



CMS COP-7 HIGHLIGHTS TUESDAY, 24 SEPTEMBER 2002

The Committee of the Whole (COW) met in the morning to resolve pending issues, including 12 resolutions, 8 recommendations, and amendments to Appendices I and II. The Plenary convened in the afternoon to, *inter alia*, accept the Credentials Committee's report, elect regional officers, and adopt the meeting's resolutions, recommendations and amendments to Appendices.

COMMITTEE OF THE WHOLE

RESOLUTIONS AND RECOMMENDATIONS: COW

Chair Ignacio reminded delegates that the draft resolutions on Concerted Actions for Appendix I Species (UNEP/CMS/Res.7.1), Cooperation with other Bodies and Processes (UNEP/CMS/Res.7.5), and Date, Venue and Funding of COP-8 (UNEP/CMS/Res.7.9 (Rev.1)) had been endorsed without amendments.

The COW endorsed draft resolutions on Institutional Arrangements: Scientific Council (UNEP/CMS/Res.7.6 (Rev.1)); the Headquarters Agreement for and Juridical Personality of the CMS Secretariat (UNEP/CMS/Res.7.8 (Rev.1)); Impact Assessment and Migratory Species (UNEP/CMS/Res.7.10 (Rev.1)), and the WSSD Implications for the CMS (UNEP/CMS/Res.7.14 (Rev.1)), with amendments.

Agreements: On the draft resolution on the Implementation of Existing Agreements and Development of Future Agreements (UNEP/CMS/Res.7.2), the NETHERLANDS and GERMANY questioned the need for an Aquatic Warbler MOU. CHAD and MOROCCO proposed a MOU on Sahelo-Saharan Antelopes. Stating that sturgeons are covered by CITES, GERMANY also questioned the need for a CMS instrument on sturgeons. Scientific Council Chair Galbraith said that the Council supported the inclusion of dugongs in a CMS instrument on small cetaceans in South-East Asia. The COW endorsed the draft resolution without amendments, with THE NETHERLANDS requesting that his reservations be recorded in the final meeting report.

Information Management Plan (IMP): Concerning the draft resolution on the Implementation of the CMS IMP (UNEP/CMS/Res.7.4 (Rev.1)), NIGERIA highlighted the usefulness of the IMP in Africa and called for funding to carry out the IMP. NORWAY and CAMEROON expressed concern that there may not be enough available funding. CMS Deputy Executive Secretary Hykle noted that the Budget Working Group proposed financing the IMP with voluntary contributions or with the Trust Fund surplus. FRANCE, supported by UNEP, encouraged synergies with other databases, particularly the CBD's Clearing-House Mechanism and the Global Biodiversity Information Forum. GERMANY noted that the GROMS is useful for countries with limited internet access.

TANZANIA emphasized that the provision of technical capacity will help developing countries implement the Convention "more effectively."

Oil Pollution: On the draft resolution on Oil Pollution and Migratory Species (UNEP/CMS/Res.7.11 (Rev.1)), INDIA suggested emphasis on the need to encourage industries to pay for environmental damage and biodiversity loss. He stressed the need to ensure that oil refineries are not constructed near migratory species habitats and that oil pipelines do not pass in such habitats. The COW endorsed a UK proposal to refer to the "polluter pays" principle with regard to industries, and a proposal by Denmark to include the precautionary principle in regard to oil distillations and pipelines. The UK, supported by GERMANY, and opposed by BULGARIA, suggested that the call for oil spills response measures be qualified for the benefit of those States that have already adopted such measures. GERMANY proposed reference to oil wastes as hazardous to biodiversity.

Electrocution of Migratory Birds: Addressing concerns expressed by ZIMBABWE and INDIA over the draft resolution on Electrocution of Migratory Birds (UNEP/CMS/Res.7.12 (Rev.1)), GERMANY explained that the Drafting Group's decision to exclude high-voltage power lines and collision with power lines had been motivated by the need to address pressing issues and by the minor threat of high-voltage lines to birds. Following consultations with India, GERMANY proposed reference to diversion of new and existing power lines from areas where large numbers of birds regularly fly at low altitude. The UK, supported by DENMARK, BANGLADESH and FINLAND, objected, saying the Convention could not impose restrictions on the location of power lines. INDIA agreed to withdraw the proposal, but requested that its position be recorded in the final report. The COW endorsed the resolution with no further amendments.

Wind Turbines: The COW endorsed the draft resolution on Wind Turbines and Migratory Species (UNEP/CMS/Res.7.13 (Rev.1)), with added reference to: the Bergen Declaration of the Fifth International North Sea Conference; taking account of environmental impact data, monitoring information and experience on planning processes when developing wind farms; and identification of areas where migratory species are vulnerable to wind turbines.

The COW nominated Switzerland as Chair of the open-ended Strategic Plan Working Group, and included reference to Switzerland in the draft resolution on the Implementation of the CMS Strategic Plan (UNEP/CMS/Res.7.3). The COW endorsed the resolution as amended.

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Species Specific Resolutions and Recommendations: The COW endorsed the draft recommendations on Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa (UNEP/CMS/Rec.7.3 (Rev.1)), with minor amendments, and on Improving the Conservation Status of the Leatherback Turtles (UNEP/CMS/Rec.7.6 (Rev.1)), with added reference to Resolution 6.2 and Recommendation 7.2 on by-catch. The COW endorsed a draft recommendation, proposed by THE PHILIPPINES, on Regional Coordination for Small Cetaceans of South-East Asia and Adjacent Waters (UNEP/CMS/Rec.7.8), with inclusion of INDIA in the list of Range States. The COW also endorsed without amendments the draft resolution on Future Action on the Antarctic Minke, Bryde's and Pygmy Right Whales (UNEP/CMS/Res.7.15 (Rev.1)) and the recommendation on a Range State Agreement for Dugong Conservation (UNEP/CMS/Rec.7.7). The COW endorsed the draft recommendation on the Implementation of Resolution 6.2 on By-catch (UNEP/CMS/Rec.7.2) with amendments proposed by the EU, including stating that by-catch is "one of the major causes of mortality of marine migratory species" as opposed to "one of the greatest threats".

American Pacific Flyway: On the draft recommendation on the American Pacific Flyway Program (UNEP/CMS/Rec.7.4 (Rev.1)), ZIMBABWE proposed the inclusion of raptors in the resolution. The COW endorsed the draft recommendation without the proposed amendment.

Central Indian Flyway: PAKISTAN stressed its reservations to the Indian-proposed recommendation on the Central Asian-Indian Flyway Initiative (UNEP/CMS/Rec.7.5 (Rev.1)). In view of the difficulties in reaching agreement and the pending conclusion of the meeting, INDIA withdrew its proposal with the understanding that its reasons for doing so would be reflected in the final COP report.

Budget: On Financial and Administrative Matters (UNEP/CMS/Res.7.7), Budget Working Group Chair Vagg outlined a new budget proposal with amended annexes, entailing a 5.96% increase in Party contributions over the next triennium. He noted that the budget would allow for, *inter alia*, the creation of a new inter-agency liaison officer that would provide more resources for regional development. NORWAY expressed concern about depleting the Trust Fund surplus, and supported a higher budget increase. Regarding the scale of contributions, ARGENTINA requested a reduction due to its severe economic crisis. The COW endorsed the draft resolution. The UK expressed frustration with the unconventional accounting practices encountered during the budget work.

PLENARY

CREDENTIALS COMMITTEE: Credentials Committee Chair Tatwany said that the credentials of 50 Parties out of 67 registered to the meeting had been accepted. He added that credentials of four Parties were acceptable, that four did not submit credentials, and that some observers presented credentials. He proposed that the eight Parties that had submitted credentials in fax or copy form send the original documents before 8 October 2002. The Plenary adopted the report.

ELECTION OF OFFICERS: The Plenary elected the following regional officers and alternates to the Standing Committee: Kenya and Morocco as representatives, and Tanzania and Chad as alternates (Africa); Sri Lanka and Saudi Arabia (Asia); Chile and Peru (America and the Caribbean); the UK and Ukraine as representatives, and Monaco and Hungary as alternates (Europe); and Australia and New Zealand (Oceania).

ADOPTION OF RESOLUTIONS AND RECOMMENDATIONS: Hykle reviewed the written and oral amendments introduced in earlier discussions of draft resolutions and recommendations. COW Chair Ignacio confirmed that the COW had endorsed the amended draft resolutions. The COP adopted the resolutions and recommendations as endorsed by the COW.

AMENDMENTS TO APPENDICES I AND II: COW Chair Ignacio noted strong objections to listing certain whale species in Appendices I and II, and turtledoves in Appendix II. Clarifying that none of the whale species proposed for listing by Australia are of interest to Norwegian whaling, and highlighting the lack of scientific knowledge and the need to avoid the duplication of efforts with other international fora, NORWAY reiterated its objection to listing whales in Appendices I and II. He said that a vote would not be necessary, but requested that his reservation be recorded. DENMARK asked that a formal reservation to listing any whale species on the Appendices be placed on record with regard to the Faeroe Islands. AUSTRALIA explained that great whales are not only threatened by whaling, but also by, *inter alia*: increasing volume of debris; entanglement in fishing gear; chemical pollution; noise pollution from industrial and military activities; and collision with ships. Supported by the ACCOBAMS Secretariat and the WHALE AND DOLPHIN CONSERVATION SOCIETY, AUSTRALIA acknowledged efforts under other fora, but stressed the need for an integrated approach to the conservation and management of great whales.

Concerning turtledoves, MALI requested that his objection to list turtledoves on Appendix II be placed on record, but agreed to cooperate with Range States. MOROCCO, on behalf of EGYPT and FRANCE, asked that the COP report include a motion stating that they agreed in principle to list turtledoves on Appendix II, and requested a report to clarify their conservation status and help develop a cooperative agreement.

The Plenary adopted all proposals by acclamation. Hykle noted that remaining brackets regarding concerted and cooperative actions for whale species would be deleted.

DATE AND VENUE OF COP-8: On the Date, Venue and Funding of COP-8 (UNEP/CMS/Res.7.9 (Rev.1)), CMS Executive Secretary Müller-Helmbrecht called for invitations from Parties to host the next COP meeting.

OTHER MATTERS: The Plenary affirmed by acclamation the appointment of John O'Sullivan as Scientific Councillor for birds.

ADOPTION OF THE COP REPORT: As a result of unavailability of translated versions of the meeting's COP report, the Plenary accepted the proposal that comments on the report be sent to the Secretariat within two weeks.

Chair Altmann commended delegates for making good progress on migratory species conservation, thanked delegates for their cooperation, and closed the meeting at 6:45 pm.

IN THE CORRIDORS

Anticipating a potentially late night of contentious debate on whales, turtledoves and the budget, delegates were happy that the issues were resolved quickly in the spirit of cooperation. Many participants hoped that the same spirit would carry through to the following AEWA meeting. Some delegates who are attending both meetings expect the now familiar Aquatic Warbler and the American-Pacific Flyway Program issues, as well as lead-shot and action plans to be some of the "hot spots" for discussion.

THINGS TO LOOK FOR TODAY

AEWA: The second Meeting of the Parties (MOP-2) of the African-Eurasian Waterbird Agreement (AEWA) opens at 9:30 am in the Plenary Hall.