



## CMS COP-8 HIGHLIGHTS: WEDNESDAY, 23 NOVEMBER 2005

On Wednesday, 23 November, CMS COP-8 plenary convened briefly in the morning, and COW met for the rest of the day. A special session to conclude the agreement on the Asian Houbara bustard was held in the morning. The budget working group met in the morning and afternoon, and a working group on avian influenza convened in the evening.

### PLENARY

**SIGNING OF THE MOU:** The Plenary convened in the morning for the signing ceremony of the MOU on the Saiga antelope. Following signing by Turkmenistan and CMS Executive Secretary Robert Hepworth, the Secretariat explained that Uzbekistan will sign the MOU at a later stage. Mongolia, the International Council for Game and Wildlife Conservation, IUCN and WWF International also signed the MOU.

**REPORTS: Credentials Committee:** El Mastour Abdellah (Morocco), Chair of the Credentials Committee, said that, of the 73 parties present at COP-8, 54 had presented credentials, 37 of which had been accepted.

**Working Groups:** Strategic Plan Working Group Chair Olivier Biber reported that delegates agreed on resolution UNEP/CMS/Res.8.2/Rev.1 on the 2006-2011 strategic plan, amended to include text on duplication of MEA activities.

Sustainable Use Working Group Co-Chair Ian McLean reported that delegates agreed to a new draft resolution (UNEP/CMS/Res.8.1/Rev.1). Noting that the proposed preamble focuses on the Addis Ababa Principles and Guidelines' (AAPGs) potential contribution to the conservation of migratory species, he said the group decided against inviting parties to consider using AAPGs before the Scientific Council's consideration. The group also decided not to refer to the ecosystem approach or to work done within AEWA.

### COMMITTEE OF THE WHOLE

**CONCERTED ACTIONS:** COW considered a draft resolution on concerted actions for Appendix I species (UNEP/CMS/Res.8.29), and endorsed concerted actions on: the Bactrian camel; the Wild yak; the Bukhara deer, subject to the COP's approval of recommendation UNEP/CMS/Rec.8.23 on Central Eurasian aridland mammals; the Balearic shearwater; and the Red knot; and broadening the scope of existing actions on the Mountain gorilla to include all gorilla sub-species.

**DEVELOPMENT OF FUTURE AGREEMENTS:** The Secretariat tabled a consolidated resolution on implementation of existing agreements and development of future agreements

(UNEP/CMS/Res.8.5), noting that it: integrates proposals on developing agreements on, *inter alia*, dugongs and Pacific cetaceans; requests identification of lead countries on, amongst others, the anticipated recommendation on marine turtles (UNEP/CMS/Rec.8.17) and resolution and recommendation on small cetaceans and sirenians in West Africa (UNEP/CMS/Res.7.7 and Rec.7.3); and notes that the proposed MOU on Monk seals and the action plan on the Mongolian gazelle will be outside of the CMS framework. SOUTH AFRICA noted lack of progress in developing an agreement on the Sand grouse.

**Central Asian Flyway:** The Secretariat reported on the development, with Wetlands International, of an action plan and legal and institutional framework for the Central Asian Flyway (CAF). INDIA expressed hope that this would be finalized within the next two years, noting range states favored taking advantage of AEWA's existing framework. PAKISTAN proposed language on ensuring the uninterrupted flow of water to low altitude states to guarantee habitat conducive for migratory species. Noting the approval of the draft action plan, WETLANDS INTERNATIONAL reported on the incorporation of outstanding information into the annexes. The Secretariat said range states' official approval of the action plan would be sought by correspondence.

**Sturgeons:** The Secretariat explained that since COP-7, the CMS and CITES Secretariats had identified sturgeons as a species group for collaboration, and Germany had been appointed as the lead country on identifying options for future action. CITES proposed text urging CITES parties to fully implement CITES resolution Conf.12.7 on sturgeons.

**Cetaceans of the Pacific Islands Region:** AUSTRALIA, having conferred with Samoa and New Zealand, called for a commitment, rather than an intention, of the Secretariat to work closely with range states and the Pacific Regional Environment Programme (SPREP) to revise the SPREP Whale and Dolphin Action Plan (2003-2007).

**Gorillas:** The Secretariat noted the ongoing work of CMS and range states on an appropriate instrument on gorilla survival and conservation, highlighting that the consolidated resolution refers to the possible expansion of the Mountain gorilla concerted action to all gorilla sub-species, supported by the DEMOCRATIC REPUBLIC OF CONGO.

**COOPERATIVE ACTIONS:** The Secretariat introduced a draft recommendation on cooperative actions for Appendix II species (UNEP/CMS/Rec.8.28), noting that proposed Appendix II listings should concern species for which conclusion of an agreement is not anticipated during the forthcoming triennium, but that require attention in that period. Accordingly, he noted the



Scientific Council's suggestion to delete from the list of species designated for cooperative actions in 2006-2008: all albatrosses and petrels, covered by ACAP; the African penguin, covered by AEWA; and the Whale shark, dugongs and South American grassland birds, expected to be the subject of a future agreement. He noted the Scientific Council's proposal on African bats, among others, for cooperative actions. BIRDLIFE INTERNATIONAL underlined that Northern Pacific albatrosses are not covered by ACAP.

#### RESOLUTIONS AND RECOMMENDATIONS

**PROPOSED BY PARTIES:** SWITZERLAND drew attention to a proposed resolution on migratory species and highly pathogenic avian influenza. COW Chair Rolph Payet said this will be discussed with other crosscutting issues. BANGLADESH drew attention to the Asian elephant, and IUCN informed parties of an upcoming meeting in Asia on the Asian elephant.

#### PROPOSED AMENDMENTS TO APPENDICES:

**Amendments to Appendix I:** On proposals for amendment of CMS Appendices (UNEP/CMS/Conf.8.16), COW endorsed 11 of the 12 proposed species for listing, deciding against listing the Maccoa duck, under the Scientific Council's advice (UNEP/CMS/INF.8.5).

**Amendments to Appendix II:** COW endorsed 15 of the 16 proposed species for listing, postponing consideration of the listing of the Rock pratincole following NORWAY's reservation as to whether it fulfills CMS listing criteria. PARAGUAY strongly urged work on an MOU on grassland birds.

**Basking shark:** On listing the Basking shark, GERMANY, supported by MONACO, urged following the precautionary principle and approving the proposal. NORWAY made a formal reservation, explaining that the listing does not adhere to CMS listing criteria, and that using the precautionary principle to conform to public opinion would set an unfavorable precedent. Scientific Council Chair Colin Galbraith clarified that the Council will discuss the relevance of the precautionary principle at a future meeting. The EU, supported by AUSTRALIA, WDSC and IUCN, supported listing the Basking shark, justified by the endangered status of the Northern Hemisphere population according to the IUCN Red List criteria. The EU, on behalf of the EC, made a reservation, noting that amending EC legislation to include the Basking shark could not meet the timeline set by the Convention. Although supporting listing, DENMARK made a formal territorial reservation on its application to the Faroe Islands, and stressed the mandate of the relevant regional fisheries management organizations (RFMOs). NEW ZEALAND supported listing, but called for improved listing criteria, and, with SENEGAL, for enhanced scientific knowledge. COW Chair Payet proposed, and the COW agreed, to let the plenary decide on the proposal for listing the Basking shark under Appendices I and II.

**CROSSCUTTING ISSUES: By-catch:** AUSTRALIA introduced a revised draft resolution on by-catch (UNEP/CMS/Res.8.14/Rev.1), including the appointment of a by-catch scientific councillor. Many delegates expressed their support. MONACO emphasized promoting coordination among MEAs, RFMOs and other international bodies. ARGENTINA cautioned against preconditioning other fora with different mandates. SOUTH AFRICA proposed that CMS parties require, rather than prioritize, funds for the implementation of by-catch solutions.

**Climate change:** The UK presented a revised resolution on climate change and migratory species (UNEP/CMS/Res.8.13/Rev.1). AUSTRALIA suggested inserting text on consultation with the UN Framework Convention on Climate Change (UNFCCC).

**Avian influenza:** SWITZERLAND tabled a draft resolution, endorsed by the Scientific Council and co-sponsored by France, on migratory species and highly pathogenic avian influenza (UNEP/CMS/Res.8.27) as an emerging issue. COW Chair Payet convened a working group to examine the draft.

**OUTREACH AND COMMUNICATION:** The Secretariat presented a draft resolution on the CMS outreach and communication plan (UNEP/CMS/Res.8.8), supported by the EU and WDSC. AUSTRALIA expressed concern about budgetary implications.

#### COOPERATION WITH OTHER ORGANIZATIONS:

The Secretariat introduced resolutions on cooperation among the biodiversity-related conventions (UNEP/CMS/Conf.8.15 and Res.8.11), and on synergies between CBD and CMS (UNEP/CMS/Res.8.18), noting that the latter resolution provides guidance on including migratory species considerations in national biodiversity strategies and action plans, and CBD work programmes.

#### WORKING GROUPS

**BUDGET:** In the morning, Executive Secretary Hepworth informed participants that Chair Herrenschmidt was carrying out informal consultation on the budget. In the afternoon, delegates discussed a new budget document tabled by the Secretariat, assessing the saving options on measures to improve the financial position of the CMS Trust Fund (UNEP/CMS/Conf.8.19).

**AVIAN INFLUENZA:** In the evening, a working group co-chaired by Reinhard Schnidrig (Switzerland) and Ward Hagemeyer (Wetlands International), decided to include language in the draft resolution asking the Scientific Council to examine the role of migratory species in transmitting diseases in general, and on seeking cooperation with CBD to consider using the Clearing-House Mechanism to facilitate risk assessment and reduction.

Both working groups will reconvene on Thursday.

#### ASIAN HOUBARA BUSTARD SPECIAL SESSION

CMS Executive Secretary Hepworth introduced the special plenary session on the Asian Houbara bustard agreement (UNEP/CMS/HB/1 to 7 and Inf.1 to 5), with the purpose of finalizing the agreement's text, to be formalized during a successive meeting in the region. The plenary elected Hany Tatwany (Saudi Arabia) as chair of the special session. On ALGERIA's question about the exclusion of the North African population of the Houbara bustard, Chair Tatwany clarified that this population is not migratory according to CMS criteria. INDIA stressed the need for sound scientific information on long-term population trends.

On the proposed agreement text (CMS/HB/4), IRAN noted its intention to submit amendments to its provisions on the agreement's scope, general conservation measures and the technical committee. Chair Tatwany, the Secretariat and the INTERNATIONAL ASSOCIATION FOR FALCONRY AND CONSERVATION OF BIRDS OF PREY urged parties not to delay signature. The UNITED ARAB EMIRATES and SYRIA expressed their willingness to sign the agreement with minor amendments to be incorporated post-signature. On the draft action plan (UNEP/CMS/HB/5), INDIA and LIBYA noted their intention to submit amendments. YEMEN indicated its intention to sign the agreement after ratifying CMS, but the Secretariat explained that CMS membership is not necessary for signing an agreement. MOROCCO urged delegates to reach a similar agreement on the African Houbara bustard. Chair Tatwany said the Asian Houbara bustard agreement will be revisited by the plenary on Friday.

#### IN THE CORRIDORS

As COP-8 rounded the halfway buoy, corridors were abuzz with the conservation of cetaceans and sharks. Some delegates preferred keeping the mandate of CMS and RFMOs and other relevant international organizations separate, while others welcomed the Convention's involvement as the only conservation-centered global treaty that can protect marine mammals and sharks. While one delegate reminisced about the passionate debates on the Great White shark during COP-7, talks continued over drinks at a "whale of a party" hosted by WDSC in the grounds of Gigiri.