much as possible. The guidelines on co-funding had not been changed since they were issued in 2003. Further guidance would be posted on the GEF website as and when it became available.

111. Mr. Ponziani would welcome initial ideas for further CMS-backed submissions for the next round of funding.

112. He added that the partnership which had backed the WOW project had now entered a new agreement to continue to collaborate in post-project initiatives. The partners were AEWA, BLI and Wetlands International.

113. Mr. Morgan asked whether the rules applying to pre-Rio Conventions had changed. Ms. Qwathekana highlighted the complexity of the procedures and the lack of assistance in drafting proposals. Mr. Mundkur stood ready to give advice having been involved in WOW. He also pointed out the complexities of projects covering several countries such as WOW and the Siberian Crane Wetlands project.

12. CONSERVATION STATUS OF CMS APPENDIX I SPECIES

114. Ms. Kühl introduced this item which originated from a discussion at the 14th Meeting of the Scientific Council concerning appropriate actions for Appendix I species and assessing their status, possibly with a view to delisting some. It had been decided to produce fact sheets on all 130 Appendix I species, but, to date, just two pilot sheets had been prepared - on the Mekong Catfish and the Ganges River Dolphin. The information was drawn mainly from IUCN and Living Planet Index data.

115. Mr. Perrin said that completing the Ganges River Dolphin fact sheet had not been very onerous. Mr. Hogan reported much the same as there had been plentiful information available. Those Councillors responsible for producing twenty sheets might find the task more difficult and all should be careful to ensure that the data were up to date. Mr. Collen agreed that producing each sheet should not be too difficult. It was important to keep sight of the aims of the sheets and decide what information was to be included, and recommended that a brief brainstorming session be convened to establish basic guidelines.

116. Mr. Gerard Fragoso (WCMC) said that species profile had been an issue under discussion in WCMC and other organisations for years. A rolling programme would allow for new information to be taken into account, and a "Wiki" forum might be more suitable than a static printed format. National data and global databases should be accessed. He also cited the experience of CITES which needed species data for its identification manuals. Mr. Baker pointed

out that ACAP had posted assessments of all albatross and petrel species covered by the Agreement. This would be an excellent source of information.

117. Mr. Limpus, who would be responsible for the turtle sheets sought clarification of the information required. It was often more difficult to define marine species regionally and variations in the conservation status of turtles in different oceans were often large (leatherback turtles in the Atlantic were thriving but populations were collapsing in the Pacific).

118. Ms. Kühl suggested that someone be appointed as moderator of the data sheets to ensure that differences in writing style of the authors was addressed. Agreeing to use the same source for information would help minimise the problem. After the Appendix I species fact sheets were complete, COP should decide the next steps, which might include similar sheets for Appendix II listed species. Mr. Hogan said that the IUCN data were reliable, accessible and free, but he questioned the point of simply "cutting and pasting" from existing sources. Mr. Baker thought there was little point circulating the fact sheets to the Scientific Council in general. The sheets needed to be reviewed by a more specialist audience.

Actions and Outcomes
Mr. Collen to lead a brain storming session to establish the core data requirements of the fact sheets

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

13.1 Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1, 6.1, 7.1, 8.29 and 9.1. Rec. 9.1 and 9.2)

119. This item was discussed by the taxonomic Working Groups.

13.2 Cooperative actions for Appendix II species (Res. 5.2, 6.2, 7.1, 8.28 and 9.1, Rec. 9.5)

120. This item was discussed by the taxonomic Working Groups.

13.3 Other resolutions and recommendations (not already covered under other agenda items)

a. Resolution 9.8: Responding to the Challenges of Emerging and Re-Emerging diseases in Migratory Species, Including Highly Pathogenic Avian Influenza H5N1

121. This item was discussed by the Thematic Working Group on Wildlife Diseases.

b. Resolution 9.9: Migratory Marine Species

122. Ms. Frisch introduced Document UNEP/CMS/ScC16/Doc.11 produced in response to Resolution 9.9. She requested that the taxonomic working groups on birds and turtles should take the document into account. The Secretariat was drawing up a list of marine and coastal species in the Arctic Circle and the Scientific Council was asked to ensure the draft list was accurate.

c. Resolution 9.19: Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other biota

123. Ms. Frisch introduced Document UNEP/CMS/ScC16/Doc.12 which was to be discussed in greater detail in the Aquatic Mammals Working Group.

d. Resolution 9.20: The Saker falcon (Falco cherrug)

124. Mr. Heredia said that the Saker falcon was an important species and had been discussed at length at COP9 when it had been decided not to add it to the Appendices but instead to conduct more research. The additional research had been carried out with the support of Saudi Arabia. He clarified that the Information Document originally distributed had been prepared by BirdLife International. The paper officially submitted by Saudi Arabia was Information Document UNEP/CMS/ScC16/Inf.17/Rev.1.

125. Mr. Mohammad Sulayem (Saudi Arabia) thanked the Secretariat for clarifying the status of the documentation. He too recounted events at COP9 where no decision had been taken on listing the Saker falcon. Saudi Arabia had as Resolution 9.20 requested undertaken further research and the results were encouraging, as the conservation status of the bird was not as bad as had been thought. It was advisable for further studies to be carried out and Saudi Arabia would welcome the support of other parties and partners.

126. Ms. Jelena Kralj (Croatia) welcomed the studies undertaken by Saudi Arabia. She felt that knowledge of the bird had improved more than the species' conservation status and more data were needed. Research in Tajikistan indicated that threats persisted and the species was still vulnerable, and therefore in accordance with Resolution 9.20, the Saker should be listed on CMS Appendix I. Mr. Umeed Khalid (Pakistan) supported Saudi Arabia. The expert meeting in 2009 had learned that the situation in the breeding sites was improving. Mr. Spina said that the study showed how CMS Action could improve baseline knowledge. He felt that the study having covered only one breeding season was not long enough to establish baseline figures. Mr. Siblet said that in the light of the data it was for IUCN rather than CMS to re-categorise the status of the species on the Red Data List. Mr. O'Sullivan pointed out that CMS tended to look to the IUCN, which in turn looked to BLI. Regardless of whether the Saker was endangered or vulnerable, both categories were considered to be unfavourable.

127. Mr. Christian de Coune (International Association for Falconry and Conservation of Birds of Prey) said that as the studies had been carried out by BLI, there was a guarantee of the quality of the work. He stressed that the use of a species often also helped its conservation, and falconry and the Saker was an example. Falconers had been in the forefront of campaigns against the use of DDT in Germany and the USA. Falconers were also ready to lobby on behalf of the Saker.

128. Mr. Sulayem thanked the Scientific Council for the comments and said that the research undertaken had vindicated Saudi Arabia's stance at COP. He referred to comments in the BLI report which stated that the situation was improving but illegal taking, illegal trade and the numbers of young birds taken from the wild still needed to be addressed. Saudi Arabia was working with CITES to counter some of these problems directly. He agreed with Mr. Spina that data from more than one season were needed and therefore supported the continuation of the research, but needed assistance in terms of data and resources.

129. Mr. Askar Davletbakov (Kyrgyzstan) speaking also for Tajikistan said that Saker populations were declining and listing would be welcomed. Ms. Krajl added that the latest information from Hungary where there were 200 breeding pairs was that the wet conditions in Europe had led to the worst breeding season for 30 years.

e. Recommendation 9.1: Central Eurasian Aridland Mammals

130. This item was discussed by the taxonomic Working Group on terrestrial mammals.

f. Recommendation 9.2: Sahelo-Saharan Megafauna

131. This item was discussed by the taxonomic Working Group on terrestrial mammals.

g. Recommendation 9.3: Tigers and other Asian big cats

132. This item was discussed by the taxonomic Working Group on terrestrial mammals.

h. Recommendation 9.5: Cooperative action for the Elephant (Loxodonta africana) in Central Africa

133. This item was discussed by the taxonomic Working Group on terrestrial mammals.

14. PROPOSALS FOR AMENDMENTS TO APPENDICES I AND II OF THE CONVENTION

14.1 Discussion and evaluation of draft proposals

134. Mr. Heredia announced that some draft proposals for adding species to the Appendices had been circulated, involving some fish species (from Paraguay), beaked whales (from Spain) and the tiger and other terrestrial mammals (from Roseline Beudels, the convenor of the taxonomic working group). Unfortunately neither the Spanish Councillor nor Ms. Beudels were present to explain their proposals. Ms. Maria Cristina Morale Palarea (Paraguay) said that Paraguay's proposal concerned threatened species which merited inclusion on Appendix I and she would provide more details in the Fish Working Group.

14.2 Review of taxonomic groups of migratory species to identify candidate species for listing on CMS Appendices

14.3 Discussion on the listing of the Cheetah on Appendix II

135. Mr. Heredia explained that at COP9 the Cheetah (*Acinonyx jubatus*) had been added to Appendix I with the exception of the populations of three African countries which had CITES quotas. The question remained whether the populations not listed on Appendix I should be added to Appendix II. The issue was referred to the terrestrial mammals working group.

15. PROGRESS ON OTHER ISSUES REQUIRING SCIENTIFIC COUNCIL ADVICE

15.1 Sustainable use

136. Mr. Heredia explained that the mandate for the work on sustainable use derived from Resolution 8.1 adopted at COP8. A small Working Group had been established but there were no plans for it to meet during the Scientific Council. Mr. Devillers was working on a paper reviewing the Addis Ababa principles. One practical example of CMS promoting sustainable use was the Siberian Crane MOU, where hunters were being engaged in dialogue, as hunting was an important issue in Central Asia.

137. Mr. Limpus reported that the sustainable use of turtles and their eggs was a complex issue and was widespread in tropical countries. His gut feeling was that the take by coastal communities exceeded the harvest by commercial fisheries. The issue had been neglected and the species suffered as a result. There were conflicts between conservation and the need for food and respecting traditions, but the population of leatherbacks had declined to near extinction because no action was taken because the interests of traditional use prevailed. It was also often difficult to undertake research because local communities resented outside interference. Mr. Kasiki said that there was some information on the use of turtles in Kenya which he could share.

138. Mr. Mshelbwala suggested that a research project might be a suitable candidate for inclusion on the Small Grants Programme list.

139. Mr. Perrin said that uncertainty should not be an excuse for inaction, citing the case of the great whales in the Antarctic where no quotas had been set while the research was carried out, leading to the blue whale being reduced to 1% of its previous numbers.

140. Mr. El Mastour urged that CMS follow up on the issue of sustainable use, linking the use of the species and the use of their habitats. Habitats were still being lost despite awareness of the need for sustainability. Action was needed to back up the fine words.

141. Mr. Morgan saw parallels between the CMS COP Resolution and actions undertaken by CITES with regard to the applicability of the Addis Ababa Principles. The CMS COP urged collaboration with the advisory bodies of other MEAs and CITES was willing to share its findings.

142. Mr. Diouck agreed that consumption and use of turtles and their eggs were often associated with traditional practices. Even within a marine protected area in Senegal, hundreds of turtles were being killed and eaten. Many people thought eating turtle meat gave them strength. Since a public awareness campaign was launched and people educated about turtles, consumption had declined. The local communities have also been given responsibility for managing the MPA. However, as one turtle could provide large quantities of meat, alternative sources of protein had to be offered. Another protected area was an important wintering ground for birds, but there was still open access to the public. Developing ecotourism activities had helped meet conservation and economic needs.

143. Ms. Cordero described the problems with leatherback turtles in Ecuador. A roundtable had been established with all interested government institutions represented to develop a new strategy, involving the tourism and hotel industry. Fishers were retrained as tourist guides. Ecuador's experience had been positive and lessons for other countries could be learned.

144. Mr. Routh thought that CMS's response should be cautious and that it would be wise to wait for a paper to be prepared. The Addis Ababa Principles could be misused to encourage consumption and commercialisation.

145. Mr. de Coune again said that falconry contributed to conservation as the practice was a sustainable use of the species. It was in the interests of falconers to ensure that the species they used thrived, hence the support of falconers for efforts to conserve the Saker.

Actions and Outcomes
The Sustainable Use Working Group to be reactivated
A paper to be developed for the 17th Meeting of the Scientific Council

15.2 Criteria for listing Appendix II species

146. Mr. Heredia reminded the meeting that the criteria for listing Appendix II species had been subject of a discussion at COP9, when Norway had questioned the basis for inclusion of several species. It had been suggested that the criteria for listing under Appendix II were unclear and ambiguous, with the Convention text mentioning "unfavourable conservation status" or "benefiting from international cooperation". A species therefore need not have an unfavourable conservation status to be listed.

147. Mr. Heredia also recalled a paper prepared by Mr. Baker, comparing the IUCN listings and the CMS appendices. The categories "critically endangered", "endangered" and "vulnerable" all seemed to qualify for listing under Appendix I. Near threatened would be appropriate for Appendix II. Any species, even one of least concern, was likely to benefit from international actions and was therefore eligible for listing on Appendix II. The Secretariat was therefore seeking the Scientific Council's view.

148. Mr. Baker admitted that he had not re-read the paper referred to for some time. It was certainly not his intention to exclude less threatened species, as it was often advisable to pre-empt potential threats with early action, rather than wait for the status of a species to decline.

149. Mr. Siblet agreed that the Convention should retain flexibility to allow the listing of non-threatened species, but thought that it would be advisable to define objective criteria, as the Appendices could not expand indefinitely. The IUCN categories could remain the main listing criterion, but it was also wise to list species with a limited or vulnerable range.

150. Mr.Williams concurred adding that the added value of CMS listing over and above any other international protection offered under CITES or other MEAs should also be considered.

151. Mr. Pueschel said that at a time of biodiversity and habitat loss, CMS was of particular significance, and it should base its policies on sound science and the precautionary principle. He agreed that criteria for inclusion should include isolated populations and vulnerable habitats, especially in view of climate change.

152. Citing the Sharks MOU, Mr. Routh said that the reasons for listing should be made clear. Of the seven shark species covered by the MOU, some were highly vulnerable (and in need of conservation measures) and others highly migratory (and therefore appropriate subjects for international action).

153. In Mr. Perrin's view, Appendix II could be seen as the waiting room for an international instrument. It was not a definition of the level of threat, unlike the IUCN categories.

Actions and Outcomes
Mr. Baker to revise his earlier paper and lead on the development of criteria for Appendix II listing, with the assistance of any Councillor who had intervened. The revised paper to be considered at the 17th Meeting of the Council

15.3 Range States: Criteria for their classification and current List

154. Mr. Heredia introduced Document UNEP/CMS/ScC16/Doc.24 which had been drafted by Mr. Devillers. It seemed to be the case that a country was a range state to a species even if there was only sporadic evidence of the species being present. Where a Party was a range state to a species listed under CMS, clear legal obligations should ensue. While the Convention text

included a definition of "range state", it also left it to the Parties to determine whether a species occurred on their territories. Document UNEP/CMS/ScC16/Doc.24 contained proposed criteria for defining when a species was endemic to a country. These criteria would be important in cases where reintroduction programmes were being planned.

155. Mr. Fragoso explained that there had been many attempts to harmonize taxonomic nomenclatures and other related issues between the MEAs. Where different taxonomies were used by the different MEAs, it was often unclear whether Parties were range states to species. A party might be a range state under one MEA but not the other because of different taxonomic definitions.

156. Mr. Perrin pointed out the difficulties of defining range for highly mobile marine species. Some countries had conducted only very limited surveys of their waters, so distribution and occurrence data were not comprehensive. Some definitions of range state included the phrase "regularly occurring", but there was difficult to measure this objectively.

157. Mr. Hogan said that there were countries where fish had once occurred but were no longer present. He asked how reduced range was being handled, pointing out that with restoration efforts, the previous range could be repopulated.

158. Mr. Heredia pointed out that the IUCN had produced guidelines regarding reintroductions listing actions which should and should not be undertaken. Sound principles should apply where species are reintroduced into their former range, and even stricter conditions should be met when introducing species to new areas. It was also important to take into account the reasons why species disappeared from their range before reintroducing them. Mr. Mshelbwala cited a reintroduction programme for elephants in Senegal using animals from Burkina Faso. In this case, studies of water supply and habitat loss were carried out.

159. Mr. Siblet suggested that the guidelines need not be too long or extensive and suggested that a period of grace be established after a species had been reintroduced before declaring that the range had been extended. He suggested 10-15 years, provided that human intervention was not needed to keep the reintroduced population alive.

160. Mr. Khalid referring to the loss of the central population of Siberian Cranes which had previously overflown Pakistan and for which reintroduction measures were under consideration, said that a definition of the term "recently" would be required.

161. Mr. Diouck reported that Senegal had had a systematic policy of reintroductions since 1983. There was a functioning working group in the north of the country reintroducing gazelles supplied from Spain, Canada and Israel. There was now a population of 100 or so Oryx in its former range. Addressing the causes of disappearance and winning the support of local communities, many of which lived in poverty, were essential. Some reintroduction programmes had not run as well as expected.

162. Mr. Biber said that in the face of climate change it could be desirable to introduce species to areas where they had never occurred naturally. CMS should consider advantages and disadvantages of this practice, but he reiterated that he felt that it could in many circumstances be justified.

163. Mr. Spina supported Mr. Siblet in advocating that CMS establish basic guidelines and clear rules for reintroductions. His experience in Italy was that policy makers often preferred costly prestigious reintroduction programmes rather than restoring habitats, and in many cases the

reintroduction projects failed. Ultimately reintroduction programmes had to become self-sustaining and not cause more difficulties than they solved.

164. Mr. Hogan said that any former range states should still be considered a Range State. Removing or modifying dams along the Danube would result in fish such as the shad re-populating their former range.

165. Mr, Morgan reported that CITES had been working with WCMC on updating a database dating from the 1970s. Covering 20,000 species it recorded all range states and local extinctions.

166. Mr. Galbraith said that climate change had brought species management to the fore, and translocation programmes and site networks were among the responses developed. Responses had to be flexible, whilst maintaining the quality, rigour and appropriateness of the approaches used. IUCN guidelines on wetlands were being rewritten to take account of climate change and the Scientific Council should ensure that the issues involved to maintain migratory routes were not overlooked.

Actions and Outcomes
Councillors to pass their comments on Mr. Devillers' paper to the Secretariat by the end of September 2010. The revised paper to be submitted to the Standing Committee and discussed again at the 17th Meeting of the Scientific Council

15.4 Standardized nomenclature for the CMS Appendices

15.4a Taxonomy and nomenclature of bird species

167. Ms. Laura Aguado (CMS) introduced Document UNEP/CMS/ScC16/Doc.14 prepared by Mr. Devillers and Document UNEP/CMS/ScC16/Doc.16 and its four annexes. She gave a presentation on the consequences for CMS if it were to follow CITES on taxonomy.

168. A review of the taxonomy used by CMS showed that one reference was being used for the orders and families and another for genera and species. The Secretariat proposed that a single reference should be used for all birds, with the exception of albatrosses and petrels, where it was advisable for the parent Convention to follow the lead of ACAP.

169. Ms. Aguado illustrated the problems which arose when taxonomic references changed.

170. In the first case, the species' name was changed. This presented no difficulties. In the second case, where however, the number of subspecies changed, the question arose whether all met the criteria for inclusion. In the third case, a single species was split and reclassified as two different species. The rule under CMS was that both new species would be retained on the Appendices (e.g., the Auckland Islands and Brown teal *Anas aucklandica/Anas chlorotis*). The fourth case was more complex still, and involved changes at the order or family level, and here the number of individual species could change. The recent revision of Anatidae had seen two new genera added to this family.

171. Annex IV to the Secretariat's document UNEP/CMS/ScC16/Doc.16 contained the taxonomic references used by ACAP for albatrosses and petrels. For CMS to adopt this reference would involve several changes (splitting species and changing names) at different taxonomic levels.

15.4b Taxonomic changes in standard references

172. Mr. Devillers' paper on standard references had implications for all species, not just birds. Again simple name changes and splitting existing species in two presented no problem for CMS.

173. Where a listed taxon was merged with a non-listed one, CMS retained the name in its Appendices listing, but where appropriate a note could be added, if there was a need for geographic limitations for scientific, administrative or political reasons. Where two listed taxa were merged, the new taxon was retained and an appropriate footnote added.

174. Mr. Devillers proposed a new rule to deal with merged species to take account of its conservation status and the status of the merged component species. The merged taxon should be retained in full where its conservation status was the same or worse than that of component species, and geographic references be added where it was more favourable or mixed.

175. Mr. Morgan stressed the importance of the MEAs following the same references to avoid causing confusion among policy makers. At the 15th Meeting of the Scientific Council, it had been agreed to use Wilson and Reeder for all species. The exception was marine mammals and CITES agreed to adopt the same line as CMS for these species. It should also be recognised that taxonomy was a fluid science and CITES needed a degree of stability in its permit regime, so preferred to adopt a single reference, unless there were good reasons to deviate and use another in particular cases. CITES also adhered to a rule that a change of nomenclature could not affect a decision of the Parties.

176. Mr. O'Sullivan welcomed both papers and thanked the Secretariat for presenting so clearly such a difficult subject. He saw the advantages set out by CITES for using a single set reference, but scientific knowledge was advancing and there were also advantages in keeping up to date, although this clearly posed problems for legislation. The implications of merging species could be immense and the Council should consider the issue carefully, and reach a solution accommodating the needs of the Secretariats, the Parties and the scientists.

177. Mr. Mshelbwala pointed out that taxonomy was a dynamic science as only recently a new species of gecko had been identified.

178. Mr. Baker stressed that his presentation contained his views and not necessarily those of ACAP. He understood that CMS wanted to align its references but as scientific knowledge advanced, adopting a set reference anchored the Convention arbitrarily to a particular point in time. Adopting Dickinson 2003 therefore had its drawbacks. Not all scientists might agree with the classifications. ACAP adopted a different approach given that a single static reference could not reflect changes. Mr. Baker had advocated at COP the use of the BirdLife International (BLI) system close to the approach set out in the ACAP paper which allows adaptation to new thinking.

179. Mr. Eberhard welcomed the papers but did not agree with the proposal for automatic procedure where species were merged as this would lead to changes to the CMS listings, as the Convention text stated that the Parties at COP decided the composition of the Appendices. The choice of one reference or another did not affect the populations that were covered. Mr. Devillers' point that adopting one reference did not act as a brake on change, was important. Harmonization across MEAs was important but so was clarity on what was and was not listed. Using a single reference had both advantages and disadvantages, and no one reference was perfect.

180. Mr. Oteng-Yeboah said that at CBD COP4 the phrase "taxonomic impediment" had been used, given that the issue caused so much confusion. The same problems were affecting CMS through species splitting and merging. He welcomed Mr. Devillers' paper but wanted the Scientific Council to formulate an approach which accommodated the requirements of all concerned.

181. Ms. Aguado said that the Secretariat was not proposing that a single source be adopted for all species. The Secretariat paper had analysed some of the references available but it was for the Scientific Council to recommend which one or ones to use. In his paper, Mr. Devillers proposed a very definite approach which had the advantage of clarity.

182. Mr. Spina pointed out that the International Ornithological Council had a working group on taxonomy which met at the organisation's world congresses. Mr. Siblet supported Mr. Ebenhard, adding that a single reference would be easier and adopting a mix of references would make the CMS Appendices something of a hybrid. He thought that Dickinson was suitable for CMS as it allowed for adaptations as knowledge improved. While accepting Mr. Morgan's point on stability, he stressed that studies should be consistent to ensure that the taxonomy was not short-lived.

183. Mr. Baker introduced Document UNEP/CMS/ScC16/Doc.17, the ACAP paper on albatross and larger petrel taxonomy. He started by saying that the taxonomy of these species had been a controversial subject for over twenty years. ACAP had therefore established a taxonomy group conducting peer reviews and focussing on the most difficult species. The result was that ACAP had adopted taxonomy identical to that of BLI. The methodology was transparent and robust and he recommended that CMS adopt the ACAP taxonomy.

184. Mr. O'Sullivan recognised the special relationship between CMS and ACAP, its specialist albatross instrument. He agreed that given the intense work done by ACAP it would make sense for CMS to follow ACAP's lead on the species concerned.

185. Mr. Galbraith summarised by saying that the choices lay between the certainty of adopting specific references or allowing flexibility in the light of scientific advances; the procedure of dealing with taxonomic changes as they affected the CMS Appendices; and whether to follow specialised instruments (e.g. ACAP for albatrosses).

Outcomes and Actions
Intersessional Working Group composed of Mr. O'Sullivan, Mr. Oteng-Yeboah (CMS Appointed Councillor for African fauna), Mr. Baker (Appointed Councillor for By-catch), Mr. Ebenhard (Sweden), Mr. Siblet (France) and Mr. Dereliev (AEWA) to work with Mr. Devillers on the taxonomy paper

15.5 International Year of the Bat

186. Mr. Andreas Streit (EUROBATS) explained that the next in the series of annual species campaigns would be the "Year of the Bat". It was planned to run the campaign over two years, with the focus in 2011 being Europe combined with the 20th Anniversary of the EUROBATS Agreement. The second year (2012) would be more global. The 2011 campaign would be launched at the EUROBATS MoP in Prague in September and the 2012 would be launched at the CMS COP10. EUROBATS had established a Working Group which was supporting the preparations. It was hoped to enlist more partners from Governments and NGOs and the

Campaign was certainly necessary because bats were still being persecuted, often on the basis of misconceptions.

187. Mr. El Mastour welcomed the initiative and recalled previous discussions about bat conservation. He agreed that YOB needed to be global in its approach and hoped that it would stimulate research in a neglected area. In Morocco, the Ministry of Tourism was promoting visits to caves and there were fears that the bats living there would be disturbed. The caves were important and intact roosting sites, so the tourism would have to be sensitive.

188. Mr. Mshelbwala recalled discussions about holding an African Workshop, but this still had not taken place. It was important for this event to go ahead, as decision makers had to be informed about the truth about bats and address the taboos and stigmas.

189. Mr. Ian Redmond suggested that the two years could be split taxonomically rather than geographically, with the micro-chiroptera featuring in 2011 and mega-chiroptera in 2012.

190. Mr. Ankara supported the idea of the campaign but was concerned that the first focus would be on Europe rather than be global. There was an urgent need to address public perceptions in Africa towards bats which were associated with disease, and stress their role in pollination. The Robert Koch Institute was conducting work on Ebola hosted by bats in Africa. He supported the Chair's call for the African Workshop to be organized.

191. Mr. Streit was aware of the commitment to hold the African Workshop and hoped that it would be able to proceed when funding was available. He hoped that UNEP HQ might be able to make a contribution and hold the meeting in Nairobi. Side events had been held at the previous COP9 which demonstrated the interest in bats in Africa. The Workshop would be the first step towards a CMS instrument for bats in Africa. Mr. Kasiki expressed an interest in Kenya hosting the Workshop.

192. Mr. Newman said that FAO had experience of dealing with Ministries of Health, Agriculture and Forestry and each had a different perception of bats, with human and livestock health diseases being the main concern. It was important to bring all three authorities together. There was evidence of capacity building efforts being made in parts of Asia addressing both ebola and rabies. Over the next few months, FAO was producing a manual on field techniques, disease and trapping, as well as communication of messages to counteract the vilification of bats. Input from the Scientific Council would be welcome.

193. Mr. Muembo Kabemba said that the Democratic Republic of the Congo had large un-researched populations many of which occurred in National Parks. There was a limited amount of literature and information available. There were some conflicts with human interests and some species were taken as food. Mr. Victor Pulido (Peru) supported the campaign, but like others, he felt it should cover all countries. Bats were a neglected taxon and it was important to engage the interest of biologists in their conservation.

Actions and Outcomes
Councillors to provide advice on the content of the FAO field manual to Mr. Scott Newman and to contribute to the International Year of the Bat

15.6 Survey of expertise of Scientific Council members

194. This item had been taken at the beginning of the meeting.

16. PRESENTATION OF THE REPORTS OF THE TAXONOMIC AND THEMATIC WORKING GROUPS

Reports of the Working Groups

195. The following Councillors and members of the Secretariat presented reports for the Working Groups that they had led. The reports are attached as annexes to the present report.

Mr. Galbraith (Climate Change – Annex II)
Mr. Mundkur (Diseases – Annex III)
Mr. Baker (By-catch – Annex IV)
Mr. Limpus (Marine Turtles – Annex V)
Mr. Hogan (Fish – Annex VI)
Mr. O'Sullivan (Birds – Annex VII)
Mr. Perrin (Aquatic Mammals – Annex VIII)
Mr. Ebenhard (Terrestrial Mammals – Annex IX)

196. Mr. Daniel Blanco (Argentina) explained that Argentina and Chile were collaborating on an instrument for the Andean Deer, with the Chilean authorities taking the lead. Mr. Rilla asked whether this instrument, like the Ruddy-headed Goose MOU, would be dealt primarily by the two countries bilaterally and sought clarification of the role of the Secretariat.

197. As the Working Group had not had time to discuss chimpanzees, Mr. Redmond reported on activities under GRASP which had held a workshop. There were twenty-one Range States and there was interest in developing an instrument but no formal proposal had been presented. A census in Côte d'Ivoire had shown a decline of 90% in chimpanzee populations, while Senegal had found its chimpanzee population was twice previous estimates. There were many transboundary populations, so chimpanzees, like gorillas, were probably migratory under the terms of the Convention. Mr. Diouck recalled that there had been consideration of a joint gorilla-chimpanzee instrument and this option was still open.

17. DATE AND VENUE OF THE 17TH MEETING OF THE SCIENTIFIC COUNCIL

198. Mr. Heredia announced that it was proposed that the Scientific Council should next meet immediately before COP10 in mid-November 2011 in Norway.

18. ANY OTHER BUSINESS

199. Mr. Rilla said that a capacity building workshop would be taking place in August 2010 in Panama aimed at Spanish speaking countries of Latin America (plus Brazil). Mr. Limpus, adding to Mr. Perrin's report, said that the Scientific Council would be receiving a summary of scientific aspects of the achievements of instruments in force covering CMS and beyond. Mr. Spina said that copies of a CD with an atlas of migratory species in Italy were available for distribution.

19. CLOSURE OF THE MEETING

200. After the customary expression of thanks by the Chair, Vice-Chair and Executive Secretary for all those who had contributed to the successful organisation and execution of the meeting, the Chair declared the Meeting closed at 16:16 on 30 June 2010.

Convention on the Conservation of Migratory Species of Wild Animals
Secretariat provided by the United Nations Environment Programme

16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX I

AGENDA

1. Opening remarks

2. Adoption of the agenda

3. Intersessional Process regarding the Future Shape of CMS

4. Review of Strategy Implementation Plan for the Scientific Council 2006-2011
   - 4.1 Review of freshwater fish
   - 4.2 Artificial barriers to migration

5. *Modus operandi* in cases of emergency situations for CMS species

6. Critical sites and ecological networks for migratory species

7. Global bird flyways
   - 7.1 Review of existing administrative/management instruments for migratory bird flyways
   - 7.2 Review of scientific/technical knowledge of migratory bird flyways and conservation priorities

8. Climate change impacts on migratory species. Assessment of the vulnerability of CMS Appendix I species: preliminary results

9. Impacts of bycatch on migratory species and best practice mitigation measures

10. Threat Abatement Plan for the Impacts of Marine Debris on Vertebrate Marine Life (proposed by Australia)

11. Small Grants Programme
    - 11.1 Overview of small scale projects funded by CMS
    - 11.2 Discussion on options for the future of this programme

12. Conservation status of CMS Appendix I Species

13. Scientific Council tasks arising *inter alia* from resolutions, recommendations and other decisions of the Conference of the Parties

13.1 Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1, 6.1, 7.1, 8.29 and 9.1; Rec.9.1 and 9.2)

13.2 Co-operative actions for Appendix II species (Res. 5.2, 6.2, 7.1, 8.28 and 9.1; Rec.9.5)

13.3 Other resolutions and recommendations (not already covered under other agenda items)
- a) Resolution 9.8: Responding to the Challenges of Emerging and Re-Emerging Diseases in Migratory Species, Including Highly Pathogenic Avian Influenza H5N1
- b) Resolution 9.9: Migratory Marine Species
- c) Resolution 9.19: Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other biota
- d) Resolution 9.20: The Saker falcon (*Falco cherrug*)
- e) Recommendation 9.1: Central Eurasian Aridland Mammals
- f) Recommendation 9.2: Sahelo-Saharan Megafauna
- g) Recommendation 9.3: Tigers and other Asian big cats
- h) Recommendation 9.5: Cooperative action for the Elephant (*Loxodonta africana*) in Central Africa

14. Proposals for amendments to Appendices I and II of the Convention
- 14.1 Discussion and evaluation of draft proposals
- 14.2 Review of taxonomic groups of migratory species to identify candidate species for listing on CMS Appendices
- 14.3 Discussion on the listing of the Cheetah on Appendix II

15. Progress on other matters requiring Scientific Council advice
- 15.1 Sustainable use
- 15.2 Criteria for listing Ap. II species
- 15.3 Range States: Criteria for their classification and current List
- 15.4 Standardized nomenclature for the CMS Appendixes
  - a) Taxonomy and nomenclature of bird species
  - b) Taxonomic changes in standard references
- 15.5 International Year of the Bat
- 15.6 Survey of expertise of Scientific Council members

16. Presentation of the reports of the taxonomic and thematic working groups

17. Date and venue of the 17th Meeting of the Scientific Council

18. Any other business

19. Closure of the Meeting

Convention on the Conservation of Migratory Species of Wild Animals
Secretariat provided by the United Nations Environment Programme

16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX II

REPORT OF THE WORKING GROUP ON CLIMATE CHANGE

29 June 2010, 11.30 am

Chair: Prof. Colin Galbraith (UK)

Agenda Item 1.0

The Chairman stressed the importance of the working group and of the urgency of the issues involved in assessing the impact of climate change on migratory species. He recognised the value of the work done inter-sessionaly by the Secretariat. He noted also the need to prioritise efforts to identify the key threats from climate change to migratory species. He stressed the importance of developing monitoring strategies for species, and the need to be clear on what actions will be effective to assist species adapt to the changes. Consideration should be given to the role of CMS listed species as indicators both in relation to climate change and to other causes of change. In considering the way forward it was of key importance to assess priorities for action; to be clear what can actually be done and what is unrealistic.

The need for a workshop on migratory species and climate change to be held before the next Conference of the Parties was clear and would allow time for a more in-depth assessment of the situation to be developed. He noted, however, that funds still have to be found to support the workshop.

He noted also the need for a resolution at the next Conference of Parties, stressing the need to maintain the efforts from CMS in relation to climate change.

The Chairman noted also the issues coming from earlier discussions in this meeting of the Scientific Council, regarding the need to focus of particular groups of species. Should the focus remain only on Appendix I species, or be extended to Appendix II species as well?

The Chair then opened the floor for views from Councillors on the CMS's role

There were a number of suggestions in relation to the priorities for action:

Suggestions focused on reviewing Appendix I mammals, and in particular, marine species.

It was suggested also that taking a wider view of issues such as increasing barriers to migration could be useful, in addition to simply looking at the issue from a species angle.

One priority area was to investigate how climate change was impacting the use of flyways by birds. It was suggested that the link between species and habitats be analysed, as the patterns of use are likely to be very vulnerable and sensitive to change in some cases.

It was noted that more data on the impact on populations of species from climate change was needed in order to inform further discussion at the next CoP in particular.

It was noted that various hypotheses on the nature of the impact from climate change on migratory species have been outlined in the literature, but that in many cases more data was needed. It is especially important to examine how migratory species have previously responded to climate change. Long term databases of species number and distribution should be re-evaluated in order to better understand the impact of climate change on population trends. Input from indigenous human communities may also be helpful in providing information concerning the ecology of species in different situations.

Individual species groups were highlighted as being in particular need of further study to assess the degree of threat from climate change. For example, investigating the level of threat to marine turtles was seen as a priority.

The need for intersessional action was supported; more work needs to be carried out between each COP, such as the research carried out by the Zoological Society of London.

The need for a clear Action Plan was stressed. This was seen as a key step in clarifying the response that is possible from CMS in relation to climate change. It was seen to be important that, as part of the Action Plan, the Secretarial developed joint initiatives with a range of other Conventions as well as with other bodies.

In summary, emphasis was placed on the idea of developing a clear set of 'priorities'. It was suggested to prioritise action on those species most affected by climate change, where action was still thought possible. The concept of undertaking a "triage" assessment to determine firstly which species do not need any support, secondly to assess which are beyond help in particular situations, and thirdly to focus on those species where action can lead to the greatest positive effect, was discussed.

The meeting noted that more evidence is needed on the link between species survival and habitat vulnerability. In addition, for networks such as flyways, a "systems" approach may be appropriate. In such situations a wider approach needs to be taken, considering the entire ecosystem. The case of individual species still needs to be considered to determine the particular conservation action needed to help their populations, as some species are more affected than others. The rate of change to the climate was seen as a key factor affecting species.

The need for a common information database, holding information on case studies and other information relating to climate change was noted.

The CMS Secretariat noted the value of the research work supported by Defra in helping to assess the priorities for future action.

Agenda Item 2.0: Discussion on possible progress on methods to assess those migratory species most vulnerable to climate change

2.1 Reference was made to Resolution 9.7 (2) regarding the identification of migratory species most affected by climate change. This was seen as a priority work area for the future.

It was noted, that a critical potential role of the Scientific Council is to establish a peer review system in order to have expert input to assessments of the situation. The CMS Secretariat could be used as an intermediary contact point in developing such a system of collaboration. In addition, the CMS guidelines would be useful in helping to focus the development of information on species in Appendix I and Appendix II. It was noted that a wider approach, in addition to looking at Appendix I species be taken; to develop a holistic view of the effects of climate change on a wide range of migratory species. An example was given, showing that certain species of birds in Appendix I appear to be less affected at present than species of marine turtles, which are listed in Appendix II. Developing a wide review of the impacts was therefore seen as an important task for the Scientific Council.

The Secretariat pointed out that the assessment of species has focussed on those protected by an instrument such as a Memorandum of Understanding. However, to carry out such research, funding, including voluntary funding, is desperately needed.

In summary, clarity is needed with regards to Appendix I and II species that are most vulnerable to climate change. In addition, collaboration is strongly encouraged between different country experts in order to develop a more accurate evaluation of the situation. It is important, to note however, that issues other than climate change also play an important part as direct drivers affecting migratory species The resultant pressures are, in effect, the combination of these changes acting alongside climate change, to produce a rapidly changing environment.

Agenda Item 3.0: Identifying an avenue for research and dialogue on the effect of climate change on migratory marine species and identify MEAs and other organizations that could assist with this matter (Resolution 9.9)

Marine issues were again highlighted as one of the most pressing areas in need of in-depth research. The need to develop a CMS view on the role of mitigation was noted as an urgent requirement. It was proposed that it was a priority for CMS to investigate options on mitigation and how this may in itself affect migratory species. An example was made concerning the loss of sea grass pasture for dugongs and sea turtles in the event of flooding in storm conditions. The issue was what would be done to compensate for the loss of grazing habitat and how could any management action be funded.

The meeting discussed briefly the priority for action in relation to whales. It was noted that attention was already given to the issue by the International Whaling Commission, while on the other hand; further investigation on to the effects of climate change on krill, the main food supply for many whales, could be valuable.

Partnership with Conventions and other bodies already active in the conservation of whales was encouraged by the Chairman and supported by Councillors.

Agenda Item 4.0: Critical sites and ecological networks

There was a consensus that the management of habitats and their use by migratory species will be a significant area of study in the future. Councillors agreed that research into the ecology of a range of migratory species and how their use of habitats may alter with the changes to the climate should be a high priority for the CMS Secretariat.

Importantly, the theme was extended to look at ecological networks in a more holistic way. The meeting noted the possibility of feeding the results of such an evaluation of ecological

networks into a resolution for the forthcoming CoP. The wider approach would also help facilitate linkages from CMS to the Convention on Biodiversity. The suggestion for a resolution at the 10th Conference of Parties was reinforced.

Agenda Item 5.0: Legal rigidity of protected areas – flexibility required in the light of climate change

The Chairman highlighted the key issue where the legal protection of sites tended to be rigid in terms of boundary selection, i.e. when the boundaries for protected areas were determined they tended to remain fixed over time; and for some countries the identification of the particular features protected on each site was also defined in the legal instruments establishing that protected area. This type of approach now needs to be seen in the context of climate change and other changes to the nature of sites, leading to a changing picture of species presence and use of some of these areas. He suggested that further evaluation of the "network" approach, looking at individual sites as part of a larger series and as reservoir areas for biodiversity overall, might be a useful approach to consider.

It was noted that the Convention on Biodiversity, is examining possibilities that might integrate the system of protected areas to create buffer zones as part of a wider area of management.

Concerning flexibility of protection of natural sites, there was a consensus that in general, larger sites and clear protection increased the value of such areas for migratory species. The CMS Secretariat was asked to be aware of this and to support the efforts of organisations in the protection of natural sites, where appropriate.

In order to have more flexibility as part of any system of protection, it was agreed that a better knowledge of flyways and other networks was needed. Enhanced cooperation is also needed between neighbouring countries in order to better coordinate the protection of cross-boundary protected areas.

A number of issues were raised in relation to the management of protected sites, including land ownership and tenure, as well as outdated legislation in some cases. Socio-economic issues were also raised as an issue to be considered as a key part of site protection and management.

In summary, further work is required on the role of networks, habitats and climate change. Further discussion is required on how to build flexibility into the conservation of sites, whilst retaining the essential level of legal protection for the species and habitats concerned.

It was also noted that larger sites tended to assist species protection. In relation to migratory species it is particularly important that effective cooperation occurs between Parties and between the various international Conventions.

Agenda Item 6.0: In-depth discussion on setting up an intersessional working group on climate change, as well as the need for collaboration with MEAs and other bodies engaged in the linkages of climate change and biodiversity

The meeting agreed that more intersessional activity was necessary. The Secretariat were asked to keep all those present in the current working group informed about plans to organise the workshop mentioned above.

The issue of funding was noted as being a key requirement for future activity. Funding is needed especially for the proposed workshop.

The Secretariat highlighted the fact that the level of funding and voluntary contributions determines what can actually be done. A strong plan is needed in the lead-up to COP10, including cooperation with other Multilateral agreements and synergies, such as UNFCCC and other Conventions.

It was agreed that the preparation of an action plan and the organisation of the proposed workshop were the essential next steps.

Agenda Item 7.0: Funding for the Small Grants Programme

Funding was to be sought from the Small Grants Programme for the workshop noted above.

Closing by Chairman

In conclusion, the Chairman noted again the need for action on climate change; the need for effective preparation by the working group in advance of the next COP, and the need for resources to be allocated to the work so that a more in-depth analysis of the key issues can be achieved.

The Chairman thanked the participants for their valuable contributions to the discussion and closed the meeting.

Useful Links mentioned:

- www.cms.int
- UNEP/CMS/ScC16/Doc.8 on climate change threat (can be found on CMS website under 'Bodies and Meetings' – Scientific Council
- www.bioclimate.org

PARTICIPANTS:

CHAIR: Colin Galbraith (UK)
CMS Appointed Councillors: Colin Limpus, William Perrin
Argentina: Daniel Blanco
Australia: Nigel Routh
Belgium: Christian De Coune
Chad: Mahamat Idriss
Costa Rica: Jose Calvo Domingo
Cote d'Ivoire: Tano Sombo
Croatia: Jelena Kralj
Cuba: Tomas Escobar
Czech Republic: Jiri Flousek
Democratic Republic of Congo: Dieudonne Ankarra
Ecuador: Julia Cordero
Ethiopia: Khasay Asgedom
France: Jean-Philippe Siblet
Germany: Andreas Kruess
Hungary: Attila Bankovics
Italy: Fernando Spina
Iran: Bahareh Shahriari
Kenya: Samuel Kasiki
Niger: Abdou Issa
Paraguay: Cristina Morales
Peru: Victor Pulido
Senegal: Djibril Diouck
Serbia: Daliborka Stankovic
Slovakia: Jan Topercer
South Africa: Malta Qwathekana
Sweden: Torbjorn Ebernhard
Tajikistan: Kokul Kasirov
United Kingdom: James Williams
Uruguay: Adrian Aspiroz
BirdLife: Nicola Crockford
CITES: David Morgan
RAMSAR: Lew Young
ZSL: Ben Collen
Secretariat: Aline Kuehl, Cassandra Fernandes

Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme

16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX III

REPORT ON THEMATIC WORKING GROUP ON WILDLIFE DISEASES

Meeting of afternoon of 29 June 2010

Chairs: Taej Mundkur, CMS Appointed Councillor and Scott Newman, FAO

Participants: John Mshelbwala (Chair ScC), Carlo Custodio (Philippines), Mohammed Sulayem (Saudi Arabia), M. Dieudonne Ankara (Republic of Congo), Rebecca Lee (WWT), Scott Newman (FAO), Taej Mundkur (CMS Appointed Councillor), Philipp Zimmermann (Secretariat)

The SC Councillor, Roberto Schlatter, appointed for the working group on wildlife diseases, was not able to attend the meeting and Taej Mundkur was requested to chair the meeting.

It was agreed at CMS COP9 that the working group on wildlife diseases chaired by Roberto Schlatter would be rolled into the Wildlife Disease Task Force (WDTF) and the need for this was reaffirmed. Therefore, in the future, the work of CMS working group on wildlife diseases would be included within the activities of the WDTF and SC members were invited to support this new group.

AI TF issues

1. HPAI H5N1 is still endemic and re-emerging in 5-6 countries/regions primarily in Asia and also Egypt. This disease continues to cause wildlife, poultry, and human deaths as well as impacting international trade, livelihoods, and local communities. It is becoming clearer that in the eastern portion of the central Asian flyway, wild migratory birds are playing a role in transmitting virus amongst wild birds from southern locations into Mongolia and Russia.
2. The Third Meeting of the Scientific Task Force on Avian Influenza and Wild Birds (AI Task Force) was held in March 2010, at FAO in Rome, and the outcomes are available (UNEP/CMS/ScC16/Inf.7). It reaffirmed the importance of the work of the AI Task Force and the need for the continuation of its work across a range of issues.
3. It was agreed that the AI Task Force would continue to operate as it is, but under the broader umbrella of the newly forming Wildlife Disease Task Force.
4. A review of the conservation impacts of HPAI H5N1 (direct and indirect impacts) is currently being prepared – the AI Task Force would welcome examples of the conservation impacts of HPAI H5N1 and comment on a future draft (to be ready for comment by the end of 2010). SC invited to contact Rebecca Lee (Senior Species Conservation Officer, WWT, rebecca.lee@wwt.org.uk).

5. A handbook on managing animal disease in wetlands is being prepared for Ramsar COP11 aimed at wetland managers – case studies are being sought for the handbook and a draft will be available for circulation in late September 2010. Again, SC invited to contact Rebecca Lee (rebecca.lee@wwt.org.uk).

Wildlife Disease Task Force issues

1. Terms of Reference for the Wildlife Disease Task Force (WDTF) have been prepared based on the WDTF meeting held in Rome at FAO in March 2010. The vision of the WDTF is to support an integrated approach to manage the health of wildlife, ecosystems, livestock and people within the One Health framework. The purpose, objectives, structure and mode of operation is detailed in the TOR circulated yesterday to the Scientific Council. The WDTF is jointly coordinated by FAO and CMS.

2. SC is invited to support the WDTF through several mechanisms:
   - to endorse the TOR of the WDTF (available outside the meeting room, in English only)
   - Suggestion of possible regional or taxonomic representatives
   - Provide input on priority disease issues (in the context of One Health, wildlife, domestics, human) for migratory species
   - Provide input to three reviews/guidance documents on wildlife disease being developed by FAO
   - Serve as "on the ground" local disease intelligence observers and provide feedback to the WDTF about any unusual wildlife morbidity and mortality
   - Serve as a mechanism for the WDTF to disseminate (at the national and local levels) important information and other WDTF outputs

3. Co-funding by FAO and CMS is vital for the WDTF to be established – in Resolution 9.8, CMS is directed to provide funding to support this TF as well as the AITF.

4. Launch of the WDTF – proposed dates end 2010-early 2011.

5. It was suggested that the WDTF web page could be a valuable location to host the "unusual morbidity or mortality" reporting site and information would be immediately communicated to FAO and then incorporated into global disease intelligence activities under the EMPRES and GLEWS programmes.

6. The Saiga antelope mortality event is a good example of how future wildlife disease outbreak events, information sharing, and response efforts can be coordinated between CMS and FAO. A workshop and capacity building effort (co-supported by CIC and FAO) will take place in late August/early September, to include discussions on this mortality event between resource managers and veterinarians in Kazakhstan and the central Asia region.

7. Different wildlife health capacity exists in different regions of the world - in particular, significant wildlife health capacity needs to be developed in central and western Africa. FAO is doing wildlife capacity building for national wildlife biologists and vets with AUIBAR – 4 regional trainings and will be following up with broader One Health training activities.

Emergency situations for CMS Species

1. There is an operational framework for addressing infectious animal diseases at FAO called EMPRES (Emergency Prevention System - Animal Health) that was established in 1994. The 4 components of EMPRES are 1) early warning, 2) research/science, 3) intervention and strategy development, and 4) partnerships and technical communications. FAO would welcome additional disease intelligence information to be conveyed to an EMPRES focal point, and this information could be passed along to other early warning system programmes such as GLEWS (Global Early Warning System an FAO-OIE-WHO collaboration) when appropriate.
2. It was suggested the use of the WDTF website to promote transfer of information on wildlife morbidity and mortality events. Additional guidance is needed to support reporting. The reports received will need to be directly and automatically communicated to the FAO EMPRES focal point.
3. Community based local and national reporting needs to be strengthened and a strategy needs to be developed. One option might include use of mobile phones, SMS messages, and photos.

It was recognized that the work could be facilitated through the development of an MOU between CMS and FAO on the wildlife disease related work, but also on seabird by-catch, forestry, agriculture, marine and wetland and other issues.

Convention on the Conservation of Migratory Species of Wild Animals
Secretariat provided by the United Nations Environment Programme

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ANNEX IV

REPORT OF THE WORKING GROUP ON BYCATCH

The Bycatch Working Group(BWG) met to discuss progress on bycatch issues since ScC15, to review progress in the implementation of Resolution 9.18 on bycatch, and to discuss and agree further work on bycatch matters.

Progress on Bycatch Councillor Work Program

The Bycatch Councillor provided a report on progress in implementing the Bycatch Councillor's Work Program since ScC15, which is provided below:

As previously noted in reports of the BWG to the Scientific Council there is a high workload associated with addressing the bycatch issue, and the complexities associated with this threat. The Appointed Councillor needs strong support from others if significant progress is to be made. The Work Program is ambitious and progress remains slower than planned due largely to the high workload of the Appointed Councillor, the Scientific Officer and other CMS personnel working on bycatch issues. Nonetheless, some significant advances have been made with respect to Work Program Items 3, 4, 5, 6 and 9, in particular through working with CMS's daughter Agreements ACAP and ASCOBANS. Most of my work has focussed on seabird bycatch issues, and this situation is expected to continue for some time.

Work with FAO and relevant RFMOs (Work Program Items 3, 10)

FAO and RFMOs have direct management responsibility for most of the global high seas fisheries. The Scientific Council has previously agreed that attendance at key meetings of these bodies is essential to influence adoption of mitigation strategies and implementation of independent observer programs, which are considered necessary for improving knowledge of bycatch issues.

I have previously reported that in September, 2008, the FAO held an Expert Consultation (Bergen, Norway) to develop Best Practice Guidelines (BPG) for the International/National Plan of Action-Seabirds (IPOA/NPOA-Seabirds), which I attended as an invited technical expert. The group of experts developed a strong set of guidelines to greatly improve the delivery of IPOA-Seabirds through a suite of NPOA-Seabirds that should contain a mix of mandatory and voluntary measures. Importantly, the BPG are not confined to the longline fishing method, but include guidelines that cover other relevant fishing gears such as trawls and gillnets. This document has now been finalised and was approved by the U.N. Commission on Fisheries

(COFI) in March 2009. The BPTGs can be downloaded at: http://www.fao.org/fishery/ipoa-seabirds/publications/en.

Representing ACAP I attended meetings of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT ─ ERSWG Ecologically Related Species Working Group) in September 2009 (Ecologically Related Species Working Group) and the Indian Ocean Tuna Commission (IOTC) in October 2009 (WPEB ─ Working Party on Ecosystems and Bycatch).

Progress remains slow in CCSBT's ERSWG with reluctance by most members to submit data, hold regular meetings or undertake ecological risk assessments. However, a decision to adopt mitigation measures applied by other tuna RFMOs in ocean basins in which they have jurisdiction has been a positive step. Given the importance placed on ecologically related species in CCSBT's recent Performance Review, and the current practice of other RFMOs to conduct annual meetings of their bycatch Working Groups, it is disappointing that the next meeting of the ERSWG is unlikely to be held until the first half of 2012. Further involvement in the work of the CCSBT is recommended. However, the dysfunctional nature of the ERSWG still remains. At this stage I would recommend that CCSBT members and cooperating non-members encourage the WG to function effectively, or to ensure its current roles are made a standing item for discussion at the Scientific Committee. The latter course of action would at least ensure bycatch matters were considered annually by the Commission, and go some way to dealing with the consistent assertions of some Members that CCSBT does not have competence to deal with ERS matters.

Considerable success was achieved at the IOTC WPEB and subsequent Commission meeting in revising an existing seabird conservation measure to extend the area in which mandatory mitigation measures apply to all longline vessels fishing south of 25°S. The revised *Resolution 10/06 On Reducing The Incidental Bycatch Of Seabirds in Longline Fisheries* was adopted by the Commission in June 2010. Consideration will also be given to further revise this measure when the WPEB next meets later this year, and i anticipate working closely with BirdLife International and the Government of France to provide best practice pelagic mitigation advice to further improve the measure.

Representing CMS I attended the joint Tuna Commissions (tRFMO) 'Kobe II' Bycatch Workshop in June 2010. A key outcome of the workshop was agreement to establish a joint technical Working Group, consisting of 2-3 participants from each tRFMO who could seek the assistance of expert advice from IGOs and NGOs to facilitate cooperation and coordination between the tRFMOs on bycatch issues. Agreement was also reached on the tRFMOs establishing a centralised source of information on bycatch mitigation measures. A range of other recommendations were made, encouraging tRFMOs to implement their responsibilities under relevant international instruments. As this is the only meeting of the Kobe Bycatch Workshop scheduled to be held, adoption of recommendations will need to be pursued in relevant tRFMO meetings and at the Kobe III meeting.

Work closely with CMS daughter agreements (Work Program Item 4)

I continue to work with the ACAP Secretariat on a part time basis which has ensured frequent contact with a range of people actively working on seabird bycatch mitigation measures. I currently convene ACAP's Seabird Bycatch Working Group (SBWG), which has made significant progress since its formation in building relationships with relevant RFMOs and developing best scientific advice on technical mitigation for seabird bycatch. The ACAP Secretariat remains keen to work closely with CMS, particularly with a view to sharing the

costs of representing both ACAP and CMS at relevant meetings of RFMOs and other organisations.

Database of relevant scientific literature on bycatch (Work Program Item 6)

A bibliographic database on published references to bycatch and mitigation research continues to be regularly updated to assist the work of the Bycatch Working Group and the Scientific Council. An updated copy of the Endnote file and associated references (pdf files) were lodged with the Secretariat. This product is continually updated and references relevant to bycatch of marine mammals, turtles, sharks and seabirds, together with references on the biology of some of these taxonomic groups. Most of the references contained in the database relate to seabirds and seals, reflecting my current work areas, and I would appreciate electronic transmission of relevant research papers from daughter Agreements and Scientific Counsellors for other taxonomic groups to ensure the coverage is more comprehensive. I would be delighted if members of the Scientific Council with a particular interest in bycatch of small cetaceans, turtles and sharks were prepared to cover the literature on these groups and contribute to building the database.

Study to assess bycatch in global fisheries (Work Program Item 2)

At ScC14 it was agreed that CMS should conduct a study to assess bycatch in global fisheries. This study was to assess the available information on bycatch of seabirds, marine turtles, sharks and marine mammals, focusing particularly on CMS-listed species and the importance of bycatch as a threat to migratory species; it was also to provide an overview of priority fisheries, regions and species which will benefit from international action through CMS. Draft specifications for the review were submitted to the meeting for consideration as document CMS/ScC14/Doc.19. The United Kingdom has kindly provided UK15,000 as a contribution toward this project.

Subsequently, Terms of Reference for this study were developed, and a suitable consultant was sought to carry out the study. Unfortunately, no suitable proposals received, and the study has not commenced. At ScC15 it was agreed to re-shape the Terms of Reference so that they reflect the resources available but this has not happened intersessionally. CMS is now aware of recent work carried out by BirdLife International estimating global seabird bycatch in longline fisheries and identifying priority fisheries, and plans to do a similar study for trawl fisheries. Other recent studies have also broadly reviewed bycatch of turtles in longline and purse seine fisheries, and cetacean bycatch in longline gear. The Working Group agreed that there was no need to duplicate this work.

The Working Group discussed potential fisheries and gear types that were known to be problematic and would benefit from a global review of bycatch. The serious data gaps that exist in knowledge on the level of gill net effort and associated bycatch was identified as the highest priority, and it is recommended that the proposed study focus on this gear type, subject to the agreement of the United Kingdom. The Secretariat and the Bycatch Councillor undertook to revise the Terms of Reference accordingly and proceed to identify a suitable consultant to conduct the review. It was also noted there could be benefit in identifying consultants based in developing countries to conduct the work for reasons of capacity building and value for money.

Proposal to review mitigation measures for reducing bycatch (Work Program Item 5)

At Sc15 it was proposed that CMS conduct a review of mitigation measures to reduce bycatch of marine turtles, with funding to be provided from a voluntary contribution provided by Australia. However, a review for this species group has been recently carried out (FAO 2009)

and widely promulgated by FAO, which removes the imperative for this work to be funded by CMS.

Gill nets are used widely throughout the world and are responsible for high levels of bycatch of birds, marine mammals, turtles, sharks and non-target fish. Development of mitigation measures for gillnets is urgently required and the literature on this topic is widely spread. A review of mitigation measures for this gear type is of relevance to many CMS listed species, and the Working Group recommends that the available funds now be directed to such a study, subject to the agreement of Australia. It is envisaged that the review would be a useful tool for many fisheries managers to guide the development of policy and practice within fisheries under their jurisdiction.

Follow-Up of CMS Resolution 9.18 on bycatch

The Working Group took note of the responses received from the Secretariat's call for information sent to fisheries organisations, CMS daughter agreements and Parties. Eight responses had been received in time for this meeting, which had been made available to the Council as ScC16/Inf.11.

Four of these had been submitted by RFMOs, namely CCSBT (Inf.11.1), NEAFC (Inf.11.2), IOTC (Inf.11.7) and NAFO (Inf.11.8). They contain responses related to policies and management approaches to migratory species bycatch, information held on estimates of bycatch, impact assessments, monitoring and surveillance measures and best practice mitigation measures they recommend on the basis of any performance reviews that have been carried out. Three reports were received from Secretariats of the CMS daughter agreements. The CMS Office in Abu Dhabi, which administers the Dugong MoU (Inf.11.3), provided information on their strategy for addressing dugong bycatch. The ACAP Secretariat (Inf.11.4) submitted a document outlining their extensive work on seabird bycatch, which includes a dedicated working group to address this issue, the development of advice for pelagic and demersal longline and trawl fisheries, and their quantitative assessment methodology to determine priorities for the Agreement. The ASCOBANS Secretariat (Inf.11.6) reported on the Agreement's work on bycatch, which was identified as a strategic priority issue for the 2010-2012 triennium. The document contains references to documents considered by the Agreement's Advisory Committee and recommendations contained in the regional harbour porpoise action plans, as well as information on efforts to improve collaboration with fishermen. Germany kindly submitted a paper (Inf.11.5) on modification of gill nets to minimise by-catch of sturgeons.

The Working Group expressed its appreciation for the information submitted and expressed the hope that a follow-up call for information from further organisations or, where applicable, updated information in preparation of ScC17/COP10 would enable the Secretariat and Bycatch Councillor to prepare a summary/synthesis document for presentation to the Parties in order to make this valuable information more readily accessible.

How should CMS progress management of bycatch issues in fisheries

The Working Group discussed the difficulty of influence change in national and international fisheries and noted relevant documentation provided by ASCOBANS (ScC16 Inf 11-6) and ACAP (ScC16 Inf 11-4). Two differing approaches had been adopted. ACAP, in collaboration with BirdLife International, has chosen to develop a range of products such as best practice mitigation advice, distributional information overlaid on fishing effort use to

highlight fishery areas with a high risk to migratory species, and a prioritisation tool for identifying conservation priorities within fisheries and gear types. These tools had been useful in improving the profile of ACAP with fisheries managers and the development of mitigation measures that have been adopted by RFMOs. ASCOBANS has focussed on activities that educate fishers on bycatch and solutions to problems, seeking to encourage fisheries to develop their own solutions to recognised problems. It was agreed that both these approaches had merit.

Concerned was raised on the difficulty of getting the Commissions of RFMOs to adopt and implement the advice provided by their Scientific Committees and other technical working groups. In many cases, it was clear that there is poor coordination between fisheries and conservation agencies within governments, leading to conflicting positions being expressed by a State at inter-governmental fishery and conservation fora. Invariably, the priorities of fishery managers prevail. The Working Group encouraged all CMS Parties to address this problem by ensuring their delegations are fully briefed on bycatch issues and the need for urgent action to implement necessary changes to fishing practices.

Review of Work Program for Bycatch Councillor

The Work Program was reviewed and updated, and is attached for the endorsement of the Scientific Council. It should be noted that the program remains ambitious and it is unlikely that all work items will be completed before the next meeting of the Scientific Council. The work program is presented with this caveat, and in the hope that if additional resources become available intersessionally they can be directed toward some of the items identified.

Participants:

CHAIR: Barry Baker (Appointed Councillor - Bycatch)
Zeb Hogan (Appointed Councillor - Fish)
John O'Sullivan (Appointed Councillor – Birds)
Ian Karika Wilmott (Cook Islands)
Adrian Rijnsdorp (Netherlands)
Humbulani Mafumo (South Africa)
Lahcen El Kabiri (CMS Abu Dhabi)
Borja Heredia (Secretariat)
Heidrun Frisch (Secretariat)
Polina Khrychera (Secretariat)

WORK PROGRAM 2010-2011 FOR BYCATCH COUNCILLOR AND BYCATCH THEMATIC GROUP

	Topic/Task	Timeframe	Detail
1	Establish a small informal correspondence group of interested parties and technical experts to assist the Scientific Councillor	July 2010	A small working group will be established to ensure thorough coverage of faunal groups and access to technical expertise on mitigation techniques and application. Membership of the correspondence group will be expertise based and may comprise members not directly involved with the CMS Scientific Council. The working group will assist the Scientific Councillor on Bycatch in implementing the Work Program. CMS daughter agreements will be asked to nominate a contact person for inclusion in the small informal correspondence group.
2	Conduct a study to assess bycatch in global fisheries	Revise Terms of Reference for study July 2010 Commission September 2010 Complete study September 2011	Commission a consultant to carry out a comprehensive review of all global commercial and artisanal fisheries. Study will assess the available information on bycatch of seabirds, marine turtles, sharks and marine mammals, focusing particularly on CMS listed species. It will assess the importance of bycatch as a threat to migratory species and provides an overview of priority fisheries, regions and species which will benefit from international action through the CMS. The scope (spatial or taxonomic coverage) of the study will be modified, if necessary, to suit available funding.
3	Work closely with other international competent bodies such as FAO and relevant RFMOs	Ongoing Secretariat to request observer status at meetings of key RFMOs — July 2010	Implementation dependent upon funding to attend meetings, and availability/willingness of Bycatch Thematic Group members or CMS daughter agreements to coordinate action for relevant RFMOs FAO and RFMOs have direct management responsibility for most of the global high seas fisheries. Attendance at key meetings of these bodies is essential to influence adoption of mitigation strategies and implementation of independent observer programs, necessary for improving knowledge of bycatch issues.

	Topic/Task	Timeframe	Detail
			Note that RFMO engagement imposes a significant workload, that cannot be effectively carried out without full time staffing resources made available for this purpose. Support of this work through collaborative arrangements with CMS daughter agreements is highly desirable. Priority RFMOs initially are CCAMLR, IOTC, WCPFC. Selection of these based on known seabird, turtle and shark bycatch issues, and the potential to influence change in fishing practices. Travel & per diem costs $5,000 per meeting Other RFMOs to be considered, dependent upon success in other fora, emerging issues, and availability of travelling funds, are: CCSBT, ICCAT, IATTC, General Fisheries Commission for the Mediterranean and Black Sea (GFCM). Adoption of mitigation strategies by RFMOs may lead to flow-on effects to EEZ fisheries of RFMO members.
4	Work closely with CMS daughter agreements and other relevant conservation bodies	Ongoing	ACAP, ACCOBAMS, ASCOBANS, Waddensea Seals, Marine Turtles Africa, Marine Turtles IOSEA, Pacific Islands Cetaceans, IWC Bycatch Group, Sharks MOU
4	Risk assessments. Continuously review and utilise available information on the at-sea distribution of migratory species to assess overlap with fishing operations and hence the risk of bycatch in fishing regions	Ongoing	Fishing regions include RFMO areas of competence, and national EEZs. Risk assessments carried out annually by the Commission for the Conservation of Antarctic Marine Living Resources provide an excellent model.
5	Review information on mitigation measures for fishing methods known to impact migratory species	Ongoing. Highly desirable to work with CMS daughter agreements to achieve efficiencies.	Concise reviews of current knowledge on mitigation measures to reduce seabird bycatch in longline and trawl fishing have been produced by ACAP, but do not exist for other faunal groups or fishing methods. Work with fishery managers and RFMOs as required to comprehensively assess fishing techniques and gear used in EEZ and high seas fisheries, to identify those

	Topic/Task	Timeframe	Detail
			elements that have been shown to reduce or eliminate by-catch mortality of migratory species. Initial work should focus on pelagic longline methods for seabirds and turtles. Ensure mitigation methods developed for one taxonomic group do not lead to bycatch of other taxa.
6	Maintain a database of relevant scientific literature on bycatch	Ongoing	Maintain the bibliographic database on published references to bycatch and mitigation research to assist the work of the Bycatch Working Group and the Scientific Council
7	Develop a bycatch webpage	By end 2010	Develop a page for the CMS website providing information on CMS activities to ameliorate the impacts of bycatch on migratory species. Implementation by the Secretariat required. The website could also provide a 'toolbox' of best practice species-specific techniques to reduce bycatch in fishing operations, such as FAO publications *Expert consultation on interactions between sea turtles and fisheries within an ecosystem context,* and *The Incidental catch of seabirds by longline fisheries: Worldwide review and technical guidelines for mitigation on the interactions between sea turtles and fisheries*.
8	In consultation with CMS daughter agreements, develop products to assist RFMOs and other relevant international and national bodies in reducing bycatch.	Ongoing	These could include: observer programme designs including protocols for the collection of bycatch data, analytical methods for assessing bycatch, best-practice mitigation measures
9	Develop materials and guidelines to assist CMS representatives attending RFMO and other relevant meetings to maximise effective participation and consideration of issues relevant to the	Ongoing	These could include technical information to be delivered through: — concise reports that are based on sound, scientifically supported peer-reviewed papers — presentations and submission of relevant papers to meetings to support the information being conveyed, together with active participation at meetings;

	Topic/Task	Timeframe	Detail
	minimisation of bycatch		— workshops with industry to progress uptake of mitigation in particular — building relations with fishers, national fisheries managers, RFMO Secretariats and UN FAO officials
10	Assist in the preparation, adoption and implementation of FAO NPOA-Seabirds and FAO NPOA-Sharks	Ongoing	This may include: — encourage adoption of best practice guidelines for IPOA-Seabirds by FAO COFI in March 2009 — providing assistance to Parties and Range States in the development of NPOA-Seabirds and FAO NPOA-Sharks.
11	Other matters that may arise	Ongoing	Subject to resources and availability, use opportunities, currently unforseen, to promote the work of CMS in minimising the impacts of bycatch on migratory species.
12	Provide report to Scientific Council on Bycatch Councillor activities	SC 17	Provide a report to 17th meeting of the Scientific Council on the activities of the Bycatch Councillor during the inter-sessional period

Convention on the Conservation of Migratory Species of Wild Animals
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16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX V

REPORT OF THE WORKING GROUP ON MARINE TURTLES
(afternoon, 29 June2010)

Chair: Colin Limpus, COP Appointed Councillor for Marine Turtles

1. **Species Profiles**:
The Secretariat advised that Species Profiles will now be prepared initially by IUCN (presumably via the Marine Turtle Specialist Group with regards to marine turtle species profiles) for review and finalization by the Scientific Council.

2. Climate change impacts, adaptation measures (Res.9.7:9)

- The MT Working Group is strongly supportive of the establishment of an inter-sessional Working Group on Climate Change:
- The Conference appointed Councilor for marine turtles is prepared to serve on the Climate Change Working Group. Additional members from among the National Councilors with expertise in marine turtle biology and conservation are yet to be identified.
- Emphasis needs to be given to developing and/or implementing actions that can mitigate the negative impacts of climate change on marine turtles. For example, at nesting beaches, these actions could include:
    - Increasing conservation emphasis on currently "cooler" beaches that have an elevated probability for being the beaches with future suitable incubation temperature ranges for high incubation success and for producing hatchlings with a mixed sex ratio;
    - Cooling of hot beaches using vegetation to create shading of nesting habitat or constructing of artificial shade over hatchery areas;
    - Maintaining wide buffer zones behind nesting beaches between coastal development and the frontal dunes to allow for retention of suitable turtle nesting habitat on an eroding shore line;
    - Investigate capacity for recovery of eroded beaches using engineered beach management for capturing sand that moves laterally in long-shore currents.

3. **Networks of critical sites and marine corridors (Res.9.9:4)**:
The MT Working Group was supportive of applying the concept of turtle habitat protection using a network of critical sites and marine corridors, on the condition that

the particular characteristics of marine turtle life histories are incorporated in the planning.

Critical habitats would include:

- Significant nesting areas for each genetic management unit for each species;
- Inter-nesting habitats surrounding the significant nesting areas;
- Special foraging habitats including seagrass pastures, coral reefs, rocky reefs;
- Migratory bottle-necks and migratory corridors around large islands and peninsulas.

4. **Bycatch mitigation for marine turtles (Res.9.18:7) (ScC16/Doc.9):**
   - The MT working Group commends the Appointed Councilor for bycatch on his efforts in championing CMS concerns regarding fisheries bycatch of migratory species including marine turtles.
   - Scientific Councilors are urged to share the **FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations** (www.fao.org/docrep/012/i0725e/i0725e00.htm) with Government and NGO organizations involved in fisheries operations and marine turtle management in their respective countries.

5. **Marine debris (ScC16/Doc.21)**
   The MT Working Group recognized the significant negative impact of synthetic marine debris on marine turtles through entanglement and ingestion. The Australian Government is urged to bring a resolution to COP 10 that addresses reduction of marine debris in our oceans.

6. **Sustainable use of turtles (Para 21 ScC15 report)**
   The take of marine turtles and their eggs for nutrition and custom by coastal communities is wide spread through out tropical countries. This take of turtles is often at unsustainable levels.

   The Working Group on Sustainable Use is urged to consider the use of marine turtles and their eggs by coastal communities when preparing their report on the usefulness of the Addis Ababa principles in the implementation of CMS.

7. Concerted and cooperative actions

All marine turtle species are addressed by existing agreements:

Two CMS MoUs

- MoU concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa (WAMT MoU): 1999; 22 signatories, signed by 100% of west African States; Secretariat in Senegal (URTOMA).
- MoU on the Conservation and Management of Marine Turtles and their Habitats in the Indian Ocean and South-East Asia (IOSEA): 2001; 30 signatory states; Secretariat in Thailand.

Two agreements that were not developed within the framework of UNEP

- Inter American Convention (IAC, a binding agreement): applicable to the Americas.

- South Pacific Regional Environment Programme (SPREP): Encompassing most of the island nations of the Central and Western Pacific Ocean.

There is little formal interaction/collaboration among these agreements.

In the absence of representation of these agreements at SC16, the MT Working Group recommends that the CMS Secretariat investigate options for facilitating:

- Sharing of resources such as website design between IOSEA and WAMT MoU secretariats.
- The collation into the CMS marine turtle database of the existing extensive data on marine turtle nesting distribution and abundance and migration throughout the west coast of Africa. This CMS turtle database is managed by WCMC and currently displayed via the IOSEA website.
- Development of a proposal for GEF funding to implement the WAMT MoU throughout the Western African region.

8. Evaluation of Potential New CMS instruments

COP 9 supported the development of an instrument on marine turtles for the Pacific Region. This proposal was considered at a meeting in Auckland, New Zealand in May 2009 that was well represented by CMS secretariat and national delegates from Australian, New Zealand, SPREP nations and USA and regional NGOs.

Action to progress this Pacific-wide integration of turtle conservation is on hold pending the completion of the Pacific-wide Gap Analysis of marine turtle conservation that is being prepared by Australia.

These is clearly demonstrated migration of multiple species of marine turtles across the both the Atlantic Ocean and the Pacific Ocean where they are exposed to a wide geographical range of threats. Therefore marine turtle conservation will benefit from cooperation between the existing Agreements:

- WAMT MoU and the Inter-American Convention across the Atlantic Ocean, SPAW (Great Caribbean).
- IOSEA, SPREP and the Inter-American Convention across the Pacific Ocean, including Permanent Commission of the South Pacific (CPPS), Marine Corridor (Ecuador, Colombia, Panama, Costa Rica).

PARTICIPANTS:

Colin Limpus: Chair
Nigel Routh, Australia
Julia Corsero, Ecuador
Francisco Aceituno, Honduras
John Mshelbwala, Nigeria
Jorge Garcia, Panama
Djibril Diouck, Senegal
Philipp Zimmermann: Secretarial support

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ANNEX VI

REPORT OF THE TAXONOMIC WORKING GROUP ON FISH

The CMS Scientific Council Taxonomic Working Group on Fishes held its third formal meeting on June 29 2010.

The activity for the Taxonomic Working Group on Fish included discussion of agenda item 4.1 (Review of freshwater fish), and agenda item 11.1/11.2 (Overview of small scale projects funded by CMS/discussion of options for the future of this programme), agenda item 13.1 (Concerted actions for selected Appendix I species/groups), agenda item 13.2 (Co-operative actions for Appendix II species), agenda item 14.1 (Discussion and evaluation of draft proposals), agenda item 14.2 (Review of taxonomic groups of migratory species to identify candidate species for listing on CMS Appendices, and agenda item 15.2 (Criteria for listing of Appendix II species).

Agenda item 4.1: Review of freshwater fish

The CMS secretariat, recognizing the importance of freshwater fish and following on the recommendation of the 15th meeting of the Scientific Council, requested a review of the conservation status of migratory freshwater fish to assess which species/populations are 1) threatened, 2) migratory, and 3) likely to benefit by listing under the Convention for Migratory Species. The review covers all species of migratory freshwater fish, excluding sturgeon (Acipenseridae) and salmonids (the rational for exclusion of salmon and sturgeon is that these groups are already well covered under other management instruments). The review is based on available knowledge from previous studies as well as consultation with members of the IUCN / WI Freshwater Fish Specialist Group, the IUCN Red List team, and the staff of the database FishBase.

The aims and objectives of the report/review include:

1. Carry out a review of freshwater fish to assess migratory status (with respect to CMS definition of migratory species), conservation status and distribution.

2. Determine which species/populations are most likely to benefit from listing under the Convention for Migratory Species.

3. Prepare a report that identifies which freshwater fish species/populations are, or are likely to be migratory according to the CMS definition of migratory species, and those among them, which are likely to benefit from inclusion in the appendices of the Convention.

The Scientific Councillor for Fish requested feedback on which criteria/filters should be used to identify priority species for listing on the Convention on Migratory Species. There was consensus among the members of the Working Group that conservation status and migratory behaviour should be the main criteria used to identify priority species. The representative from the Zoological Society of London called attention to new conservation status assessments of African fishes and of European freshwater environments. The Working Group recommended that this information should be integrated into the review as it becomes available.

The CMS secretariat emphasized that it is important not to exclude fish that have not been assessed by the IUCN and that fish species deficient in conservation status data should be included in the review, as long as they are clearly migratory. The Working Group also recommended that non-CMS party species (i.e. species that occur in states that are not CMS Parties) should be included in the review since range states may becomes party to the convention in the future. There was some question as to whether or not species should be recommended for listing even if there are no immediate plans for concerted action.

The Working Group suggested that the Scientific Council may want to consider related groups of species (e.g. a genus or family) as opposed to single species as long as the species in question are similar in ecology, conservation status, and threats.

The Working Group recommended that the review should include priority species and recommendations for cooperative action.

The Working Group urged CMS to partner with other organizations that share an interest in freshwater fish, for example FAO, IUCN, Wetlands International, GROMS, and CITES.

Agenda item 11.1/11.2 (Overview of small scale projects funded by CMS/discussion of options for the future of this programme)

The members of Working Group on Fish were unanimous in their support of the small grants program, but members did not have any specific ideas about how to compel CMS parties to allocate funds to this important CMS program. The Zoological Society of London commented that there were two possible solutions: 1) to attract donor organisations, 2) to ask countries to increase their contributions.

The CMS Working Group on Fish identified the previously submitted grant proposal on Mekong giant catfish as a proposal which could be funded if money becomes available.

Agenda item 13.1 (Concerted actions for selected Appendix I species/groups)

Members on the Working Group on Fish requested an update from the CMS secretariat regarding concerted actions for Appendix I species. The Scientific Councillor for Fish commented that there is a CMS small grant proposal for work on the Mekong giant catfish but that proposal has not been funded. A Mekong Giant Catfish Working Group was formed (separate from CMS) to help manage Mekong giant catfish populations but this working group is not well funded and lacks the capacity to conduct research on the species.

Agenda item 13.2 (Co-operative actions for Appendix II species)

The Working Group on Fish was asked to consider a review process ensuring a regular update on the status of Appendix II species, especially Appendix II species for which agreements are

not anticipated during the forthcoming triennium. All of the sturgeon species listed on Appendix II of CMS fall into this category.

The Working Group on Fish recommended that CMS request that the focal point (or country which proposed CMS listing) provide an update on the species. Dr. Andreas Kruess (the Scientific Councilor from Germany) provided information on the status of sturgeon species. In Germany at the moment two research and development-projects are running until 2013. These projects aim to identify the requirements for mass release/reintroduction of the Baltic sturgeon in the Oder/Odra region. Target is the establishment of a self reproductive population. There will be scientific research on food preference, habitat preference, and causes of threat during 3 years of experimental releases and re-catch. Optimal stocking strategy will also be identified. These projects are supported by Polish partners. A national action plan has been completed and will be printed within the next days and will be also available in English and French. The European Action Plan is has been implemented. The Action plan will be available on request in the next weeks.

Agenda item 14.1 (Discussion and evaluation of draft proposals)

The Taxonomic Working Group on Fish considered four proposals for four species of migratory freshwater fish: Pirá Pitá, *Brycon orbignyanus* (Valenciennes, 1850), Salmón de río, *Salminus hilarii,* (Valenciennes, 1850), marine catfish, *Genidens barbus* (Lacepède, 1803), and zúngaro *Zungaro jahu*, (Ihering, 1898).

The draft proposals were submitted by the Government of Paraguay and were presented by Ms. Cristina Morales, Scientific Councillor for the Government of Paraguay.

The Scientific Councillor from Paraguay indicated that species should be considered for listing under Appendix II rather than Appendix I, based on need for international cooperation for sustainable management of the these species.

Pirá Pitá (*Brycon orbignyanus)*

Brycon orbignyanus is a potamodromous species and undertakes repeated migrations throughout its life (Oldani 1990 and Tablado et al., 1988; Petrere, 1985). There is some evidence that the species makes important migrations, in some cases over 1000km. *Brycon orbignyanus* is categorized as endangered - A2ac criteria for Argentina and Paraguay (Cappato et. Al., 2009). In Brazil, it is officially categorized as critically endangered in the state of Minas Gerais (1995) and in Rio Grande do Sul (2002), and as endangered in the state of Parana (Abilhoa et al. 2004).

The Taxonomic Working Group on Fish agreed that Brycon orbignyanus appears to be a migratory species of unfavorable conservation status that would benefit from international cooperation on their protection. The Taxonomic Working Group on Fish recommended that the proposal should be updated with additional information about species abundance, distribution, and migratory behavior prior to COP10 when it will be formally considered for inclusion on Appendix II of the Convention. The Taxonomic Working Group on Fish also recommended that the proposal for listing should be revised to reflect an Appendix II rather than Appendix I listing.

Salmon de río (*Salminus hilarii)*

Salminus hilarii is a potamodromous species and undertakes repeated migrations throughout its life. There is some evidence that the species makes important migrations, possibly over 1000km. The species is categorized as Vulnerable (A1ac) in Paraguay. The main threats to this species are barriers in rivers and the consequent disappearance of lotic and continuous environments. Unregulated fishing may also pose a risk (Reis, et. al., 2004).

The Taxonomic Working Group on Fish agreed that Salminus hilarii appears to be a migratory species of unfavorable conservation status that would benefit from international cooperation on their protection. The Taxonomic Working Group on Fish recommended that the proposal should be updated with additional information, especially about migratory behaviour, prior to COP10. The Taxonomic Working Group on Fish also recommended that the proposal for listing should be revised to reflect an Appendix II rather than Appendix I listing.

Marine catfish (*Genidens barbus)*

Genidens barbus undertakes potamodromous migrations in breeding season and are targeted by unregulated sport fishing (Lopez et al., 2005). Potamodromous migrations (towards freshwater), takes place in breeding season. This species is a bottom feeder. It is considered a euryhaline fish (it is able to tolerate a wide range of salinity), it enters estuaries and rivers like the Rio de la Plata, to spawn in spring and early summer. This species is classified as Vulnerable under criteria D2, at regional level, in Argentina and Paraguay (Cappato, et al., 2009).

The Taxonomic Working Group on Fish agreed that Genidens barbus appears to be a migratory species and may be of unfavourable conservation status. The Taxonomic Working Group on Fish recommended that the proposal should be updated with additional information, especially about migratory behaviour and conservation status, prior to COP10. The Taxonomic Working Group on Fish also recommended that the proposal for listing should be revised to reflect an Appendix II rather than Appendix I listing.

Zúngaro (*Zungaro jahu)*

This species follows a potamodromous pattern in its migration, it undertakes several and repeated migrations throughout its life (Oldani 1990 and Tablado et al., 1988; Petrere, 1985). Furthermore, in the Parana River, they are perfectly adapted to the geomorphology of the valley and seasonal variations of water level (i.e. they migrate upstream or downstream at any time of year) and reproduction, mainly to keep the geographical position of the populations (Oldani 1990). This species is categorized as Vulnerable (A2acd) in Argentina and Paraguay (Cappato, et al., 2009) and as Vulnerable (A2acde) in the State of Paraná.

The Taxonomic Working Group on Fish agreed that Zungaro jahu appears to be a migratory species of unfavourable conservation status. The Taxonomic Working Group on Fish recommended that the proposal should be updated with additional information, especially about migratory behaviour and conservation status, prior to COP10. The Taxonomic Working Group on Fish also recommended that the proposal for listing should be revised to reflect an Appendix II rather than Appendix I listing.

Additional notes: There was a general consensus that more detailed information could be obtained before the next COP. For example, a workshop on freshwater fish is going to be held in South America in Argentina in August 2010, where these proposals can be peer reviewed by fish experts. There may also be an opportunity to receive feedback on the proposal at the meeting of the IUCN/Wetlands International Freshwater Fish Working Group in November 2010. The Councilor from Argentina and the Scientific Councilor for Fish expressed willingness to work with the Councilor from Paraguay to revise the proposal in time for COP10.

Agenda item 14.2 (Review of taxonomic groups of migratory species to identify candidate species for listing on CMS Appendices)

The Review of Migratory Freshwater Fish identifies migratory species of poor conservation status that would likely benefit from international cooperation. The Taxonomic Working Group on Fish discussed several priority groups including diadromous species such as sawfish, eels, and shad; large-bodied catfish of the Mekong River and catfish/characins of South America, migratory fish of the Himalayan region, migratory fish of Lake Chad, freshwater rays, and the genus Hucho including *Hucho hucho*, *Hucho taimen*, and *Hucho perriyi*. Consideration should also be given to migratory fish species in other large, transboundary rivers and international inland waters such as the African Great Lakes, the Caspian, and the Danube.

The members of the Taxonomic Working Group on Fish also noted that there are several large-bodied migratory marine species in urgent need of improved management. These species should be identified for the next Conference of Parties.

Agenda item 15.3 (Range states: criteria for their classification and current list)

Councillors who wish to provide comments on criteria for classification of range states have been asked to contact the CMS secretariat by September 2010.

I would like to express my appreciation to all those that participated in the Working Group. Dr. Zeb Hogan chaired the working group and prepared this report.

PARTICIPANTS:

Zeb Hogan, Chair (Appointed Councillor – Fish)
Barry Baker (Appointed Councillor - Bycatch)
Daniel Blanco (Argentina)
Adriaan Rijnsdorp (Netherlands)
Cristina Morales (Paraguay)
Ben Collen (Zoological Society of London)
Polina Khrycheva (Secretariat support)

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ANNEX VII

REPORT OF THE WORKING GROUP ON BIRDS

Agenda item 7: Global bird flyways

Agenda item 7.1: Review of existing administrative/management instruments for migratory bird flyways

Agenda item 7.2: Review of scientific/technical knowledge of migratory bird flyways and conservation priorities

Dr. Taej Mundkur (CMS Appointed Councillor for Asiatic fauna) informed the group that the deadline for feedback on the flyways project would be extended until the end of July. He highlighted the importance of the comments received so far, particularly regarding Annex 1a and Annex 2b. Parties that had not yet responded were urged to consider doing so.

Agenda item 10: Threat Abatement Plan for the Impacts of Marine Debris on Vertebrate Marine Life

Dr. Jelena Kralj (Croatia) pointed out that debris was a problem in lakes and rivers as well as at sea. Among the worst hazards, particularly for seabirds, was fishing-gear, including nets and long-line hooks – not just when in use, but also when abandoned, or lost.

Dr. Jean-Philippe Siblet (France) said the debris problem must be treated at the source, avoiding waste production by pleasure boats, passenger-cruises (not only at sea, but also on rivers such as the Nile). It was important to conduct an awareness campaign. Waste may stay at sea for long periods, and kill, for instance, albatrosses and marine turtles.

It was discussed whether the definition of marine debris covered all types of waste, and if the term referred, for instance, to lead pollution and human-induced sedimentation as well. On the question of lead pollution, Mr Sergey Dereliev (AEWA) pointed out that one important aspect of this, poisoning caused by hunter's spent lead-shot in wetlands, had been under constant discussion by AEWA, but agreed deadlines for the phasing out of such shot had been repeatedly missed. The work would continue, and if any CMS Party wished to raise the issue of lead pollution/poisoning at the COP, AEWA would be prepared to provide information as appropriate.

Mr. John O'Sullivan (Chair of the Working Group) felt that the original document referred mainly to plastics and other floating waste, rather than other substances poisonous to animals, but the group could discuss this issue further.

Mr. Donatien Muembo Kabemba (Democratic Republic of Congo) said that the problem did not only arise from passenger ships; he said that the main blame lay with marine transport companies, and suggested that CMS could press for an agreement with these companies to collect and treat or safely dispose of the waste produced.

The group discussed whether the sources of most of the residues were the passengers or the transport companies themselves: Dr. Siblet and others felt it was the responsibility of the companies and that there should be corporate accountability.

Dr. Olivier Biber (Switzerland) mentioned the United Nations Convention on the Law of he Sea (UNCLOS) – one of the worlds' highest-level treaties. A contact between Secretariats would help to clarify what UNCLOS were doing, and how it and CMS might usefully be able to cooperate on the marine debris issue.

Dr. Mundkur stressed the importance of defining the marine or terrestrial origin of the debris, and emphasized that marine debris pollution not only affects the deep sea, but extends to the coast also, where, for instance, discarded or abandoned fishing gear is washed up, and affects birds of many families, not just seabirds proper.

Mr. Carlo Custodio (Philippines) agreed with Dr. Mundkur and stressed the importance of education and raising awareness concerning this issue.

Mr. O'Sullivan proposed taking these contributions to the plenary for further discussion, and appropriate action.

Agenda Item 12: Conservation status of CMS Appendix I Species

Participants considered that the Secretariat had not received more fact sheets from Parties and others due to lack of time and not lack of will. Dr. Siblet proposed that the CMS Secretariat draft the fact sheets and then circulate them among countries so that they could be completed and corrected.

Dr. Mundkur suggested using the database of BirdLife International for information concerning birds, and Mr. O'Sullivan said that reliable bird databases, such as those of BirdLife and Wetland International, were a great benefit to this aspect of our work, as to others.

It was expected that the matter would be further discussed in plenary and beyond.

Agenda item 13.3 b: Resolution 9.9: Migratory Marine Species

Participants agreed that the document should be revised as concerns the criterion defining species that can be considered marine, as well as for what constitutes Arctic birds; for instance, *Gavia* species should be included. It was generally agreed that the annex of the document should be reviewed and the list of bird species amended as necessary. BirdLife could be asked to help further with this.

Agenda item 13.3 c: Resolution 9.19: Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other biota

Discussion of this item was brief. Mr. Mark Desholm (Denmark) mentioned that marine/ocean noise might have some impacts on bird species. Dr. Siblet thought that ocean noise was a marginal problem for migratory species, certainly compared to other anthropogenic impacts, such as collisions with ships. The working group was content that work done in other working groups to address this problem would be likely to meet the needs of birds.

Agenda item 13.3 d: Resolution 9.20: The Saker Falcon (*Falco cherrug*)

Mr. O'Sullivan reminded the working group of the key importance of this issue, as measured, for instance by the closely-argued discussions at the Rome Conference of the Parties. He said that the matter had of course already been discussed here at plenary, but encouraged further elaboration from Parties in the working group.

Dr. Kralj noted that different populations of the species showed different trends. In some cases, for instance the Hungarian population, an increase in the number of breeding pairs was being reported, thanks to nest-guarding. However, even in that case, breeding *success* was not improving. She stressed the need for much more research on this bird since there are quite plainly insufficient data.

Dr. Fernando Spina (Italy) said that the need for sound scientific work was paramount to meet the needs of both policy-making and management, including sustainable use if appropriate. The work being financially supported by Saudi Arabia promised to have very interesting and useful results.

Dr. Biber welcomed the recent downlisting of the threat-status of *Falco cherrug*, but noted that the relevant report before the meeting was rather short, and not always clear: it is certainly necessary to have more information.

Ms. Nicola Crockford (BirdLife International) noted that the recent downlisting of the species from Endangered to Vulnerable, was as a result of improved information, and should not cause inappropriate optimism: this is still a seriously threatened species.

Dr. Siblet said that better information on the species does not necessarily mean that it is in a better state of conservation, this aspect should be borne in mind, as well as the parameters that affect the reported results, such as climatic considerations, for example.

Mr. Umeed Khalid (Pakistan) said that under CITES there was currently a total ban on catching/exporting this species. Recently, Mongolia had been allowed to use artificial nests with a view to increasing its population followed by the possibility of trade.

Mr. David Morgan (CITES) explained that this process was still under way and a report will be made to the next CITES COP.

Mr. O'Sullivan concluded by encouraging CMS Parties to support Saudi Arabia's call for more financial resources for vital scientific research into this species. There would certainly be further discussion at the COP in 2011, including of COP Resolution 9.20.

Agenda item 15.4a: Taxonomy and nomenclature of bird species

Agenda item 15.4b: Taxonomic changes in standard references

It was agreed that the question of taxonomic references for birds used by the CMS was an important one. A reliable and up-to-date taxonomy was an important tool for the Secretariat and the Parties. There were different opinions about whether the best option was to accept Dickinson alone, to use it in conjunction with the conclusions of other authorities (in particular, for albatrosses and large petrels, the Agreement on the Conservation of Albatrosses and Petrels – ACAP), or to follow another authority entirely (for instance, BirdLife International, which is the IUCN Red List authority, and which, incidentally also follows ACAP). There was strong support for adopting the conclusions of ACAP, which it was recognised had been the result of very careful deliberations among seabird specialists. It was noted that, among other considerations, the acceptance of a new taxonomy might have effects on the legal implementation of the Convention in various Party states.

After considerable discussion, it was decided to establish an intersessional working group composed of Mr. O'Sullivan, Prof. Alfred Oteng-Yeboah (CMS Appointed Councillor for African fauna), Mr. Barry Baker (Appointed Councillor for By-catch), Dr. Torbjörn Ebenhard (Sweden), Dr. Siblet (France) and Mr. Sergey Dereliev (AEWA) to work on this matter.

Agenda item 14. Proposals for amendments to Appendices I and II of the Convention

Dr. Attila Bankovics (Hungary) proposed that there should be an MoU on Eastern European grassland birds. These are shot by hunters from other European countries, in particular Italy, illegally exported, and often sold to restaurants as luxury food. This is a substantial trade, as evidenced by the confiscation in 2001 of nearly 12,000 individuals of 41 species – and this is just the tip of the iceberg. Migratory species are involved, including Quail, Turtle Dove and small songbirds (some of which are not on the Convention's Appendix II, but deserve to be). Ms. Daliborka Stankovic (Serbia) and Dr. Spina expressed strong support for the proposal, noting that other countries outside Eastern Europe were also being over-hunted for migratory species.

Dr. Biber suggested contact with the Secretariat of the Bern Convention, which has much experience of the subject and has passed several related resolutions.

It was agreed that the matter would be pursued intersessionally.

Agenda item 14.2 Review of taxonomic groups of migratory species to identify candidate species for listing on CMS Appendices

The working group had detailed discussions on which species might be proposed for addition to the Appendices at the next Conference of the Parties. Since the last COP, three species of migratory birds had been uplisted on the IUCN list to endangered status (Vulnerable in each case). These are Monteiro's Storm-petrel *Oceanodroma monteiroi*, Great Knot *Calidris*

tenuirostris, and Far Eastern Curlew *Numenius madagascariensis*. Each species occurs in the territory of at least one CMS Party. After discussion, the working group recommended that work go forward to propose these species for listing on Appendix I. A possible candidate for addition to Appendix II, the Bobolink *Dolichonyx oryzivorus*, a migratory seed-eating bird of the Americas, will be the subject of further study by Range States and others, with view to a possible recommendation at the COP. It was recognised that further candidates for both Appendices may emerge in 2011.

Agenda item 13.1: Concerted actions for selected Appendix I species/groups (Res. 3.2, 4.2, 5.1, 6.1, 7.1, 8.29 and 9.1; Rec.9.1 and 9.2)

Agenda item 13.2: Co-operative actions for Appendix II species (Res. 5.2, 6.2, 7.1, 8.28 and 9.1; Rec.9.5)

Reports were made by the designated focal points for the following Appendix I species.

Chlamydotis undulata

Mr. Mohammad Sulayem (Saudi Arabia) commented on the progress of the planned Houbara Bustard Agreement, noting that the Government of Saudi Arabia had informed the CMS Secretariat that it was not in a position to become the Depositary of the proposed Agreement. Saudi Arabia would be content to see the Agreement opened for signature, and intended to ratify it in due course. It was noted that the matter was now with the CMS Secretariat, which will coordinate further with the Range States of the species.

Numenius tenuirostris

Ms. Crockford gave an account of the CMS Slender-billed Curlew Working Group project currently in full swing, trying to re-find the species. A programme of expeditions was under way, visiting the passage and wintering sites felt most likely to contain any remaining individuals of this highly-threatened bird. The recent availability of satellite transmitters light enough for a bird this size to carry, meant that if a bird or birds could be located and caught, knowledge of the sites it subsequently visited would be of enormous value to the conservation of the species. The working group wished the project well, and would follow results with great interest.

Chloephaga rubidiceps

Mr. Daniel Blanco (Argentina) reported that the continental populations of Ruddy-headed Goose continued to decline, and the species was yet more threatened than before. For example, numbers recorded in the wintering area had fallen in the most recent count to 750 individuals from the total of 1000 estimated in 2003.

He described several concerted actions, among them bilateral Action Plans between Argentina and Chile, and new regulations such as the hunting ban on Ruddy-headed Goose in Argentina. His full written report has been provided, and is attached as annex 1 to this report.

Linked with the current examination by the Convention of a Small Grants Fund, Argentina has produced, at the request of the working group, a project proposal for the conservation of

Chloephaga rubidiceps. A copy of this proposal, which would cost an estimated US$50,000, is attached as annex 2 to this report.

Oxyura leucocephala

Dr. Borja Heredia (CMS Technical Officer), who was formerly the Focal Point for this species, informed that Spain will identify a new Focal Point. The efforts to eliminate the alien *Oxyura jamaicensis* were continuing, with mixed success.

Dr. Siblet said that although knowledge was very good in some countries, there was a lack of information concerning some eastern populations, and Councillors were reminded that competition between the two species might affect all populations, among which interchange was known.

Mr. Dereliev referred to the joint CMS/AEWA Action Plan already in place, endorsed by AEWA's Technical Committee, as well as to the Working Group which works closely with the Range States of the species.

Grus leucogeranus

Dr. Mundkur gave an update on the work that has been done under the MoU, including at the recent 7th Meeting of the Parties. The UNEP-GEF project included a capacity-building process, currently ongoing, and that had reduced the hunting of the species. According to the latest data available, species populations remained stable. There has been no Central Asian flyway since 2002, and no birds were reported from Iran in 2009, but the East Russian/Chinese population remains stable at around 3500 birds.

He also informed about a new threat to the species, the construction of a dam in Poyang Lake, in China, that might affect the bird's water-plant food of this wintering site, which holds 99% of the world population of the species. With the UNEP-GEF project now completed, funding future work is a major challenge. Attempts to reintroduce western and central populations using microlight aircraft are showing quite positive results at this early stage. Safeguarding such birds from hunting will be a demanding but essential task.

Otis tarda

Dr. Bankovics gave a detailed report on the species status (a written copy is attached as annex 3 to this report). The Great Bustard population, at least in Hungary, Austria and Germany has grown slightly, it is believed as a consequence of appropriate management methods.

Dr Siblet reported that in 2009 a small influx of the species into southern France was probably from the Iberian population, arguably indicating some transboundary "migration".

It was recognised that any extension of the coverage of the MoU to Range States of the species outside Middle-Europe would need considerable discussion.

Falco naumanni

Dr. Siblet reported the favourable status of the species, due to successful conservation projects over recent years.

Phoenicopterus andinus / *Phoenicopterus jamesi*

Mr. Blanco stressed the active and cooperative conservation work that was being carried out in Argentina, Chile, Peru and Bolivia, and gave information on the status of these two species.

Anser erythropus

The International Single Species Action Plan for the Conservation of the Lesser White-fronted Goose (Western Palearctic Population) adopted by AEWA, and the Norwegian National Action Plan for the species were commented upon. The possibility was suggested of seeking information from China about the separate population of the species there, with a view to possible lessons that might be learnt.

Sarothrura ayresi /*Hirundo atrocaerulea*

Mr. O'Sullivan said that he was pleased to see representatives at the Meeting from South Africa, which is a vital country for the conservation of these two species. He hoped that ongoing work in the country, in cooperation with CMS and AEWA as appropriate, would be reported at the next meeting.

Acrocephalus paludicola

Dr. Jirí Flousek (Czech Republic) reported on the latest findings concerning the species. His written report is attached as annex 4 to this report. Conservation action for this species is readily apparent all along its flyway from Eastern Europe to West Africa. The good news includes the discovery of a new breeding site in Poland; the bad news is the continuing habitat destruction in the breeding grounds. However, work in progress and planned, suggest that we are better placed to ensure the survival of this Appendix I bird than we are many of the others on Appendix I.

Spheniscus humboldti

The Scientific Councillor responsible for the reporting on the species could not unfortunately be present at the Meeting. The future of this penguin species remains of considerable concern.

Puffinus mauretanicus

As regards the Balearic Shearwater, Mr. Heredia pointed out a relevant publication on Important Bird Areas for seabirds launched in Spain and Portugal last year. A new Focal Point would be identified for this species by the Government of Spain.

Aythya nyroca

Dr. Kralj informed the working group on the status of the species populations, of which there are four, all of them declining. She stressed the importance of different projects and the lack of feedback from some areas within the species' range, both key to improving the knowledge on population trends. She pointed out the necessity of more Action Plans/Management Plans and their implementation. One new project on the species (and *Phalacrocorax pygmeus*) has

been under way in Bulgaria and Romania since January 2009: the Bulgarian population, at least, appears to be stable. In general, it is clear that extensive carp ponds are vital for the conservation of the species, and that breeding at such sites depends very much on sympathetic management. New information includes records of 200 breeding pairs from Algeria, and 2009 data from Iraq, with the first record of breeding that covers six sites in the south of the country, one of which reported no fewer than 1600 individuals. Across its wide range, the species occurs in considerable numbers, but continues to be in serious decline.

Calidris canutus rufa

Mr. Blanco gave a presentation on the different activities undertaken concerning the Red Knot, including bird banding, population estimates, and mitigation of disturbance, among other subjects. A copy of his report is attached as annex 5 to this report. Numbers appear to be holding stable, perhaps because of a good breeding season in 2009 and the timely availability of food supplies (eggs of the horseshoe crab) at a major staging post on the US east coast.

Other reports of interest.

Grassland Birds MoU

Dr. Adrián Azpiroz reported on the latest activities related to the species. The two workshops held in Panama (2008) and in Paraguay (2010) were very successful. He asked the Secretariat to help with fundraising efforts, particularly as regards work needed in Bolivia. He also suggested the nomination of a focal point from each country to support the initiative.

PARTICIPANTS:

Mr. John O'Sullivan	Chair of WG (COP CMS Appointed Councillor (Birds))	johnosullivan@tiscali.co.uk
Dr. Taej Mundkur	COP Appointed Councillor (Asiatic Fauna)	taej.mundkur@wetlands.org
Dr. Zeb S. Hogan	COP Appointed Councillor for Fish	zebhogan@hotmail.com
Lic. Daniel Eduardo Blanco	ARGENTINA	deblanco@wamani.apc.org
Mr. Donatien Muembo Kabemba	CONGO, DEMOCRATIC REPUBLIC OF	dmuembo2003@yahoo.fr
Lic. José Joaquín Calvo Domingo	COSTA RICA	joaquin.calvo@sinac.go.cr
Mr. Tano Sombo	CÔTE D'IVOIRE	sombotano@yahoo.fr
Dr. Jelena Kralj	CROATIA	zzo@hazu.hr
Mr. Tomás Ramón Escobar Herrera	CUBA	tomas@ama.cu ama@ama.cu
Dr. Jirí Flousek	CZECH REPUBLIC	jflousek@krnap.cz
Dr. Mark Desholm	DENMARK	mde@dmu.dk
Mrs. Julia Angelita Cordero Guillén	ECUADOR	jcordero@ambiente.gov.ec
Dr. Jean-Philippe Siblet	FRANCE	siblet@mnhn.fr
Mr. Zurab Gurielidze	GEORGIA	zgurielidze@zoo.ge; zgurielidze@hotmail.com

Dr. Andreas Krüß	GERMANY	KruessA@bfn.de
Lic. Francisco Aceituno	HONDURAS	aceitunof@yahoo.com
Dr. Attila Bankovics	HUNGARY	attila.bankovics@gmail.com
Dr. Fernando Spina	ITALY	fernando.spina@isprambiente.it
Dr. Adriaan D. Rijnsdorp	NETHERLANDS	adriaan.Rijnsdorp@wur.nl
Mrs. María Cristina Morales Palarea	PARAGUAY	cristinam@guyra.org.py; cmoralespy@gmail.com
Dr. Victor Manuel Pulido	PERU	wetperu@amauta.rcp.net.pe
Mr. Carlo Custodio	PHILIPPINES	custodiocarlo@yahoo.com
Mr. Mohammad Sulayem	SAUDI ARABIA	msulayem2@yahoo.com
Ms. Daliborka Stankovic	SERBIA	daliborka@nhmbeo.rs
Mr. Peter Puchala	SLOVAKIA	Peter.puchala@sopsk.sk
Ms. Humbulani Mafumo	SOUTH AFRICA	hmafum@environment.gov.za
Ms. Malta Qwathekana	SOUTH AFRICA	mqwathekana@ environment.gov.za
Dr. Olivier Biber	SWITZERLAND	olivier.biber@bafu.admin.ch
Dr James M. Williams	UNITED KINGDOM	james.williams@jncc.gov.uk
Dr. Adrián Azpiroz	URUGUAY	avesuru_1999@yahoo.com
Mr. Galal Hussein Nasser AL-Harogi	YEMEN	g_hng@yahoo.com; gharogi@gmail.com
Ms. Nicola J Crockford	BIRDLIFE INTERNATIONAL	nicola.crockford@rspb.org.uk
Ms. Rebecca Lee	WILDFOWL & WETLANDS TRUST (WWT)	Rebecca.Lee@wwt.org.uk
Mr. Sergey Dereliev	AEWA Technical Officer	sdereliev@unep.de
Dr. Borja Heredia	Secretariat	bheredia@cms.int
Ms. Laura Aguado	Secretariat	laguado@cms.int

Ruddy-headed Goose, CMS Report 2010

The **conservation status** of the continental population of the Ruddy-headed Goose is still fragile and the species is CRITICALLY ENDANGERED. The latest population estimate for the wintering area is of 750 individuals, which is less than the 1,000 individuals estimated in 2003. This decrease in population numbers has also been confirmed by the results of the monitoring in major farming areas in Chile, where in 2008 there were fewer nests and pigeons than in the period 1999-2000.

Among the major **concerted actions** we can quote the First bi-national workshop (Argentina-Chile) on the conservation of the Rudy-headed Goose that took place in October 2009 in Buenos Aires. In that workshop they agreed on the elaboration of a bi-national Action Plan. Argentina developed a draft Action Plan, which was sent to the Republic of Chile.

Thanks to the support of the Agency for Spatial and Environmental Planning of Denmark and of CMS (under the coordination of WI), the population monitoring in breeding and wintering areas continued in Argentina and Chile. CMS also provided support to the development of a GIS which compiles all existing knowledge about the wintering area in Argentina.

For its part, the SAyDS of Argentina, in collaboration with provincial governments, WI and other organizations:

- Developed a national strategy for the conservation of the migratory species of the austral geese (*Chloephaga*), including the Ruddy-headed Goose
- Continued coordinating the population monitoring of geese in wintering areas, which have been conducted since 2007.
- Promoted the adoption of new legislation/regulations that protect migratory geese and in particular the Ruddy-headed Goose. As an example, I would like to mention the ban on hunting geese throughout Argentina, a stimulating measure for the Ruddy-headed Goose, adopted in January 2009.
- Similarly, they identified the lack of information on migration and stopover sites as a priority for concerted action among Argentina and Chile. In this regard, Argentina wants to present a project proposal for the study of the migration of this species to this Council and to CMS.

Project Concept for the conservation of the Ruddy-headed Goose (*Chloephaga rubidecps)*

Submitted by the Secretariat of Environment and Sustainable Development of Argentina, CMS Argentina

Estimated budget: US$ 50,000.-

The Ruddy-headed Goose (*Chloephaga rubidecps)* moves in the months of April and May from his breeding grounds in the southern Patagonia in Chile and Argentina to wintering grounds in the Argentinean province of Buenos Aires. Due to various factors, which include hunting, the change of breeding areas and the introduction of exotic species, this migratory species has seen a drastic decrease in population numbers within the last decades, being now very far from the abundance shown in the first part of the twentieth century, according to various chronicles and publications (Blanco *et al*. 2002, Blanco y De la Balze 2006, De la Balze y Blanco 2002, Petracci *et al*. 2008).

Currently, this species, whose continental population was estimated at about 750 individuals in 2008 (Blanco 2009), has been categorized as "critically endangered" in both Argentina and Chile and has been declared "Provincial Natural Monument" in the province of Buenos Aires, which is the highest degree of protection granted by their jurisdiction. Likewise, it has been protected on an international level by the Convention on the Conservation of Migratory Species of Wild Animals (CMS), where it has been listed on Appendices I and II, identified as "priority species" for concerted action.

To date, the period of migration and the migratory routes used have not been studied in depth. As described in preceding paragraphs and in terms of the latter, it is necessary to obtain precise information, using the satellite tracking technology currently available, the one which has been used successfully for species with similar characteristics and conservation status.

The implementation of the system mentioned above would generate basic information such as: accuracy of the migration route, altitude and flight hours, speed and resting and feeding areas. These data are essential to ensure the conservation of the species and would enable the implementation of actions effectively.

Taking into account the costs of equipment, the decent of information and of its processing, as well as the need for a minimum of replications, it would be desirable to have six satellite tracking devices.

According to the life cycle of the species there have been identified two other major components which should be managed: Nesting and Wintering:

I. <u>Nesting:</u>

   a. It is necessary to relieve completely the areas where nesting of the species is probable in the province of Santa Cruz y Tierra del Fuego (Rep. Argentina), as well as in the XII Region in Chile. This requires coordination and consensus

among the various institutions involved about the methods and periods for the surveys.

b. It is necessary to ensure the reproductive success of the broods of the species known; this requires an evaluation about which could be the best system. There also should be assessed the need for local and regional control of predators.

c. Assess the need and possibility of implementing a control and monitoring system in the areas where the species nests.

d. Generate more information on the basic reproductive biology of the species.

II. Wintering:

a. Estimate the population abundance. Continue with the surveys of abundance.

b. Strengthen educational campaigns about the reality of this species at all levels of society.

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Report on Great Bustard (Otis tarda)

The Middle-European population of the Great Bustard is partially migratory and, in severe winters, birds migrate from their breeding grounds in the lowlands of the Carpathian Basin to the Balkan peninsula, or sometimes to Italy. Birds from the German population fly west, reaching Belgium or Northern France.

Because of the population decline and migratory behaviour of the Middle-European Great Bustard, a MoU was created under the Bonn Convention, which was opened for signature in the year 2000.

Thirteen of the sixteen Range States have signed the instrument so far. Besides them, three participating organisations, BirdLife International, CIC and IUCN, have also signed it.

The Great Bustard population in general, at least in Hungary, Austria and Germany has grown slightly in the last few years. This is a consequence of appropriate management methods being employed in the above-mentioned countries.

A short overview on the recent situation of the Great Bustard in Range States:

ALBANIA: the Great Bustard is not a breeding bird, only a very rare wintering one.

AUSTRIA: birds have regularly used breeding ground in two areas, wintering there as well. There are about 200 birds in the breeding season, slightly more than previously. In winter, sometimes more than 200 birds are counted, or even near 300 individuals, owing to short-distance migrants moving through the Slovakian - Hungarian - Austrian border.

BULGARIA: disappeared as a breeding bird about two decades ago. Might reestablish naturally in the future.

CROATIA: extinct as a breeding bird long ago. There are some wintering and/or passage records.

CZECH REPUBLIC: disappeared recently as a breeding bird, but in South Moravia, one or two individuals still occur.

GERMANY: a regular breeding bird; dropped to the critical size population of about 60 birds in the late 1980s, but in the last decade has increased again. Recently exceeded the 100 individual mark, and in the year 2009 there were 112-114 birds.

GREECE: no data.

MACEDONIA: no breeding population. No data, but potentially might be wintering.

ROMANIA: we have no exact data. It might still breed somewhere near the Hungarian border. From that area there are some historical data.

SLOVAKIA: there is a breeding site close to the Austrian- Hungarian border. In recent years there are no data confirming successful breeding.

SLOVENIA: has never bred in the country; a very rare passage migrant historically.

UKRAINE: the country has an important role, both as a breeding area and also as a wintering ground for the Great Bustard. The wintering birds originate from the Russian breeding area along the Volga

river. Breeding populations in Ukraine number around 700 birds, the number of wintering birds sometimes exceeds 1500 individuals.

HUNGARY: a regular breeding bird, partial migrant.
There are eight areas in Hungary important for Great Bustard protection, and most of these areas are protected. The two most important breeding grounds are in the Kiskunság NP and in the Körös-Maros NP. These two national parks have 1,200 birds from the total of 1,500 birds in Hungary.

A successful 4-year LIFE project ran in Hungary between 2004 and 2008. Due to this programme, certain costly management measures were possible, like putting electricity cables under the ground in important Great Bustard habitats, buying habitats providing optimal breeding sites, and buying machines for opening the rape-fields by removing snow cover in order to provide winter food for the Great Bustards.

The two worst threats still occur in Hungary, namely nest-destruction by cutting alfalfa fields and other crops during the breeding time and also the activities of predators, such as Fox *(Vulpes vulpes)* and Hooded Crow *(Corvus cornix)*, numbers of which are too high.

Comparing total populations in Hungary during the last ten years, we can see an increase of about 30 %.

Year		Total number
2000		1106 individuals
2002		1192
2004		1303
2009	around	1500
2010	around	1500

This year, in 2010, due to the unusually cold and rainy weather, the breeding success is suspected to be very low.

About enlarging the Great Bustard MoU geographically

At the First Meeting of the signature parties to the MoU in Illmitz, 2004, we talked about enlarging the MoU geographically.

- There would be several steps or possibilities in the enlargement. Serbia and Italy should be named as Range States even for the Middle-European population, amending the recent MoU.
- Further enlargement might include Russia, and other countries from Central Asia or the Middle East.
- Furthermore, we could include the eastern subspecies (*Otis tarda dybowski*), living in Russia, Mongolia and China.
- In case of a general MoU which includes the full species of Great Bustard, Spain and Portugal, and England (with the recent success in introducing the species) or other countries should join.

Later note: Daliborka Stankovic, CMS Scientific Councillor for Serbia, has recently informed me, that in the Mokrin area in NE Serbia, where in recent years about 30 birds were counted, in 2010 only 5-6 birds were found, including 3 females.

Compiled by
Attila Bankovics

Bonn, 30 June, 2010.

Report on Aquatic Warbler (*Acrocephalus paludicola*)

General

- good progress since the last report in November 2008 (with the help of the leading role of the BLI Aquatic Warbler Conservation Team - AWCT)

Administrative level

- International Species Action Plan approved in May 2010 (prepared by BLI)
- MoU signed by 14 countries out of 22 Range States identified: 2nd Meeting of Signatories, May 2010

Conservation level

- major threats continue in the breeding localities (especially habitat destruction due to changing hydrology, loss of traditional use etc.) and in wintering sites (habitat destruction, especially aquaculture and damming of waterways. This seems to be the weakest aspect of Aquatic Warbler conservation at present.
- some progress in breeding localities in three key countries (Belarus, Ukraine, Poland), especially in Poland (e. g. activities of the EU LIFE project in the Biebrza National Park)
- training workshop for local specialists (Senegal, Mali, Mauritania, Gambia) organised by the AWCT to identify and check suitable habitats in this part of Africa

Scientific level

- updated population estimate: 10,500–14,000 males in less than 40 localities in 6 countries, more than 80 % of the population in 4 sites only
- new breeding locality found in SE Poland (late May 2009, about 50 males in atypical habitat)
- feather analyses of birds from breeding localities, stopovers and wintering sites still continue (there remains a lack of suitable samples)
- geo-logger study in preparation (detects and records daylight periods along the migration route)
- wintering sites: Djoudj NP/ Senegal 2007 (importance reconfirmed 2008 and 2009, incl. several Aquatic Warbler retraps), N Senegal 2008 (0), Ghana 2009 (0), Mauritania 2010 (0), another expedition is being prepared for Jan/Feb 2011

(Jiri Flousek, 30 June 2010)

***Calidris canutus* Report, CMS 2010**

In recent years the number of Red Knots estimated in Tierra del Fuego (mainly C. *Canutus rufa)* remained stable at about 17,000 individuals. For the first time in many years, in 2008 the breeding season in the Arctic was very successful. In Delaware Bay the density of Horseshoe Crab eggs increased due to the fishing ban in the states of New Jersey and Delaware, USA.

Among the major concerted actions undertaken by numerous institutions in the Americas we can mention:

- The WHSRN is moving ahead with the Red Knot Recovery Project in the Americas and partially or fully supports conservation activities in sites along the migratory route of the species.

- Ringing campaigns in the Patagonia of Chile and Argentina, in the USA and in Canada, which involve numerous institutions of the Americas.

- Monitoring of Ringed birds to estimate the survival and turn-over, as well as studies about abundance, disturbance and trophic ecology in several costal sites in Argentina, northern Uruguay and southern Brazil.

- Studies on pathogens and the immune system in Argentina and the USA.

Convention on the Conservation of Migratory Species of Wild Animals
Secretariat provided by the United Nations Environment Programme

16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX VIII

REPORT OF THE WORKING GROUP ON AQUATIC MAMMALS

1. Conservation status of Appendix 1 species

1.1 Reports from Species Focal Points

A report on the conservation status of the Atlantic population of the Mediterraanean monk seal and update on conservation activities was submitted by P. Fernández de Larrinoa (ScC16/Inf.16). The population continues to increase on Madeira and at Cabo Blanco in Morocco-Mauretania. At Cabo Blanco, the mean annual production of pups during the period 2006-2009 was 48, and a trend of recolonization of open beaches has continued. The Action Plan Working Group met for the 5th time in November, 2009 and made several recommendations for action: 1) renewal of a no-fishing zone on the Cabo Blanco Peninsula, 2) creation of a protected area in the Aguerguer-Safia region in Morocco, 3) reinforcement of marine and terrestrial surveillance of the Cabo Blanco Satellite Reserve in Mauretania and 4) continuation of the non-invasive GPS tagging program on adult male and a start on tagging of females. The report contains detailed lists of the conservation actions taken or in progress by the four range states of Spain, Portugal, Morocco and Mauretania.

1.2 Species fact sheets

Fact sheets will be prepared for the Appendix I aquatic mammal species intersessionally, based on the recently updated IUCN Red List assessments. First drafts will be prepared by the Secretariat and forwarded to Perrin for completion. Perrin will seek permission to download the Red List distribution maps.

2. Listing proposals for COP10

One proposal was submitted to the Council for review, by Spain, for listing on Appendix I of the two beaked whale species *Ziphius cavirostris* and *Mesoplodon densirostris* (ScC16/Doc.18). Major justifications given were the susceptibility of the whales to death associated with acoustic pollution, in particular military sonars, and the relatively small size of local populations that have been surveyed in the Canary Islands and Hawaii. The two species are distributed widely around the world (*Ziphius* in temperate and tropical latitudes and *M. densirostris* in the tropics), and there are no estimates of global abundance. Both species are classified as Data Deficient by the IUCN. The advice in the proposal was to include them in Appendix I as a precaution. However, the Working Group agreed that there is not sufficient information available on abundance and conservation status to justify

Appendix I listing. With further information there may be a basis for listing of a regional population. It was noted that both species are listed in the remit of the recently concluded MoU Concerning the Conservation of the Manatee and Small Cetaceans of Western Africa and Macaronesia, and that the Canary Islands are included in the agreement area (Spain participated in development of the MoU but is not at this point a signatory).

3. Concerted and Cooperative Actions for COP10

3.1 Nomination of Focal Points

The Secretariat will pursue nomination of Focal Points for the Ganges River dolphin (*Platanista gangetica gangetica*) and the Black Sea bottlenose dolphin (*Tursiops truncatus ponticus*) during the intersessional period.

3.2 Recommendations on further implementations of Concerted and Cooperative Actions

No recommendations were received.

3.3. Possible identification of candidate Concerted and Cooperative Action species to be recommended to COP10

None were identified.

3.4 Intersessional work in preparation for ScC17 and COP10

3.4.1 Develop list of Appendix II species for which agreements are not anticipated during the forthcoming triennium but which nonetheless will require attention. Perrin will do this.

3.4.2 Establish a review process for Concerted Action and Cooperative Action species to ensure regular updates of status (based on research) by the relevant Focal Point councilors. The Group noted that such a requirement already exists but has not functioned well; the reports for the most part have been irregular, sketchy and not very evidentiary. Two alternatives were suggested:

1) Require the Focal Point to submit a report in advance of the ScC meeting, so that it can be reproduced, posted electronically and discussed at the meeting (as was done for the monk seal at this meeting).
2) Given the shortage of aquatic-mammal expertise on the Council (most of the present Focal Points for the aquatic mammal species are experts on other taxa), have the periodic status updates for the 25 species prepared by an expert consultant or consultants on a contractual basis.

4. Follow-up on Res.9.9: Migratory marine species

4.1 Work toward species priorities identified for the Indian Ocean and Southeast Asia

No information was available to the Working Group.

4.2 Review of list of Arctic migratory species (annex to ScC16Doc.11

The two pinnipeds in the list (*Phoca vitulina* and *Halichoerus grypus*) should be removed; they are listed in Appendix II only regionally, for the Baltic and Wadden Seas for the former and the Baltic for the latter.

4.3 Nomination of Councillors to assist Secretariat and Council in developing a programme of work to address human-induced impact on cetaceans.
Williams, Qwathekana, and Perrin agreed to serve in this role.

4.4 Intersessional preparation for ScC17 and COP1 nyq10

4.4.1 Identify priority issues, species and habitats requiring intervention by CMS in the next decade. Perrin and Wilmott will undertake to address this issue, soliciting help from other Council members.

4.4.2 Seek avenues for research and dialogue on issues of common interest, such as climate change, fisheries and outreach strategies, with relevant organizations. This will be addressed by the Secretariat and the Working Group members. Contacts were noted with IUCN and IWC.

4.4.4 Review the latest available information on the current and predicted conservation status, in relation to the possible consequences of climate change on all Arctic marine mammal species listed in the Appendices. The Secretariat will seek input from other organizations and compile the information in a draft summary for review by the relevant councilors.

4.4.5 Consider whether additional Arctic migratory species might warrant listing on the Appendices. The Secretariat will consult relevant organizations and circulate suggestions to the relevant councilors for comment.

4.4.6 Consider existing initiatives and research relating to ongoing conservation efforts for marine migratory species, such as the establishment of ecologically representative marine protected area networks and an integrated approach to coastal and marine management. The Working Group agreed that the first step in this would be to compile an annotated list of such initiatives. The Secretariat agreed to do this, with Wilmott assisting. The next step will be a critical evaluation of the effectiveness of the initiatives with regard to conservation of aquatic mammals. This task remains unassigned, and the advice of the Plenary is sought. Contracting may be the best option.

5. Follow-up on Res.9.19 – Anthropogenic Marine/Ocean Noise Impacts

5.1 Review of information submitted by Parties, CMS Family Secretariats and other organization [in response to round-robin request by Secretariat]
Responses have been received so far from three sources. In addition, Routh reported that there will shortly be a response from the Australian Government, and Krüss reported that work is underway in Germany to develop guidelines for reduction of noise in marine industrial activities.

5.1.1 International Maritime Organization (IMO). As part of an initiative begun in 2008 to make progress toward minimizing incidental noise from commercial shipping, the IMO placed the item on the agenda for meetings of its Marine Environment Protection Committee (MEPC) and established an intersessional Correspondence Group, coordinated by the U.S., to identify and address ways to accomplish this, including technical guidelines and potential navigational

and operational practices (ScC16/Inf.12.1). Currently the Correspondence Group is concentrating on the major element of cavitation, as this could lead to other benefits such as fuel savings as well as noise reduction. The next meeting of the MEPC will be in September-October at IMO headquarters.

5.1.2. ASCOBANS activities. Underwater noise has been an issue of concern for ASCOBANS since inception of the agreement and has been addressed in 7 resolutions over the period 1994-2009. After a survey of practices and guidelines used by various organizations, a review group proposed an extensive set of guidelines for mitigation of intense noise generating activities in the ASCOBANS region (detailed in the report of the group, attached to ScC16/Inf.12.3). These guidelines have not yet been adopted by the parties to ASCOBANS.

5.1.3 Seismic exploration for oil in Ecuador. An environmental impact assessment conducted by the Ecuadorean Navy concluded that the proposed use of airguns had the potential to affect the echolocation systems and the habitats of whales and dolphins, as well as possibly affecting turtles and birds (ScC16/Inf.12.2). A recommended mitigation measure was to observe adequate intervals between shots.

5.2 *Develop voluntary guidelines on effective management of anthropogenic noise – provide guidance on proposal to form a joint working group of CMS, ACCOBAMS, ASCOBANS and OSPAR for the development of common guidelines.*
The Working Group endorsed the concept of developing a uniform set of guidelines but agreed that this is a highly technical task that cannot be carried out with the expertise presently available in the Council and recommended that an acoustical consultant be contracted to guide the exercise, after preliminary collation by the Secretariat of guidelines used in various organizations and agencies.

5.3 Nominate Councilors to participate in intersessional work on ocean noise.
This expertise does not exist in the Council, and as noted above, contracted consultation may be required.

6. Small-grants proposals

The Working Group agreed that the workshop proposed to assess status of and threats to small cetaceans in the western Indian Ocean (No. 6 in the list of project-initiatives for voluntary contributions 2006-2008 (as of 30 November 2007)) is still of high priority and recommended that it be re-considered for funding. The amount requested then was 34,500 Euros. The Secretariat will contact the authors of the proposal to check on its current status.

7. Distribution of volume on Conservation Strategy for the West Indian Manatee

Wetlands International in collaboration with multiple partners produced the Conservation Strategy for the West African Manatee, edited by Tim Dodman et al. and published in 2008. It is a 128-page volume and includes chapters on the species in each range state by the range-state experts. It has been suggested that the volume would be a useful reference for key stakeholders in the region, including national governments and management authorities (including CMS, CITES and CBD country representatives), convention secretariats,

international development agencies, the IUCN Sirenian Specialist Group, NGOs, etc. The Working Group agreed that the volume would be useful in furthering conservation of the manatee and recommended that CMS assist with its dissemination. The contribution being requested by Wetlands International from CMS is US$9,900, for printing and mailing of 300 copies.

It was noted that the introductory portions of the document may need updating to reflect more recent CMS activities on the manatee, such as the recently concluded regional MoU that covers the species. If this is necessary, the Secretariat will contact the authors for permission to make the changes.

PARTICIPANTS:

William Perrin Chair (Appointed Councilor for Aquatic Mammals)
Nigel Routh (Australia)
Ian Wilmott (Cook Islands)
Andreas Krüß (Germany)
Malta Qwathekana (South Africa)
James Williams (UK)
Borja Heredia (Secretariat)
Heidrum Frisch (Secretariat & ASCOBANS)

CONVENTION ON THE CONSERVATION OF
Migratory Species of Wild Animals
Secretariat provided by the United Nations Environment Programme

16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX IX

REPORT OF THE WORKING GROUP ON TERRESTRIAL MAMMALS

(29 June 2010, 16.30 – 18.45, and 30 June 2010, 11.30 – 13.00)

Chair: Torbjörn Ebenhard

The appointed Working Group chair Roseline Beudels-Jamar de Bolsee was unable to attend the Council Meeting, and the councillor for Sweden, Torbjörn Ebenhard, acted in her place.

A total of 23 participants contributed to the Working Group meeting, including the councillors of Chad, the Republic of Congo, Ethiopia, Georgia, the Islamic Republic of Iran, Kenya, Niger, Nigeria and Tajikistan, and observers from several governments and organizations.

The Working Group began with a brief introduction by the Chairman of the aims of the working group based on an agenda prepared by the UNEP/CMS Secretariat.

Agenda item 13.1: Concerted actions for selected Appendix I species
Agenda Item 13.2: Cooperative actions for Appendix II species

Agenda Item 13.3f: The Sahelo-Saharan Megafauna

Recommendation 9.2 requested the Scientific Council, in cooperation with the Secretariat and concerned Parties, to pursue a Sahelo-Saharan Megafauna concerted action that would in due course cover all threatened migratory large mammals of the temperate and cold deserts, semi-deserts, steppes and associated mountains of the Sahelo-Saharan region. Range States and other interested Parties were called upon to support the development of a Memorandum of Understanding or other binding or non-binding instruments to complement the Sahelo-Saharan concerted action and its Action Plan. The Recommendation also encouraged the Scientific Council to envisage an extension of the action area to the deserts of the Horn of Africa.

The Sahelo-Saharan antelope concerted action was a highly successful project that had been running for several years. The vision of Rec. 9.2 was to widen the taxonomic and geographical scope of the concerted action, hence the title Sahelo-Saharan Megafauna. Borja Heredia from the CMS Secretariat introduced the topic with a "Power Point" presentation, on behalf of Roseline Beudels-Jamar de Bolsee. In Tunisia and Morocco the Concerted Action was currently engaged in the reintroduction and reinforcement of semi-captive populations of Scimitar-horned Oryx (*Oryx dammah*) and Addax (*Addax nasomaculatus*), and the establishment and management of metapopulations of Addax and Oryx. In Niger, a project

was being developed, with a team in place and fully functional, excellent cooperation with nomads and tribal leaders, a proposal for a protected area submitted to government, a wildlife monitoring system in place, and a project website designed and online (www.ass-niger.org). Remaining challenges included the strengthening of government capacity, identification of rural development goals and actions, and a revival of the Chad component of the trans-boundary approach. Two range state meetings had been held in Djerba and Agadir, and a third was planned but the date and the venue had not yet been decided. Chad had made a proposal to hold the meeting in Niger. The aim was to finalize a Sahelo-Saharan Megafauna MoU.

The Councillor of Niger proposed the inclusion of the Cheetah (*Acinonyx jubatus*) and the Barbary Sheep (*Ammotragus lervia*) in the Concerted Action/ Cooperative Action. The councillor of Chad supported the proposal. The Cheetah had already been approved for concerted action by COP 9, whereas the Barbary Sheep should be proposed to COP 10.

The CMS Ambassador suggested that an International Year of Sahelo-Saharan Antelopes could be declared. Niger and Chad supported the suggestion. The Secretariat informed participants that such a campaign could not take place until at least 2014, due to existing planning for the years 2011-2013.

The Councillor of Ethiopia recommended not only to increase the number of species in the Concerted action / Cooperative action, but also to extend the geographic scope, to encompass the countries of the Horn of Africa. Ethiopia shared several endangered species with both Somalia and Eritrea.

Agenda Item 13.3e: Central Eurasian Aridland Mammals and
Agenda Item 13.3g: Tigers and other Asian big cats

COP 9 requested (in Recommendation 9.1) the Scientific Council, in cooperation with the Secretariat, Mongolia and other concerned Parties, to pursue the Central Eurasian Megafauna Concerted Action and associated Cooperative Action. This was envisaged to cover all threatened migratory large mammals of the temperate and cold deserts, semi-deserts, steppes and associated mountains of Central Asia, the Northern Indian sub-continent, Western Asia, the Caucasus and Eastern Europe. The Action would include an Action Plan and status reports for all species concerned, and would initially be centred on *Camelus bactrianus, Bos grunniens, Uncia uncia*, *Cervus elaphus bactrianus* and *Acinonyx jubatus*, for the Concerted Action; and on *Equus hemionus* s.l., *Gazella subgutturosa, Procapra gutturosa* and *Saiga tatarica s.l.* for the Cooperative Action. The Recommendation also encouraged Range States and other interested Parties to prepare the necessary proposals to include in Appendix I or Appendix II threatened species that would benefit from the Action;

This Concerted Action / Cooperative action was intended to emulate the success of the Sahelo-Saharan project, in similar biotopes in Eurasia. The Working Group observed that the scope of the Central Eurasian Aridland Mammals action was very wide, both in terms of potential species to be included, and in geography, and that priorities had to be decided on. A first step would be a meeting between Range States and other interested Parties. Such a meeting had been planned, but as of today no date or venue had been decided, mainly due to lack of financial resources.

FAO informed that a Capacity Building project would take place at the end of August in Kazakhstan. The agenda had not yet been fixed so there was a possibility for the UNEP/CMS Secretariat to attend, and possibly to "piggy-back" on a small planning meeting.

The Chairman informed that the Swedish Environmental Protection Agency had a programme to finance implementation of international conventions in developing countries. The Agency had invited the organizers of the Concerted Action to submit a proposal for funding.

A presentation was given by the government observer from Kyrgyzstan with a suggestion for a proposal to include the Argali sheep (*Ovis ammon*) in the Appendix II of CMS, with the intention to nominate the species for Cooperative Action. Kyrgyzstan was not Party to the CMS yet, but was in the process of acceding to the Convention. Tajikistan had agreed to make the proposal if needed.

Also within the context of the Central Eurasian Aridland Mammals Cooperative Action, the councillor of Georgia suggested the listing of two species of wild goats, *Capra caucasica* and *Capra cylindricornis*, on Appendix II of CMS. Three Range States would be involved: Georgia, the Russian Federation and Azerbaijan.

Through Recommendation 9.3, COP 9 *inter alia* called upon the Scientific Council to review, in consultation with international conservation bodies, including the IUCN Cat Specialist Group, the conservation and management of tigers and other Asian big cat species and to propose any appropriate actions required. To this end, the appointed Working Group Chair Roseline Beudels-Jamar de Bolsee had produced a draft proposal for the listing of the Tiger (*Panthera tigris*) on Appendix I of the CMS, with the intention to include it in the Concerted Action for Central Eurasian Aridland mammals (see agenda item 14.1).

Agenda Item 13.3h: Central African Elephants.

Recommendation 9.5 requested the Secretariat to include in its programme of work the development of an appropriate instrument on the conservation of elephants in Central Africa, and to engage in relevant consultations with Range States (COMIFAC), and to establish a working group composed of representatives of Range States and CMS partner organizations on this issue. The Scientific Council would be an additional member of the working group. The Scientific Council was asked to review the state of progress of work.

The Secretariat introduced the topic, with a presentation of activities. A meeting with the West African Elephant agreement revealed that the best way forward would be to create a new instrument for the Central African countries, instead of extending the West African instrument. The process was currently at the stage of identification of the geographical scope. Among the ten countries of COMIFAC, seven were clearly concerned by the action:

- Cameroon
- Central African Republic
- Chad
- Republic of Congo
- Democratic Republic of Congo
- Equatorial Guinea
- Gabon

Rwanda belonged to COMIFAC but had traditionally cooperated with East African countries on elephant issues. The elephant population in western Rwanda was however biologically separate from the eastern populations, and represented different taxonomical units (*Loxodonta*

cyclotis, and *Loxodonta africana*, respectively). It would make sense to cooperate with Uganda and the Democratic Republic of Congo to the west. The Secretariat had decided to ask Rwanda about their position. It was agreed that there was no need to wait for Rwanda to sign an instrument, but that the geographical scope still needed to be determined. A meeting between Range States was planned, but with no date or venue set.

The Working Group suggested that any possible synergies between the Gorilla agreement and the Central African Elephant instrument should be explored.

Proposals of further species for Concerted and Cooperative actions for COP10

Among species already on the CMS Appendices, the Barbary Sheep (*Ammotragus lervia*) was suggested for Cooperative Action by Niger and Chad (see agenda item 13.3f).

An additional five species, that had been proposed for new listings on the CMS Appendices, were simultaneously suggested for Concerted or Cooperative Action. The delegate from Kyrgyzstan nominated the Argali Sheep (*Ovis ammon*) for Cooperative action. Also within the context of the Central Eurasian Aridland Mammals Cooperative action, the councillor of Georgia nominated two species of wild goats, *Capra caucasica* and *Capra cylindricornis*. The councillor for the Republic of Congo proposed Cooperative Action for the African Lion (*Panthera leo*) (see agenda item 14.2). If listed on Appendix I, the Tiger (*Panthera tigris*) was nominated for Concerted Action by the appointed Working Group chair (see agenda item 13.3e and 13.3f).

Agenda Item 14: Proposals for amendments to Appendices I and II of the Convention
Agenda Item 14.1: Evaluation of draft proposals: Tiger

The appointed Working Group chair Roseline Beudels-Jamar de Bolsee had produced a draft proposal for the listing of the Tiger (*Panthera tigris*) on Appendix I of the CMS, with the intention of including it in the Concerted Action for Central Eurasian Aridland Mammals (see agenda item 13.3g). Formally, the proposal had to be made by a Party to CMS, at least 150 days before the COP meeting, but so far no Party had been identified. There were at least 13 Tiger Range States, but of these only Bangladesh and India were Parties to the CMS. The historic distribution of the Tiger included several more countries.

The Working Group agreed that the Tiger was gravely endangered and certainly in need of effective conservation. The Scientific Council had been asked by COP 9 to review, in consultation with international conservation bodies, including the IUCN Cat Specialist Group, the conservation and management of tigers and to propose any appropriate actions required. The Working Group noted that a substantial amount of work was already being done by a large number of government agencies and non-governmental organizations. Working Group participants suggested that the Tiger could be considered migratory under the CMS definition and that its conservation status was such that it should be considered for Appendix I listing at COP10. However, the group noted that it would be vital for the species proposal to highlight how a CMS listing would add value to the existing institutional frameworks for tiger conservation. If an Article IV agreement was to be considered for the tiger, then it would also be important for the country submitting the species proposal to highlight how obstacles such as the low number of CMS Parties within the Tiger Range States would be overcome. A proposition was made by IFAW to negotiate with the Global Tiger Forum, which involved all the range states with the exception of North Korea.

Agenda Item 14.3: The listing of the Cheetah on Appendix II

The Cheetah (*Acinonyx jubatus)* was proposed for inclusion in Appendix I at COP9. During the discussion of the proposal the representative of Norway pointed out that the existence of small quotas for trade under CITES in three southern African states, namely Botswana, Namibia and Zimbabwe, might cause difficulties, as an Appendix I listing precluded the taking of specimens for trade. The possibility of including the populations in these three countries under Appendix II was considered at COP9 and strongly supported by the representatives of the Democratic Republic of the Congo, Egypt and Uganda. Eventually COP9 adopted the inclusion of the Cheetah in Appendix I with the exception of the three populations which remained unlisted on CMS Appendices. The Activity Planning Meeting of the Scientific Council (Bonn, 13 June 2009) had asked the Scientific Council to review the issue.

In the Working Group, several councillors advocated the inclusion of all Cheetah populations in Appendix I, since the split listing might cause problems for the Concerted Action. The problem of the trade quotas did however remain. Two possible alternatives were apparent. The first was to suggest that Cheetah populations of Botswana, Namibia and Zimbabwe should be placed on Appendix II. The other was to leave them unlisted until the situation regarding the trade quota had changed. A listing on Appendix II should only be made if there was an expressed will to create a new regional instrument, or at least a Cooperative Action, among the Range States concerned. The Working Group did not decide on any option since the views of the three countries concerned should be taken into account. The Secretariat would approach Botswana, Namibia and Zimbabwe to discuss the matter further. Councillors of other Range States for the Cheetah are invited to submit their views in this matter to the Secretariat to be reviewed by the appointed Working Group chair. Any listing proposal would need to be submitted by a Party to the CMS.

Agenda Item 14.2: Review of taxonomic groups of migratory species to identify candidate species for listing on CMS Appendices

As described above, the government observer from Kyrgyzstan suggested a proposal to include the Argali Sheep (*Ovis ammon*) in the Appendix II of CMS. Kyrgyzstan was not Party to the CMS yet, but was in the process of acceding to the Convention. Tajikistan had agreed to make the proposal if needed. The councillor for Georgia suggested the listing of two species of wild goats, *Capra caucasica* and *Capra cylindricornis*, on Appendix II of CMS.

In addition to this the Councillor for the Republic of Congo proposed the listing of the African Lion (*Panthera leo*) in Appendix II, and asked for Cooperative Action with the aim to reintroduce lions in Congo. An unfavourable conservation status was reported by several other Range States, including Niger and Nigeria, and suggestions were made by Working Group participants, e.g. the government observer from Kyrgyzstan, to list the species on Appendix I, instead of Appendix II. The councillors of Nigeria and Chad supported a listing on Appendix II. Niger wished for more studies to be conducted.

The representative from CITES pointed out that listing lions in Appendix I could lead to the same situation as with Cheetahs. In several countries there were conflicts between the human population and lions, and trophy hunting programs had been created. These programs would not be possible if lions were to be listed on Appendix I.

The CMS Ambassador informed the meeting that the 'Born Free Foundation' could be helpful in taking the process forward.

PARTICIPANTS (23)

Torbjörn Ebenhard – Chair, Councillor, Sweden
John Hyelakuma Mshelbwala, ScC Chairman, Councillor, Nigeria
Alfred Oteng-Yeboah – Appointed Councillor African Fauna, Ghana
Mahamat Hassane Idriss – Councillor, Chad
Dieudonné Ankara – Councillor, Congo
Kahsay Gebretensae Asgedom – Councillor, Ethiopia
Zurab Gurielidze – Councillor, Georgia
Bahareh Shahriari – Councillor, Iran
Samuel M. Kasiki – Councillor, Kenya
Abdou Malam Issa – Councillor, Niger
Kobul Khasanovich Kasirov – Councillor, Tajikistan
Ian Redmond – CMS Ambassador, GRASP – UNEP/UNESCO
Askar Davletbakov – Observer, Kyrgyzstan
Mohammad Sulayem – Observer, Saudi Arabia
David H.W. Morgan – Observer, CITES
Scott Newman – Observer, FAO
Peter Pueschel – Observer, IFAW
Borja Heredia – Secretariat
Aline Kühl – Secretariat
Marco Barbieri – Secretariat
Melanie Virtue – Secretariat
Alexandre Ghafari – Secretariat
Cassandra Fernandes – Secretariat

16TH MEETING OF THE CMS SCIENTIFIC COUNCIL

Bonn, Germany, 28-30 June, 2010

UNEP/CMS/ScC16/REPORT
ANNEX X

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS / LISTA DE PARTICIPANTES

Chairman / Président / Presidente

Mr. John Hyelakuma **Mshelbwala**
Ag. Deputy Director
Federal Ministry of Environment
Plot 393/394, Augustus Aikhomu Way
Utako District, PMB 468, Garki
Abuja, FCT
NIGERIA
Tel.: (+234 9) 8033 2870 39
Fax: (+234 9) 523 4014
E-mail: johnmshelbwala2@yahoo.com

Vice-Chairmen / Vice-Présidents / Vicepresidentes

Prof. Dr. Colin A. **Galbraith**
45 Mounthooly Loan
Edinburgh EH10 7JD
Scotland
UNITED KINGDOM
E-mail: colin@cgalbraith.freeserve.co.uk

Members / Membres / Miembros

ARGENTINA
Lic. Daniel Eduardo **Blanco**
Coordinador de Programa
Wetlands International Argentina
25 de Mayo 758 Piso 10 I CP
1002 Buenos Aires
ARGENTINA
Tel.: (+54 11) 4313 4543
Fax: (+54 11) 4312 0932
E-mail: deblanco@wamani.apc.org

AUSTRALIA
Mr. Nigel **Routh**
Assistant Secretary
Marine Biodiversity Policy Branch
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
Canberra ACT 2601
AUSTRALIA
Tel.: (+61 2) 6275 9915
Fax: (+61 2) 6274 1542
E-Mail: Nigel.Routh@environment.gov.au

CHAD
M. Mahamat Hassane **Idriss**
Chef de Service de Sensibilisation d'Information et de Formation/PFCMS/CS-Chad
Ministère de l'Environnement et des Ressources Halieutiques, B.P. 2115
N'Djamena
TCHAD
Tel.: (+235) 621 9340, 995 1126
Fax: (+235) 252 2947
E-mail: mhi1962@yahoo.fr;
mhthassan@hotmail.com

CONGO, REPUBLIC OF
M. Dieudonné **Ankara**
Directeur de la Conservation de Ecosystems
Direction Générale de l/Environnement (MODEFE)
B.P. 958, 54, rue Bordeaux Oeunzé
Brazzaville
CONGO
Tel.: (+242) 551 67 50
Fax: (+242) 551 67 50
E-mail: graspcongo@yahoo.fr

CONGO, DEMOCRATIC REPUBLIC OF
M. Donatien **Muembo Kabemba**
Directeur de l'Audit Scientifique et Technique
Institut Congolais pour la Conservation de la Nature
13, avenue des Cliniques B.P. 868
Kinshasa 1
REPUBLIQUE DEMOCRATIQUE DU CONGO
Tel.: (+243) 81 5006 840
E-Mail: dmuembo2003@yahoo.fr

COOK ISLANDS
Mr. Ian Karika **Wilmott**
Chairman
Rarotonga Environment Authority
P.O. Box 3036
Rarotonga
COOK ISLANDS
Tel: (+682) 55499 (mob)
E-mail: kakerori@tca.co.ck

COSTA RICA
Lic. José Joaquín **Calvo Domingo**
Coordinador del Programa Nacional Vida Silvestre
Ministerio de Ambiente Energía y Telecomunicaciones, Sistema Nacional de Áreas de Conservación (MINAET-SINAC)
Edificio Padilla, Avenida 1, Calle 11
San José
COSTA RICA
Tel: (+506) 2522 6549
Fax: (+506) 2566 2436
E-mail: joaquin.calvo@sinac.go.cr

CÔTE D'IVOIRE
M. Tano **Sombo**
Directeur de la Protection de la Nature
Ministère d'Environnement, des Eaux et Fôrets
06 B.P. 6648
Abidjan 06
CÔTE D'IVOIRE
Tel/Fax: (+225 20) 22 53 66
E-mail: sombotano@yahoo.fr

CROATIA
Dr. Jelena **Kralj**
Scientific assistant
Institute of Ornithology
Croatian Academy of Science and Arts
Gundulićeva 24
HR-10000 Zagreb
CROATIA
Tel.: (+385 1) 4825 401
Fax: (+385 1) 4825 392
E-mail: zzo@hazu.hr

CUBA
Sr. Tomás Ramón **Escobar Herrera**
Director General
Agencia de Medio Ambiente
Ministerio de Ciencia, Tecnología y Medio Ambiente
Calle 20, Esquina 18-A
41 y 47, Municipio Playa
Cuidad de la Habana
CUBA
Tel: (+53 7) 2025542 / 2028242
Fax: (+53 7) 202 5542
E-mail: tomas@ama.cu; ama@ama.cu

CZECH REPUBLIC
Dr. Jirí **Flousek**
Zoologist
Krkonose National Park Administration
Dobrovskeho 3
CZ-543 01 Vrchlabí
CZECH REPUBLIC
Tel.: (+420 499) 456 212
Fax: (+420 499) 456 422
E-mail: jflousek@krnap.cz

DENMARK
Dr. Mark **Desholm**
PhD Scientist
Department of Wildlife Ecology & Biodiversity
National Environmental Research Institute
Aarhus University
Grenåvej 14
DK-8410 Rønde
Denmark
Tel: (+45) 89201728
Fax: (+45) 89201514
E-mail: mde@dmu.dk

ECUADOR
Sra. Julia Angelita **Cordero Guillén**
Technico de Patrimonio Natural de la Dirección Provincial de Manabi
Ministerio del Ambiente
Calle Olmedo entre sucre y Cordova
Ecuador
Tel.: (+593 52) 638857
Fax: (+593 52) 651848
E-mail: jcordero@ambiente.gov.ec

ETHIOPIA
Mr. Kahsay Gebretensae **Asgedom**
Director
National Parks & Sanctuaries Coordinating Directorate
Ethiopian Wildlife Conservation Authority (EWCA)
386, Addis Ababa
ETHIOPIA
Tel: (+251 11) 5504842 / (+251) 911 742003
Fax: (+251 11) 5546804
E-mail: kahsaygt@hotmail.com

FRANCE
Dr. Jean-Philippe **Siblet**
Directeur du Service du Patrimoine Naturel
Muséum National d'Histoire naturelle (MNHN)
36 rue Geoffroy Saint-Hilaire
CP 41
75231 Paris Decex 05
FRANCE
Tel: (+33 1) 4079 3256
E-mail: siblet@mnhn.fr

GEORGIA
Mr. Zurab **Gurielidze**
General Director
Tbilisi Zoo
64 Kostava Street
0171 Tbilisi
GEORGIA
Tel.: (+995 32) 213 040 / (+995 99) 568 031
Fax: (+995 32) 213 050
E-mail: zgurielidze@zoo.ge;
zgurielidze@hotmail.com

GERMANY
Dr. Andreas **Krüß**
Head of Department
Federal Agency for Nature Conservation
Department for Ecology and the Conservation of Fauna and Flora
Konstantinstr. 110
53179 Bonn
GERMANY
Tel: (+49 228) 8491 1410
Fax: (+49 228) 8491 1419
E-mail: KruessA@bfn.de

HUNGARY
Dr. Attila **Bankovics**
President of BirdLife Hungary
Hungarian Ornithological Society (BirdLife Hungary)
Vikár Béla utca 19. IV./ 2
H-1181 Budapest
HUNGARY
Tel: (+36 20) 310 5414
E-mail: attila.bankovics@gmail.com

HONDURAS
Lic. Francisco **Aceituno**
Analista Ambiental
Dirección General de Biodiversidad
Secretaria de Recursos Naturales y Ambiente
Colonia Alameda
Calle Tiburcio Carias Andino, casa 1414
Tegucigalpa
HONDURAS
Tel/Fax: (+504) 232 5078
E-mail: aceitunof@yahoo.com

ISLAMIC REPUBLIC OF IRAN
Ms. Bahareh **Shahriari**
Environmental Expert
Department of Environment
Wild Life and Biodiversity Bureau
Nature Environment and Biodiversity Division
Environment Research Center
Pardisan Park, Hakim Highway
P.O. Box: 14155-73155
Tehran
ISLAMIC REPUBLIC OF IRAN
Tel: (+98 21) 8826 9293
Fax: (+98 21) 8826 7993
E-mail: shahriarib@yahoo.com;
b_sh_am@yahoo.com

ITALY
Dr. Fernando **Spina**
Senior Scientist, Head Italian Ringing Centre
Instituto Superiore per la Protezione e la Ricerca Ambientale ISPRA, Sede ex-INFS
Via Cà Fornacetta 9
1-40064 Ozzano Emilia (BO)
ITALY
Tel: (+39 051) 6512 111 direct 6512214
Fax: (+39 051) 7966 28
E-mail: fernando.spina@isprambiente.it

KENYA
Dr. Samuel M. **Kasiki**
Deputy Director Biodiversity Research & Monitoring
Kenya Wildlife Service
P.O. Box 40241 – 00100
Nairobi
KENYA
Tel.: (+254) 721 446729
Fax: (+254 20) 603792
E-mail: skasiki@kws.go.ke

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Dr. Branko **Micevski**
President of Macedonian Bonn Committee (MBC)
Bird Study and Protection Society of Macedonia (BSPSM)
Blvd. ASNOM 58, 2/4
Skopje, 1000
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Tel/Fax: (+389 22) 432 071
E-mail: brankom@ukim.edu.mk

MOROCCO
M. Abdellah **El Mastour**
Chef du Service d'Aménagement des Parcs et Réserves Naturelles
Haut Commissariat aux Eaux et Forêts et à la Lutte contre la Désertification
Qartier Administratif, Chellah-Rabat
Rue Haroun Arrachid
Agdal-Rabat
MOROCCO
Tel.: (+212 537) 67 42 69
Fax: (+212 537) 67 27 70
E-mail: elmastourabdellah@yahoo.fr

NETHERLANDS
Dr. Adriaan D. **Rijnsdorp**
Chair Sustainable Fisheries Management
Wageningen University and Research Centre
P.O.Box 68
1970 AB Ymuiden
THE NETHERLANDS
Tel: (+31 317) 487191
Fax: (+31 317) 487326
E-mail: adriaan.Rijnsdorp@wur.nl

NIGER
M. Abdou Malam **Issa**
Directeur de la Faune, de la Chasse et des Aires Protégées
Direction de la faune, de la Chasse et des Aires Protégées, au Ministère de l'Eau de l'Environnement et de la Lutte
B.P. 721, Niamey
NIGER
Tel.: (+227 21) 76 83 62 / 96870825
Fax: (+227 20) 73 60 12
E-mail: malam_ia@yahoo.fr

PAKISTAN
Mr. Umeed **Khalid**
Conservator (Wildlife)
National Council for Conservation of Wildlife (NCCW), Ministry of Environment
Building No.14-D, 2nd Floor, F-8 Markaz
Islamabad
PAKISTAN
Tel/Fax: (+92 51) 926 2270
E-mail: umeed_khalid@yahoo.com

PARAGUAY
Sra. María Cristina **Morales Palarea**
Coordinadora Programa de Conservación de Especies, Asociación Guyra Paraguay
Gaetano Martino No. 215 C/Tte.
Ross-Asunción
PARAGUAY
Tel/Fax: (+595 21) 223 567
E-mail: cristinam@guyra.org.py;
cmoralespy@gmail.com

PERU
Dr. Victor Manuel **Pulido**
Consejero Cientifico
Dirección General Forestal y de Fauna
Paseo los Eucaliptos N° 285
Camacho, La Molina
Lima 12
PERU
Tel: (+51 1) 9986 72369
Fax: (+51 1) 4351 570
E-mail: vpulidoc@hotmail.com;
wetperu@amauta.rcp.net.pe

PHILIPPINES
Mr. Carlo **Custodio**
Chief Ecosystems Management Specialist
Protected Areas and Wildlife Bureau (PAWB)
Department of Environment & Natural Resources
North Avenue, Diliman
Quezon City 1100
PHILIPPINES
Tel.: (+6 32) 925 8948 / 924 6031 to 35 ext: 207
Fax: (+6 32) 925 8948
E-mail: custodiocarlo@yahoo.com

SENEGAL
M. Djibril **Diouck**
Division Etudes et Amenagement
Direction des Parcs Nationaux du Sénégal
Parc Forestier et Zoologique de Hann
B.P. 5135, Dakar Liberte
SENEGAL
Tel.: (+221 33) 832 2309
Fax: (+221 33) 832 2311
E-mail: djibrildiouck@hotmail.com

SERBIA
Ms. Daliborka **Stankovic**
Curator of bird collection
Natural History Museum Belgrade
Njegoseva 51
11000 Belgrade
SERBIA
Tel: (+381) 63 540 991
Fax: (+381 11) 3446 580
E-mail: daliborka@nhmbeo.rs

SLOVAKIA
Dr. Peter **Puchala**
Zoologist
State Nature Conservancy of Slovak Republic
Administrative of Malé Karpaty Protected Landscape Area
Štúrova 115
900 01 Modra
Slovak Republic
Tel/Fax: (+421 33) 6474002
E-mail: peter.puchala@sopsr.sk

SWEDEN
Dr. Torbjörn **Ebenhard**
Acting Director
Swedish Biodiversity Centre
P.O. Box 7007
SE-750 07 Uppsala
SWEDEN
Tel.: (+46 18) 67 22 68
Fax: (+46 18) 67 34 80
E-mail: torbjorn.ebenhard@cbm.slu.se

SWITZERLAND
Dr. Olivier **Biber**
Head International Biodiversity Matters Unit
Swiss Agency for the Environment (FOEN)
CH-3003 Bern
SWITZERLAND
Tel.: (+41 31) 323 0663
Fax: (+41 31) 324 7579
E-mail: olivier.biber@bafu.admin.ch

TAJIKISTAN
Dr. Kokul Khasanovich **Kasirov**
Chief of the Main Department
State Committee on Environment Conservation
Under the Government of the Republic of Tajikistan
P.O. Box 138
734000 Dushanbe
TAJIKISTAN
Tel/Fax: (+992 919) 145677
E-mail: poplar_office@yahoo.com;
kokul@tojikiston.com

URUGUAY
Dr. Adrián **Azpiroz**
Investigador Asociado
Instituto de Investigaciones Biológicas Clemente Estable, Buxareo 1311
11300 Montevideo
URUGUAY
Tel.: (+598 2) 622 7412
E-mail: avesuru_1999@yahoo.com

YEMEN
Mr. Galal Hussein Nasser **AL-Harogi**
Manager of Migratory Species Unit
Environment Protection Authority (EPA)
Ministry of Water and Environment
PO Box 10442
Sana'a
YEMEN
Tel: (+967 1) 540 669 207 816
Fax: (+967 1) 207 327
E-mail: g_hng@yahoo.com; gharogi@gmail.com

Scientific Councillors appointed by the Conference of the Parties/ Conseillers Scientifiques nommés par la Conference des Parties/ Consejeros Científicos designados por la Conferencia de las Partes

Mr. Barry G. **Baker**
CMS Appointed Councillor (By-Catch)
114 Watsons Road, Kettering
Tasmania 7155
AUSTRALIA
Tel.: (+61 3) 6267 4079
E-mail: barry.baker@latitude42.com.au

Dr. Zeb S. **Hogan**
CMS Appointed Councillor for Fish
2355 Camelot Way Reno
NV 89509
UNITED STATES OF AMERICA
Tel: (+1 530) 219 0942
E-mail: zebhogan@hotmail.com

Dr. Colin J. **Limpus**
CMS Appointed Councillor (Marine Turtles)
Chief Scientist
Queensland Turtle Research
P. O. Box 541, Capalaba
Queensland 4157
AUSTRALIA
Tel: (+61 7) 3245 4056
E-mail: col.limpus@derm.qkd,gov.au

Dr. Taej **Mundkur**
CMS Appointed Councillor (Asiatic Fauna)
Programme Manager - Flyways
Wetlands International
Horapark 9 (2nd Floor)
6717 LZ Ede
The Netherlands
Tel: (+31 318) 660910
Fax: (+31 318) 660950
E-mail: taej.mundkur@wetlands.org

Mr. John **O'Sullivan**
CMS Appointed Councillor (Birds)
14 Gast Hatley
Sandy, SG19 3JA
UNITED KINGDOM
Tel.: (+44 1 767) 650 688
E-mail: johnosullivan@tiscali.co.uk

Prof. Alfred **Oteng-Yeboah**
CMS Appointed Councillor (African Fauna)
Council for Scientific and Industrial Research
CSIR-Ghana, C/o Wildlife Division
Forestry Commission of Ghana
Accra
GHANA
Tel: (+233 24) 477 2256
Fax: (+233 21) 777 655
E-mail: otengyeboah@yahoo.co.uk

Dr. William F. **Perrin**
Appointed Councillor (Aquatic Mammals)
Senior Scientist
U.S. National Marine Fisheries Service, NOAA
Southwest Fisheries Science Center
3333 Torrey Pines Court
La Jolla CA 92122
UNITED STATES OF AMERICA
Tel.: (+1 858) 546 7096
Fax: (+1 858) 546 7003
E-mail: william.perrin@noaa.gov

Governmental Observers / Observateurs de Gouvernements / Observadores Gubernamentales

KYRGYZSTAN
Mr. Askar Davletbakov
Senior Scientist
Academy of Science; via GTZ, Sustainable
Natural Resource Use in Central Asia
Panfilowa 150
720040 Bishkek
Kyrgyzstan
Tel: (+996 550) 965108
E-mail: askar_davl@rambler.ru

NETHERLANDS
Dr. Erik van Zadelhoff
Senior Policy Advisor
Ministry of Agriculture, Nature and Food Security
Prins Clauslaan
The Netherlands
Tel: (+31)703784921 (O) (+31 6) 11063740 (mobile)
E-mail: f.j.van.zadelhoff@minlnv.nl

SAUDI ARABIA
Mr. Mohammad S. Sulayem
Advisor on International Coopertion
Saudi Wildlife Commission
P.O. Box 61681
Riyadh 11575
Saudi Arabia
Tel: (+966) 1448413
Fax: (+966) 506467787
E-mail: msulayem2@yahoo.com

SOUTH AFRICA
Ms. Malta Qwathekana
Senior Policy Advisor
Department of Environmental Affairs
P/Bag X447
Pretoria 0001
South Africa
Tel: (+27) 123103067
Fax: (+27) 123201714
E-mail: mqwathekana@environment.gov.za

Ms. Humbulani Mafumo
Deputy Director
Conservation Management
Department of Environmental Affairs
P/Bag X447
Pretoria 0001
South Africa
Tel: (+27 12) 310 3712
Fax: (+27 86) 541 1122
E-mail: hmafuno@environment.gov.za

UNITED KINGDOM

Dr James M. Williams
Indicators & Reporting Manager
Joint Nature Conservation Committee
Monkstone House , City Road
Peterborough PE1 1JY
United Kingdom
Tel: (+44 1733) 86 68 68
Fax: (+44 1733) 55 59 48
Email: james.williams@jncc.gov.uk

Intergovernmental and Non-Governmental Organization Observers / Observateurs d'Organisations Intergouvernementales et Non Gouvernementales / Observadores de Organizaciones Intergubernamentales y No Gubernamentales

AMBASSADOR CMS

Mr. Ian Redmond
CMS Ambassador
Windy Gables, Rodborough Lane
Stroud GL5 1BG
United Kingdom
Tel: (+44 7769) 743975
E-mail: ele@globalnet.co.uk

AEWA

Mr. Sergey Dereliev
AEWA Secretariat
Hermann-Ehlers-Str.10
53113 Bonn, Germany
Tel.: (+49 228) 815 2415
Fax: (+49 228) 815 2450
E-mail: sdereliev@unep.de

ASCOBANS

Ms. Heidrun Frisch
ASCOBANS Secretariat
Hermann-Ehlers-Str.10
53113 Bonn, Germany
Tel.: (+49 228) 815 2418
Fax: (+49 228) 815 2440
E-mail: h.frisch@ascobans.org

BIRDLIFE INTERNATIONAL

Ms. Nicola J Crockford
International Species Policy Officer
The RSPB - BirdLife in the UK
UK Headquarters
The Lodge, Sandy, Bedfordshire SG19 2DL
UK
Tel: (+44 1767) 693072
Fax: (+44 1767) 683211
E-mail: nicola.crockford@rspb.org.uk

CITES

Mr. David H.W. Morgan
Chief, Scientific Support Unit
CITES Secretariat
Maison internationale de l'environnement
Chemin des Anemones
CH-1219 Chatelaine, Geneva
Switzerland
Tel: (+41 22) 917 81 23
Fax: (+41 22) 797 34 17
Email: david.morgan@cites.org

FOOD & AGRICULTURE ORGANISATION OF THE UNITED NATIONS

Mr. Scott Newman
EMPRES Wildlife Unit Coordinator
Animal Health Officer
Emergency Center for Transboundary Animal Diseases, Animal Production and Health Division
Food & Agriculture Organisation of the UN
Viale delle Terme di Caracalla, Rome 00153
Italy
Tel: (+39 6) 570 53068
Fax: (+39 6) 570 53023
E-mail: scott.newman@fao.org

GERMAN TECHNICAL COOPERATION

Ms. Aziza **Madaminova**
(GTZ Translator)
German Technical Cooperation GTZ
Koethener Str. 31
10963 Berlin
Germany
Tel: (+49 61) 96792397
Fax: (+49 61) 9679802397
E-mail: aziza.madaminova@gtz.de

INTERNATIONAL ASSOCIATION FOR FALCONRY AND CONSERVATION OF BIRDS OF PREY
Mr. Christian de Coune
Committee Member
International Association for Falconry and Conservation of Birds of Prey
Thier des Forges.85
B.4140 Gomze-Andoumont
Belgium
Tel: (+32 4) 76461424
Fax: (+32 4) 3684015
E-mail: info@christian-dec.be

INERNATIONAL WHALING COMMISSION
Dr. William Perrin
Southwest Fisheries Science Center
8604 La Jolla Shores Drive
La Jolla, CA 92037
USA
Tel: (+1 858) 546 7096
Fax: (+1 858) 546 7003
E-mail: william.perrin@noaa.gov

INTERNATIONAL FUND FOR ANIMAL WELFARE (IFAW)
Mr. Peter Pueschel
Programme Director
International Policy and Conventions
IFAW - International Fund for Animal Welfare
IFAW EU Office
Bpi;avard Char;e,agme 1 (Bte 72)
B-1041 Brussels
Belgium
Tel: (+49 641) 250 11 586
Fax: (+49 641) 250 11 587
E-mail: ppueschel@ifaw.org

RAMSAR
Mr. Lew Young
Senior Regional Advisor for Asia-Oceania
Ramsar Convention Secretariat
Rue Mauverney 28
1196 Gland
Switzerland
Tel: (+41 79) 290 2625
Fax: (+41 22) 999 0169
E-mail: young@ransar.org

UNEP WORLD CONSERVATION MONITORING CENTRE
Dr. Gerardo Fragoso
Head - Speciesl Programme
UNEP World Conservation Monitoring Centre
219 Huntingdon Road
Cambridge, CB3 0DL
United Kongdom
Tel: (+44 1223) 277314
Fax: (+44 1223) 277136
E-mail: gerardo.fragoso@unep-wcmc.org

WETLANDS INTERNATIONAL
Dr. Taej **Mundkur**
Programme Manager - Flyways
Wetlands International
Horapark 9 (2nd Floor)
6717 LZ Ede
The Netherlands
Tel: (+31 318) 660910
Fax: (+31 318) 660950
E-mail: taej.mundkur@wetlands.org

WILDFOWL & WETLANDS TRUST (WWT)
Ms. Rebecca Lee
Senior Species Conservation Officer
Wildfowl & Wetlands Trust (WWT)
Slimbridge
Cloucestershire, GL11 4BG
United Kindgom
Tel: (+44 1453) 891120
Fax: (+44 1453) 890827
E-mail: Rebecca.Lee@wwt.org.uk

ZOOLOGICAL SOCIETY OF LONDON
Dr. Ben Collen
Head of Indicators & Assessments Unit
Zoological Society of London
Regent's Park
London NW1 4RY
United Kingdom
Tel: (+44 207) 449 6642
E-mail: ben.collen@ioz.ac.uk

Secretariat/Secretaría

UNEP/CMS Secretariat
Hermann-Ehlers-Str.10
53113 Bonn, Germany
Tel.: (+49 228) 815 2401
Fax: (+49 228) 815 2449
E-mail:secretariat@cms.int

Dr. Borja Heredia
Scientific and Technical Officer
Tel.: (+49 228) 815 2422
E-mail: bheredia@cms.int

Ms. Elizabeth Maruma Mrema
Executive Secretary
Tel.: (+49 228) 815 2410
E-mail: emrema@cms.int

Mr. Bert Lenten
Acting Deputy Executive Secretary
Tel.: (+49 228) 815 2407
E-mail: blenten@cms.int

Ms. Laura Cerasi
Associate Fundraising Officer
Tel.: (+49 228) 815 2483
E-mail: lcerasi@cms.int

Dr. Aline Kühl
Associate Technical Officer
Tel.: (+49 228) 815 2436
E-mail: akuel@cms.int

Ms. Heidrun Frisch
Marine Associate Officer
Tel.: (+49 228) 815 2418
E-mail: mfrisch@cms.int

Dr. Marco Barbieri
Agreements Officer
Tel.: (+49 228) 815 2424
E-mail: mbarbieri@cms.int

Ms. Melanie Virtue
Inter-Agency Liaison Officer
Tel.: (+49 228) 815 2462
E-mail: mvirtue@cms.int

Dr. Francisco Rilla
Information Officer
Tel.: (+49 228) 815 2460
E-mail: frilla@cms.int

Ms. Linette Lamare
Programme Assistant
Tel.: (+49 228) 815 2423
E-mail: llamare@cms.int

Ms. Marie Mevellec
Secretary
Tel.: (+49 228) 815 2456
E-mail: mmevellec@cms.int

Mr. Robert Vagg
Consultant (Report Writer)
Tel.: (+49 228) 815 2476
E-mail: rvagg@cms.int

Ms. Laura Aguado
Consultant
Tel.: (+49 228) 815 2461
E-mail: laguado@cms.int

CMS Interns:
Mr. Philipp Zimmermann
Ms. Polina Khrychera
Mr. Alexandre Ghafari
Ms. Cassandra Fernandes