



SUMMARY OF THE SEVENTH CONFERENCE OF THE PARTIES TO THE CONVENTION ON MIGRATORY SPECIES OF WILD ANIMALS AND THE SECOND MEETING OF THE PARTIES TO THE AFRICAN-EURASIAN MIGRATORY WATERBIRDS AGREEMENT: 18-27 SEPTEMBER 2002

The seventh Conference of the Parties (COP-7) to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held from 18-24 September 2002, in Bonn, Germany. The meeting, attended by approximately 300 participants, representing 70 countries, 17 inter-governmental organizations (IGOs), and 28 non-governmental organizations (NGOs) discussed, *inter alia*, amendments to the Convention's Appendices, measures to improve the conservation status of Appendix I and II species; institutional, financial and administrative arrangements; and reviewed the implementation of the CMS's current agreements, and developments for future agreements.

The 11th Meeting of the CMS Scientific Council and the 24th Meeting of the CMS Standing Committee were held prior to COP-7 on 14-17 September and 17 September, respectively. The second Meeting of the Parties (MOP-2) to the African-Eurasian Waterbird Agreement (AEWA) followed CMS COP-7 on 25-27 September.

CMS COP-7 started on a high note with the signing of a headquarters Agreement between the German Government and the CMS Secretariat, which officially established Bonn as the CMS Secretariat's headquarters, the signing of several Memoranda of Understanding (MOUs), and the addition of 15 new Parties to the Convention. By meeting's end, 37 species were added to Appendices I and II; 20 on Appendix I and 21 on Appendix II. The Fin, Sei and Sperm whales, and the Great White Shark were listed on both. However, the rapidly growing Convention, offset by a restricted budget, will have significant implications for the CMS Secretariat's ability to carry out its ambitious agenda, developing countries' ability to implement their Convention obligations, and future projects to be developed.

A BRIEF HISTORY OF THE CONVENTION ON MIGRATORY SPECIES

Migratory species are vulnerable to a wide range of threats, including habitat loss in breeding areas, over hunting along migration routes, and degradation of their feeding grounds. In 1972, the United Nations Conference on the Human Environment recognized the need to cooperate on the conservation of animals that migrate across national boundaries or between areas under national jurisdiction. The former West German government, with the World Conservation Union (IUCN), initiated negotiations on a convention, which led to the conclusion of the CMS. The CMS, also known as the Bonn Convention, was adopted in 1979 and entered into force on 1 November 1983. With the recent accession of Libya to the Convention in June 2002, the CMS now has 80 Parties.

The CMS recognizes that States must be the protectors of migratory species that live within or pass through their national jurisdictions, and aims to conserve terrestrial, marine and avian migratory species throughout their ranges. It was designed to allow for expansion and revision of commitments and to provide a framework for the future negotiation of species-specific sub-agreements that would address the problems unique to particular migratory species. Under the Convention, Parties may adopt stricter protection measures for migratory species characterized as being in danger of extinction throughout all or a significant portion of their ranges (species listed in Appendix I); conclude agreements for the conservation and management of migratory species that have an unfavorable conservation status or would benefit significantly from international cooperation (species listed in Appendix II); and carry out joint research and monitoring activities.

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More than 100 endangered migratory species are listed in Appendix I of the Convention, including the Siberian Crane, Hawksbill Turtle, Mediterranean Monk Seal, Dama Gazelle, and some great whale species. Range States Parties must endeavor to conserve and, where feasible and appropriate, restore those habitats that are necessary to remove the threat of extinction. These States must endeavor to prevent, remove, compensate for or minimize the adverse effects of activities or obstacles that impede or prevent migration, and prevent, reduce and control factors that are endangering or are likely to further endanger the species. The CMS prohibits the taking of species listed in Appendix I, with exemptions for scientific purposes, improvement of propagation or survival of the species, traditional subsistence use, and extraordinary circumstances.

The CMS provides for the development of regional agreements for species listed in Appendix II. To date, six agreements and six MOUs have been concluded. Those instruments are open to all Range States, regardless of whether they are Parties to the Convention. The operational bodies of the CMS include the COP, the Standing Committee, the Scientific Council and a Secretariat provided by the United National Environment Programme (UNEP). The COP meets every two-and-a-half to three years to review and amend Appendices I and II, and review the Convention's implementation.

COP-5: The fifth meeting of the Conference of the Parties (COP-5) convened in Geneva, Switzerland, from 10-16 April 1997. COP-5 added 21 species to Appendix I and 22 species to Appendix II, and adopted a resolution identifying the Lesser Kestrel, Andean Flamingo, Puna Flamingo, Lesser White-fronted Goose and Mountain Gorilla as species for concerted actions. It also adopted resolutions on draft guidelines for the harmonization of future agreements, and on financial and administrative matters. The COP endorsed Action Plans for selected migratory birds listed in Appendices I and II, cooperative actions for Appendix II species, development of an Action Plan for the Great Cormorant in the African-Eurasian region and noted progress on the Agreement on the Conservation and Management of the Houbara Bustard.

COP-6: COP-6 was held in Cape Town, South Africa, from 4-16 November 1999. COP-6 adopted resolutions on: institutional arrangements; financial and administrative matters; by-catch; information management; the Southern Hemisphere Albatross conservation; and concerted actions for Appendix I species. Seven species were added to Appendix I, including six rare birds, as well as manatees of the marine areas of Panama and Honduras. Thirty-one species were added under Appendix II, including dolphins of South-East Asia, seven species of petrel, sturgeon and paddlefish species, and the Whale Shark. Recommendations were approved on cooperative actions for some Appendix II species, including Sahelo-Saharan Antelopes, the African Elephant, Houbara and Great Bustards, and Marine Turtles. Five additional Range States signed the MOU on the Conservation of Marine Turtles of the Atlantic Coast of Africa.

AEWA MOP-1: The First Meeting of the Parties (MOP) of the African-Eurasian Waterbird Agreement (AEWA) met in Cape Town, South Africa, from 7-9 November 1999. AEWA MOP-1 established the permanent AEWA Secretariat and Technical Committee, adopted a budget for 2000-2002, expanded its Action Plan to include all AEWA species and adopted Conservation Guidelines.

CMS CONSERVATION AGREEMENTS AND MOUS

SEALS IN THE WADDEN SEA: The Agreement on the Conservation of Seals in the Wadden Sea was concluded in 1990 and entered into force on 1 October 1991. A response to a steep decline in the Wadden Sea Seal population, the Agreement provides for a conservation and management plan, coordination of research and monitoring, habitat protection, pollution reduction and public awareness efforts.

SMALL CETACEANS OF THE BALTIC AND NORTH SEAS: The Agreement on Small Cetaceans of the Baltic and North Seas (ASCOBANS) covers all small cetaceans, including species and sub-species of toothed whales, except Sperm Whales. The Agreement, which was concluded in September 1991 and entered into force on 29 March 1994, encourages cooperation among Range States with respect to habitat conservation and management, pollution mitigation, surveys and research.

BATS IN EUROPE: The Agreement on the Conservation of Bats in Europe (EUROBATS) was concluded in September 1991 and entered into force on 16 January 1994. Parties agreed to: prohibit the deliberate capture, keeping or killing of bats; identify and protect important conservation sites; consider potential side effects of pesticides on bats; and promote research programmes on the conservation and management of bats.

AFRICAN-EURASIAN WATERBIRDS AGREEMENT: AEWA is the largest agreement under the CMS, covering hundreds of bird species of birds ecologically dependent on wetlands in Africa and Eurasia, including the Middle East, Greenland and parts of Canada. The AEWA Action Plan details a wide range of conservation actions and addresses key issues such as species and habitat conservation, management of human activities, research and monitoring, education and information, and implementation. The AEWA was concluded in June 1995 and entered into force on 1 November 1999.

CETACEANS OF THE BLACK SEA, MEDITERRANEAN AND CONTIGUOUS ATLANTIC AREA: The Agreement on Cetaceans of the Black Sea, Mediterranean and Contiguous Atlantic Area (ACCOBAMS) requires signatories to, *inter alia*: protect dolphins, porpoises and whales; establish a network of protected areas important to their feeding, breeding and calving; enforce legislation to prevent the deliberate taking of cetaceans by vessels under their flag or within their jurisdiction; and carry out research and monitoring. ACCOBAMS was concluded in November 1996 and entered into force on 1 June 2001.

ALBATROSSES AND PETRELS: The Agreement on the Conservation of Albatrosses and Petrels (ACAP) was opened for signature in Canberra, Australia, on 19 June 2001. It has been signed by eight countries and ratified by Australia and New Zealand. It is expected to enter into force in 2003.

SIBERIAN CRANE: The MOU concerning Conservation Measures for the Siberian Crane was concluded on 1 July 1993. The Range States met three times and noted at their last meeting that these populations are stable. The MOU was expanded to include China and now encompasses all populations of the Siberian Crane.

SLENDER-BILLED CURLEW: The MOU on Conservation Measures for the Slender-billed Curlew was concluded in 1994. A Slender-billed Curlew Working Group was established to coordinate conservation activities and a long-term Action Plan for the species has recently been drafted.



MARINE TURTLES: The MOU on Conservation Measures for Marine Turtles of the Atlantic Coast of Africa was open for signing in May 1999. A draft Conservation Plan outlines measures to be undertaken in the short and medium term. There are currently 14 signatories to the MOU.

GREAT BUSTARD: The MOU on the Conservation and Management of the Middle-European Population of the Great Bustard was opened for signature on 5 October 2000. It aims at strengthening international cooperation to prevent extinction of this species. To date, there are 12 signatories to the MOU.

MARINE TURTLES IN SOUTH-EAST ASIA: The MOU on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia was opened for signature in June 2001. To date, 11 States have signed the MOU, which entered into effect on 1 September 2001.

BUKHARA DEER: On 16 May 2002, Kazakhstan, Tajikistan and Turkmenistan concluded the MOU for the Conservation and Restoration of the Bukhara Deer. On 18 September 2002, Uzbekistan became the fourth signatory.

COOPERATION WITH OTHER BODIES: On 18 September 2002, the CMS Secretariat signed two MOUs with the United Nations Education, Scientific and Cultural Organization (UNESCO) and with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

AGREEMENTS UNDER DEVELOPMENT: Draft agreements are currently being developed for several migratory species, including Sahelo-Saharan Antelopes, the Houbara Bustard, the African Elephant, the Saiga Antelope and the Aquatic Warbler.

CMS COP-7 REPORT

German Minister for the Environment, Nature Conservation and Nuclear Safety Jürgen Trittin opened the joint CMS-AEWA meeting on Wednesday, 18 September 2002. Underlining climate change as a major threat to migratory species, he noted that his government has committed 500 million Euros for climate change mitigation programmes. He also emphasized the need for poverty reduction, as addressed at the World Summit on Sustainable Development (WSSD), as a prerequisite for successful species and nature conservation projects.

The Mayor of Bonn, Bärbel Dieckmann, noted that the city is home to many national and international governmental and non-governmental institutions, and highlighted the February 2002 Agreement between Germany and the United Nations (UN) to establish a UN campus in Bonn. CMS Standing Committee Chair Demetrio Ignacio (the Philippines) said challenges for CMS Parties include stimulating cooperation and enhancing activities to contribute to the WSSD 2010 target to reduce biodiversity loss. AEWA Technical Committee Chair Yousoof Mungroo (Mauritius) highlighted that the number of Parties to AEWA had doubled to 34 since MOP-1, and called on other States to join.

WWF International Director Claude Martin, on behalf of WWF, the IUCN, Birdlife International and Wetlands International, emphasized the importance of partnerships between governments, the private sector and NGOs to address transboundary conservation issues. Speaking on behalf of UNEP Executive Director Klaus Töpfer, Deputy Director Shafqat Kakakhel highlighted the role of CMS in achieving relevant WSSD targets.

Speaking on behalf of the Prince of Wales, CMS Executive Secretary Arnulf Müller-Helmbrecht lauded the CMS as a "splendid champion" to protect vulnerable species.

ORGANIZATIONAL MATTERS: CMS Deputy Executive Secretary Douglas Hykle introduced, and delegates adopted, the meeting's provisional and annotated agendas (UNEP/CMS/Conf.7.1 (Rev.1) and 7.1.1), list of documents (UNEP/CMS/Conf.7.2 (Rev.3)), the provisional schedule (UNEP/CMS/Conf.7.3), and the rules of procedure (UNEP/CMS/Conf.7.4). Hykle noted that 17 countries that were three years behind in their contributions were not eligible to vote, with the exception of Argentina, which had notified the Standing Committee of its difficult economic circumstances.

The Plenary elected: Gila Altmann, Parliamentary Secretary of State (Germany) as COP-7 Chair; Demetrio Ignacio (the Philippines) as Chair of the Committee of the Whole (COW); and Iweh Okopido, Minister of Environment (Nigeria), as COW Vice-Chair. Hany Tatwany (Saudi Arabia) was appointed Chair of the Credentials Committee.

The Plenary met daily through the week to discuss, *inter alia*, the review of implementation of the Strategic Plan for 2000-2005, conservation status of Appendix I and II species, review of Article IV agreements, synthesis of party reports, financial and administrative arrangements, the CMS information management plan, cooperation with other bodies, proposals for amendments to Appendices I and II. The Plenary established a Committee of the Whole (COW), as well as Working Groups on the Strategic Plan, the budget, the information management plan, and draft resolutions.

OPENING STATEMENTS: Bangladesh expressed hope to sign the CMS by the end of COP-7. Nepal, Vietnam, Sierra Leone and Côte d'Ivoire indicated that they would ratify before COP-8. Djibouti stated that it would join within a few weeks or months. Indonesia noted economic and other problems hindering its work on CMS ratification, but said that a consultative process had been initiated.

CMS Executive Secretary Müller-Helmbrecht noted 15 countries' accession since COP-6: the Republic of the Congo, Georgia, Uganda, New Zealand, Croatia, Tajikistan, Jordan, Moldova, Malta, The Gambia, Albania, Cyprus, Saõ Tomé and Príncipe, Lithuania and Libya. He said that Bolivia has ratified but has yet to transmit its instrument of accession to the depositary.

REPORTS OF CONVENTION-RELATED BODIES

Delegates heard reports from the Secretariat, Standing Committee, Scientific Council, and the Depositary on Wednesday, 18 September. CMS Executive Secretary Müller-Helmbrecht introduced the Secretariat's report (UNEP/CMS/Conf.7.5.1), drawing attention to: contacts made with non-Parties to encourage membership; the new Headquarters Agreement; administrative arrangements with the AEWA, ASCOBANS and EUROBATS Secretariats; and cooperation with other IGOs and NGOs.

Standing Committee Chair Ignacio introduced the Committee's report (UNEP/CMS/Conf.7.5.2), highlighting the strengthening of the CMS through, *inter alia*, the new Headquarters Agreement and recognition of the CMS as the Convention on Biological Diversity's (CBD) lead partner. He took note of the review of the Strategic Plan's implementation and welcomed the conclusion of the Agreement on the Conservation of Albatrosses and Petrels and the



MOUs on the Middle-European Population of the Great Bustard, Marine Turtles of the Indian Ocean and South-East Asia, and Bukhara Deer.

Scientific Council Chair Colin Galbraith presented the Council's report (UNEP/CMS/Conf.7.5.3), noting increased participation in the past triennium. He said the Council considered proposals for listing species in Appendices I and II, adhering strictly to scientific principles and best available knowledge.

Gerhard Adams (Germany) presented the Depositary Report (UNEP/CMS/Conf.7.5.4). He stressed Germany's strong relationship with the Secretariat, highlighting the recently signed CMS Headquarters Agreement.

REVIEW OF IMPLEMENTATION OF THE CONVENTION CMS INFORMATION MANAGEMENT PLAN:

On Friday, 20 September, CMS Deputy Executive Secretary Hykle introduced the CMS Information Management Plan (UNEP/CMS/Conf.7.6), highlighting close collaboration with the UNEP-World Conservation Monitoring Centre (WCMC) and linkages with the synthesis of national reports. UNEP-WCMC recommended linking the Plan with the CBD Clearing-House Mechanism (CHM).

Synthesis of Party Reports and Format of National

Reports: On Thursday, 19 September, CMS Deputy Executive Secretary Hykle introduced documents on the synthesis of Party reports (UNEP/CMS/Conf.7.6.1) and on the proposed format for national reports (UNEP/CMS/Conf.7.6.2). UNEP-WCMC noted that the new format would facilitate detailed reporting and the harmonization of reports under various conventions. The COW approved 31 December 2002 as a deadline to submit reports and established an Information Management Plan Working Group to review the CMS Information System.

Global Register of Migratory Species (GROMS): On Friday, 20 September, CMS Executive Secretary Müller-Helmbrecht reviewed progress on the GROMS (UNEP/CMS/Conf.7.7), suggesting that UNEP-WCMC manage the register. GROMS developer Klaus Riede (Germany) requested additional funding to develop the GROMS. The COW referred discussion on the future of GROMS to the Information Management Plan Working Group.

Information Management Plan: The Information Management Plan Working Group, chaired by Gerardo Fragoso (UNEP-WCMC), met on Friday, Saturday, and Monday. It explored ways to disseminate information contained in Party Reports, focusing on the CMS web-based library. Participants noted the financial difficulties of developing countries and others to access information. They advocated establishing an advisory board to guide the integration of GROMS within the Plan.

The COW considered a draft resolution on the Implementation of the CMS Information Management Plan (UNEP/CMS/Res.7.4 and UNEP/CMS/Res.7.4 (Rev.1)) on Tuesday, 24 September. Some delegates expressed concern over funding. France, supported by UNEP, encouraged synergies with other databases. The closing Plenary adopted the draft resolution.

Final Resolution: The final resolution (UNEP/CMS/Res.7.4 (Rev.1)), *inter alia*:

- recognizes the need to enhance the quantity and quality of information in Party reports;
- recommends that the final version of the new format for Party reports be adopted by the CMS Standing Committee; and
- welcomes the production of synthesis of Party reports for each COP.

The resolution also instructs the Secretariat to, *inter alia*:

- provide technical capacity to facilitate the transfer of knowledge on the application of the CMS Information System to developing countries;
- link relevant international organizations in order to promote synergies with other information systems;
- lead in evaluating information needs and dissemination mechanisms, particularly in developing countries; and
- consider distributing information from the CMS Information System and GROMS in a CD-ROM format.

MEASURES TO IMPROVE THE CONSERVATION

STATUS OF APPENDIX I AND II SPECIES: On Thursday, 19 September, and Saturday, 21 September, the COW debated measures to improve the conservation status of Appendix I and II species (UNEP/CMS/Conf.7.8). The COW established drafting groups on: a resolution on concerted actions for species proposed for Appendix I and II listing, chaired by Scientific Council Chair Galbraith; and resolutions and recommendations on specific conservation measures, chaired by Steve Gibson (UK), which met on Saturday, 21 September.

On Thursday, 19 September, Galbraith called for listing new species, recommended a holistic approach, and stressed benefits from cooperative actions, including with industry. Hykle highlighted consensus on a new procedure for developing review reports for potential Appendix I and II species. John O'Sullivan, proposed CMS Scientific Councillor for birds, described progress made on the conservation of the Ruddy-headed Goose, Houbara Bustard, Great Bustard, Slender-billed Curlew, Siberian Crane, Aquatic Warbler, Ferruginous Duck, White-headed Duck, White-winged Flufftail and Blue Swallow. He stressed the need for increased efforts by Parties regarding the Humboldt Penguin, Andean Flamingo, Lesser White-fronted Goose and Lesser Kestrel, and called for more concerted action and the development of a strategic approach for the coming triennium. He recalled pending recommendations to list the Black-faced Spoonbill, the Spoon-billed Sandpiper, and the Chinese-crested Tern in Appendix II.

William Perrin, CMS Scientific Councillor for cetaceans and other marine mammals, described concerted actions for the La Plata Dolphin, Marine Otter and Mediterranean Monk Seal. He noted Australia's intention to develop a regional agreement for the great whales of the South Pacific region.

Roseline Beudels, on behalf of Pierre Pfeffer, CMS Scientific Councillor for terrestrial animals, outlined concerted action regarding the South Andean Deer and Sahelo-Saharan Antelopes, and supported adding the Snow Leopard to the list of species that would benefit from concerted action.

Colin Limpus, CMS Scientific Councillor for marine turtles, highlighted the impact of commercial fishery by-catch on marine turtle populations, particularly the Leatherback and Loggerhead Turtles. He underscored the difficulty of addressing the cultural use of turtles by coastal communities. CMS Scientific Councillor for Neotropical fauna Roberto Schlatter, reported on activities and initiatives in the South American and Caribbean region, including proposed MOUs for the Andean Flamingo and Ruddy Duck.

Delegates called for more cooperative and concerted conservation projects for Atlantic Monk Seals, Lesser Kestrels, Sahelo-Saharan Antelopes, African Elephants and White-headed Ducks. Some delegates recommended that the COP take note of the WSSD



biodiversity-related outcomes and consider ways to use information provided by the Millennium Ecosystem Assessment for the integrated management of ecosystems.

Concerted Actions for Appendix I Species: On Tuesday, 24 September, the closing Plenary adopted the draft resolution, as endorsed by the COW, without amendments.

Final Resolution: The resolution (UNEP/CMS/Res.7.1):

- notes the Scientific Council's recommendation that the Snow Leopard, Black-faced Spoonbill, Spoon-billed Sandpiper, Chinese Crested-Tern, and Fin, Sei, Sperm, Blue, Humpback and Southern Right Whales, be the subject of concerted actions;
- resolves that concerted actions and preparation of review reports be carried-out for these species and others during the 2002-2005 triennium;
- endorses the Scientific Council's recommendation that activities for species be continued for a further three years; and
- endorses and instructs the Scientific Council and the Secretariat to implement the procedure for future identification and implementation of concerted actions for Appendix I species agreed by the Scientific Council at its 11th meeting.

Cooperative Actions for Appendix II Species: On Monday, 23 September, Galbraith introduced the recommendation on Cooperative Action for Appendix II Species (UNEP/CMS/Rec.7.1). The closing Plenary adopted the draft recommendation as endorsed by the COW.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.1 (Rev.1)):

- notes that some Appendix II species have an unfavorable status and require urgent international cooperation for their conservation and management, and not all such species can be expected to become the object of an Agreement;
- recommends that Parties undertake cooperative action for these species and for the Finless Porpoise, and the Chinese White, Bottlenose, Pantropical Spotted, Spinner, Irrawady and Fraser's Dolphins, the dugong, and three bird species;
- instructs the Scientific Council to prepare for each COP meeting a list of Appendix II species requiring special attention and review the current practice on identification and implementation of cooperative actions; and
- endorses the Scientific Council's recommendation that cooperative activities for species covered by previous recommendations be continued for a further three years.

The recommendation also contains a table listing species for which cooperative actions should either commence or be continued.

Impact Assessment and Migratory Species: Kenya and Hungary, in collaboration with Birdlife International, submitted a draft resolution on Impact Assessment and Migratory Species (UNEP/CMS/Res.7.10 and Conf.7.16). Birdlife International called for increasing the focus on migratory species within biodiversity-related aspects of environmental impact and strategic environmental assessments (EIA and SEA). On Tuesday, 24 September, the closing Plenary adopted the draft resolution with minor amendments, as endorsed by the COW.

Final Resolution: The resolution (UNEP/CMS/Res.7.10 (Rev.1)), *inter alia*:

- notes and welcomes other forums' decisions and guidelines on EIA and collaboration with other bodies, including CBD Decisions IV/10, V/18 and VI/7;

- emphasizes the importance of quality EIAs and SEAs as tools for implementing the CMS articles on avoiding endangerment of migratory species and on protection of Appendix I species, and as important elements to include in agreements regarding Appendix II and other species;
- urges Parties to include consideration of effects involving impediments to migration, transboundary effects on migratory species, and impacts on migratory patterns or ranges; and
- requests the Secretariat to establish cooperative links with the International Association for Impact Assessment (IAIA) and to pursue contacts with other conventions' Secretariats and bodies to evaluate the potential implications of their COP's decisions on the conservation of migratory species.

Offshore Oil Pollution and Migratory Species: On Saturday, 21 September, Germany introduced a proposed draft resolution on Offshore Oil Pollution and Migratory Species (UNEP/CMS/Res.7.11). On Monday, 23 September, Drafting Group Chair Steve Gibson (UK) reported that the Group agreed to broaden the scope of the resolution and include oil pollution from onshore activities. Some delegates proposed and others objected to including the polluter pays principle with regard to industry. The EU requested including the precautionary principle in regard of oil distillations and pipelines. The COW endorsed the draft resolution, including Germany's proposal to refer to oil wastes as hazardous to biodiversity. The closing Plenary adopted the resolution as endorsed by the COW.

Final Resolution: The resolution (UNEP/CMS/Res.7.11 (Rev.1)) calls upon Parties to: implement a monitoring process to assess the cumulative environmental impacts of oil pollution on migratory species; develop and strengthen environmental legislation, enforcement and response measures; apply and further develop guidelines for the treatment of oil-affected wildlife to rehabilitate the individuals involved; and seek appropriate partnerships with industry to address oil pollution.

The resolution also invites the Scientific Council to consider the role of the CMS in addressing oil pollution, and invites all relevant international, regional and national organizations and bodies to cooperate with CMS on the matter.

Electrocution of Migratory Birds: On Saturday, 21 September, Germany introduced a proposed draft resolution on the Electrocution of Migratory Birds (UNEP/CMS/Res.7.12). Delegates debated adding reference to collision with medium- and high-voltage power lines and electrocution from railway infrastructures. On Monday, 23 September, Drafting Group Chair Gibson explained that the Group agreed to exclude the impact of railway infrastructures, high-voltage power lines and collision with transmission lines from the scope of the resolution. India requested that its position to include diversion of new and existing power lines from areas where large numbers of birds regularly fly at low altitude be recorded in COP's final report. The COW endorsed the draft resolution without amendments and the Plenary adopted it.

Final Resolution: The resolution (UNEP/CMS/Res.7.12 (Rev.1)), *inter alia*, calls on Parties and non-Parties to: curb the increasing electrocution risk from medium-voltage transmission lines to migratory birds, and minimize this risk in the long term; include appropriate measures in legislation and other provisions for planning and consenting medium-voltage transmission lines and associated towers to minimize electrocution impacts on birds; and neutralize existing powers and parts of medium-voltage transmission lines.



The resolution encourages constructors and operators to incorporate measures for protecting migrating birds against electrocution, and requests the Secretariat to collect more information with respect to collisions and electrocutions on power lines of railway infrastructures.

Wind Turbines and Migratory Species: On Saturday, 21 September, Germany introduced a draft resolution on Offshore Wind Turbines and Migratory Species (UNEP/CMS/Res.7.13). The Drafting Group agreed to broaden the scope of the resolution to include land-based wind turbines. Monaco suggested addressing the use of wind power in regions other than the North and Baltic Seas. On Tuesday, 24 September, the COW endorsed the draft resolution, 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 bird species are vulnerable to wind turbines. The closing Plenary adopted the draft resolution as endorsed by the COW.

Final Resolution: The resolution (UNEP/CMS/Res.13 (Rev.1)), *inter alia*, calls upon Parties to:

- identify areas where migratory species are vulnerable to wind turbines;
- apply and strengthen strategic EIA procedures to identify appropriate construction sites when major wind turbine developments are planned;
- evaluate the negative ecological impacts of wind turbines, particularly on migratory species, prior to deciding upon permission;
- assess the cumulative environmental impacts of installed wind turbines on migratory species; and
- develop wind energy parks following a step-by-step approach.

The resolution also instructs the Scientific Council to assess existing potential threats from offshore wind turbines in relation to migratory mammals and birds, develop guidelines for the establishment of plants and report to COP-8.

WSSD Implications for the CMS: On Monday, 23 September, Drafting Group Chair Gibson introduced a draft resolution on WSSD Implications for the CMS (UNEP/CMS/Res.7.14). The Plenary adopted the resolution as endorsed by the COW, with minor amendments.

Final Resolution: The resolution (UNEP/CMS/Res.7.14 (Rev.1)):

- takes note of the Johannesburg Declaration on Sustainable Development;
- urges Parties and non-Parties to integrate the conservation and sustainable use, as far as consistent with the text of the Convention, of migratory species and their habitats into their policies;
- invites Parties and non-Parties to increase their efforts to link their national activities to CMS initiated, internationally agreed, concerted and coordinated programmes and actions to conserve the migratory species; and
- urges States that have not done so to sign, ratify or accede to the CMS, and where appropriate, its Agreements.

By-catch: On Saturday, 21 September, Scientific Council Chair Galbraith introduced the document on by-catch (UNEP/CMS/Conf.7.17), highlighting by-catch as one of the most serious global threats to marine migratory species. He expressed concern over the targeted hunting of species formerly considered as by-catch, and

suggested cooperation with the ASCOBANS and ACCOBAMS Secretariats. Underscoring the lack of appropriate action since COP-6, Scientific Council By-catch Working Group Chair Barry Baker (Australia) introduced the Group's recommendations. The EU recommended involving industry and seeking support from regional fisheries organizations. Some delegates called for considering other threats to marine species, including collision with, and noise from ships. The closing Plenary adopted the draft recommendation as endorsed by the COW, including preambular recognition that by-catch is one of the major causes of mortality of migratory species.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.2) calls on Range States Parties, through regional fisheries management organizations and agreements, as appropriate, to:

- compile information and take action regarding fishing activities in waters under their jurisdiction, or flagged fishing vessels under their jurisdiction or control;
- implement appropriate schemes, including onboard observers, in order to determine the impact of fisheries by-catch on migratory species;
- encourage research proposals in geographical areas where there is lack of information and which are not covered by CMS Agreements; and
- consider and implement activities to reduce the amount of discarded and lost nets and other detrimental fishing gear both within their maritime zones and on the high seas.

SPECIES SPECIFIC DECISIONS: Future Action on the Antarctic Minke, Bryde's and Pygmy Right Whales: On Tuesday, 24 September, the COW endorsed a draft resolution proposed by Australia on Future Action on the Antarctic Minke, Bryde's and Pygmy Right Whales (UNEP/CMS/Res.7.15), with minor amendments. The closing Plenary adopted the draft resolution.

Final Resolution: The resolution (UNEP/CMS/Res.7.15 (Rev.1)):

- calls on Range State Parties to take action to identify the status of great whale populations and determine the nature and scope of threats to those species, and in doing so, address the key data and information gaps in the proposals for listing those whales in CMS Appendix I;
- supports concerted actions and cooperation to ensure the conservation and recovery of all great whales listed under the CMS Appendices; and
- recommends that Parties and relevant organizations maintain and enhance conservation measures.

Regional Coordination for Small Cetaceans and Sirenians of Central and West Africa: On Tuesday, 24 September, the COW endorsed a draft recommendation on regional Coordination for Small Cetaceans and Sirenians of Central and West Africa (UNEP/CMS/Rec.7.3), with minor amendments. The closing Plenary adopted the draft recommendation as endorsed by the COW, with minor amendments.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.3 (Rev.1)), *inter alia*:

- encourages Range State Parties to consider the establishment of a MOU on small cetaceans and sirenians of Central and West Africa, and collaborative actions, including action plans;
- recognizes the need to promote the conservation of these species with civil society, including oil companies, fish and aquaculture industry, and tourist operators; and



- recommends that Range States designate a coordinator for the preparatory phase of the MOU.

American Pacific Flyway Program: On Tuesday, 24 September, Zimbabwe proposed the inclusion of raptors in the draft recommendation on the American Pacific Flyway Program (UNEP/CMS/Rec.7.4). The COW endorsed the draft recommendation without the proposed amendment. The closing Plenary adopted the recommendation as endorsed by the COW.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.4 (Rev.1)) calls on: Range State Parties and non-Parties, and the Secretariat to support further the development of the programme; and all interested Parties to consider funding once the programme is finalized and ready for implementation.

Central Asian-Indian Waterbird Flyway Initiative: On Saturday, 21 September, India underscored the benefits of the Central Asian-Indian Waterbird Flyway Initiative (UNEP/CMS/Rec.7.5) to protect important sites of migratory species in the region and called for international support for the Initiative. On Tuesday, 24 September, Pakistan stressed its reservations to the proposal, and India withdrew its proposal with the understanding that its reasons for doing so would be reflected in the COP report.

Conservation Status of the Leatherback Turtle: On Monday, 23 September, the EU requested more time to allow European governments to consider the impacts of the draft recommendation on Improving the Conservation Status of the Leatherback Turtle (UNEP/CMS/Rec.7.6). India recommended that Range States be urged not only to monitor, but also to prevent the direct harvest of the Leatherback Turtle. Scientific Council Chair Galbraith noted the need to allow traditional use of Appendix I species, while Australia and Scientific Councillor for marine mammals Perrin recommended including text on monitoring traditional harvest and preventing commercial harvest. The COW endorsed the draft resolution with an amendment replacing text on implementing a monitoring process to assess cumulative impacts of by-catch with a reference to Resolution 6.2 and Recommendation 7.2 on by-catch. The closing Plenary adopted the draft recommendation as amended by the COW.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.6 (Rev.1)), *inter alia*, urges Range States to: implement Resolution 6.2 and Recommendation 7.2 on by-catch; identify breeding and suitable index sites and establish monitoring programmes at such sites; monitor traditional harvest and prevent commercial harvest within national waters and on nesting beaches; promote activities to enhance the maintenance of secure and safe nesting habitats and activities that would increase the production of healthy, correctly imprinted leatherback turtle hatchlings of both sexes into the sea; and engage in cooperative activities with neighboring countries to promote sustainable management, including conducting training workshops to enhance the conservation and management of nesting beaches.

The recommendation also invites the Scientific Council to develop guidelines for managing sustainable and humane harvests by traditional communities, and urges signatory States to marine turtles-related CMS MOUs to give high priority to the implementation of projects to enhance the conservation status of leatherback turtles.

Agreement on Dugong Conservation: On Tuesday, 24 September, the COW endorsed an Australian proposal on an Agreement on Dugong Conservation (UNEP/CMS/Rec.7.7). The Plenary adopted the recommendation as endorsed by the COW.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.7), *inter alia*:

- urges Range State Parties to identify the conservation status of dugong populations and determine the nature and scope of threats to those populations within their national jurisdictions;
- requests Parties that know of breeding and habitat sites within their national jurisdictions to cooperate for the conservation and management of dugongs throughout the species range;
- recommends that Range States cooperate to develop and conclude a MOU and an action plan for the conservation and management of dugongs; and
- calls upon the Standing Committee and the Scientific Council to review progress and propose any appropriate urgent actions required to COP-8.

Small Cetaceans and Dugongs of South-East Asia: On Tuesday, 24 September, the Philippines introduced a draft recommendation on Regional Coordination for Small Cetaceans and Dugongs of South-East Asia and Adjacent Waters (UNEP/CMS/Rec.7.8). The COW endorsed the recommendation with minor amendments. The closing Plenary adopted the draft as amended by the COW.

Final Recommendation: The recommendation (UNEP/CMS/Rec.7.8):

- encourages all Parties and Range States to consider the establishment of an instrument of cooperation for the conservation of small cetaceans and dugongs, and the participation of all stakeholders;
- recognizes the need to promote the conservation of these species with civil society including oil companies, fish and aquaculture industries, and tourist operators; and
- recommends that Range States designate a coordinator for the preparatory phase of the instrument.

REVIEW OF ARTICLE IV (APPENDIX II) AGREEMENTS: Discussion on agreements already concluded (UNEP/CMS/Conf.7.9.1), took place on Thursday, 19 September. The Secretariat of the Agreement on the Conservation of Seals in the Wadden Sea noted the development of a revised Seal Management Plan. The EUROBATS Secretariat welcomed the doubling of its membership to 26 in the past four years and encouraged the conclusion of bats agreements for other regions. The ASCOBANS Secretariat said a recovery plan had been finalized and opened for signature. The ACCOBAMS Secretariat highlighted the establishment of subregional coordination units and capacity-building activities.

On the Agreement on the Conservation of Albatrosses and Petrels (ACAP), Australia expressed optimism that the Agreement would enter into force in 2003. On the Siberian Crane MOU, CMS Deputy Executive Secretary Hykle noted that new, comprehensive conservation plans had recently been developed. He also highlighted that the MOU concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa has 19 signatories out of 25 Range States. He said the success of the MOU on Marine Turtles and their Habitats of the Indian Ocean and South-East Asia is dependent on voluntary contributions. Regarding the Slender-billed Curlew MOU, Birdlife International explained the difficulties encountered in studying this rare bird. CMS Executive Secretary Müller-Helmbrecht noted that there are already ten signatories to the Great Bustard MOU, and that all Range States have signed the Bukhara Deer MOU.



On Thursday, 19 September, the COW discussed the Development of Future Agreements (UNEP/CMS/Conf.7.9.2) for the following species: Houbara Bustard, Aquatic Warbler, and Sand Grouse; small cetaceans and manatees in tropical West Africa; small cetaceans in South-East Asia; whales, dugongs and marine turtles of the Pacific Sea; and Sahelo-Saharan Antelopes, Saiga Antelope, Mongolian Gazelle, and the African Elephant in Western and Central Africa. Noting that sturgeons are covered by CITES, Germany questioned the need for a CMS instrument on this species, and, with the Netherlands, opposed an Aquatic Warbler MOU.

As part of the draft resolution on the implementation of Existing Agreements and Development of Future Agreements (UNEP/CMS/Res.7.2), Müller-Helmbrecht introduced a document on Guidelines on the Harmonization of Future Agreements (UNEP/CMS/Conf.7.9.3) on Friday, 20 September. Germany suggested that guidelines should promote the development of regional instruments.

The draft resolution on the Implementation of Agreements was endorsed, without amendments, by the COW on Tuesday, 24 September, and adopted by the closing Plenary.

Final Resolution: With regard to agreements already concluded, the resolution (UNEP/CMS/Res.7.2), *inter alia*, encourages the examination and further use of CMS Agreements by all relevant stakeholders; encourages the Secretariat to continue exploring partnerships with relevant organizations for the provision of Secretariat services to the MOUs; and calls on Range States to sign, ratify or accede to CMS Agreements and implement them.

On agreements under development, the resolution, *inter alia*: welcomes and endorses current developments regarding the Houbara Bustard, the Aquatic Warbler, and the Sand Grouse. It also calls on Range States to develop a CMS instrument on sturgeons, urges the resumption of cooperation between interested actors, and invites closer collaboration with CITES on this species.

The resolution further endorses, supports, and encourages activities for the development of MOUs or agreements for Marine Turtles of the Pacific Ocean, Small Cetaceans in South-East Asia, dugongs, Sahelo-Saharan Antelopes, and Saiga Antelope. The resolution also supports coordination with the Range States of the Mongolian Gazelle to improve their conservation and sustainable use; invites the Secretariat and Scientific Council to assist the lead country in its endeavor to organize work on the African Elephant; and encourages the Secretariat to explore the potential for developing further bat agreements.

REVIEW OF IMPLEMENTATION OF THE STRATEGIC PLAN FOR 2000-2005: The COW discussed the Review of the Implementation of the Strategic Plan for 2000-2005 (UNEP/CMS/Conf.7.10) on Wednesday and Thursday, 18-19 September, before establishing a Working Group, chaired by Olivier Biber (Switzerland).

CMS Deputy Executive Secretary Hykle explained the objectives of the Strategic Plan, and stressed the need for meaningful performance indicators. Hykle recommended the development of a new strategic plan for COP-8. Reporting on the work of the Performance Working Group, the UK stated that specific targets had not been set due to a lack of firm baseline data.

The Working Group met on Thursday, 19 September, with participants discussing the objectives set out in the Review of Implementation of the Strategic Plan 2000-2005, the Millennium

Ecosystem Assessment resolution and questions forwarded by the Budget Working Group on, *inter alia*, prioritization of activities and criteria for the allocation of funds for regional agreements.

On Monday, 23 September, Biber reported to the COW that the Group did not feel competent to prioritize actions and related budget implications. Rather, the Group focused on the benefits of a strategy that would balance regional or migratory range, and ecosystem approaches. The Group offered to work intersessionally to draft a strategic plan for consideration at COP-8. On Tuesday, 24 September, the COW nominated Switzerland as Chair of the open-ended Strategic Plan Working Group. The COW endorsed, and the Plenary adopted, the draft resolution with minor additions.

Final Resolution: The Resolution (UNEP/CMS/Res.7.3) confirms the need for intersessional work on the elaboration of the next Strategic Plan and establishes an open-ended working group under the chairmanship of Switzerland to draft the next Strategic Plan for consideration by COP-8.

COOPERATION WITH OTHER BODIES: The COW considered a document on Cooperation with Other Bodies (UNEP/CMS/Conf.7.11) on Friday, 20 September. Müller-Helmbrecht highlighted progress made in networking with other international bodies. Noting that the aims of the CMS complement those of the CBD, he called for further collaboration and synergies. New Zealand recommended addressing financial implications of collaborative arrangements and considering each body's priorities. Sierra Leone supported cooperation with the United Nations Convention to Combat Desertification (UNCCD). Müller-Helmbrecht emphasized that the CMS' capacity limitations hinder its ability to liaise with regional Conventions. The COW endorsed the draft resolution on Tuesday, 24 September, and it was adopted by the closing Plenary.

Final Resolution: The resolution (UNEP/CMS/Res.7.5) recognizes the CMS as the only global mechanism that comprehensively addresses all migratory species, and that its aims complement those of other biodiversity-related international instruments. The resolution emphasizes, *inter alia*, the need for strengthening institutional linkages with partner organizations and to define the scope of the CMS' responsibility and ways to enhance their synergistic effect. The resolution, *inter alia*:

- reaffirms the CMS' interest in developing collaborative arrangements with biodiversity-related instruments and international organizations;
- endorses the CBD-CMS Joint Work Programme;
- notes that Parties have primary responsibility for implementing the CBD-CMS Joint Work Programme;
- requests the Scientific Council and the Executive Secretary to consider the Joint Work Programme when developing and implementing the Strategic Plan and work programme;
- invites Parties and IGOs to submit case studies on migratory species and their habitats, relevant to the thematic areas and cross-cutting issues under the CBD;
- invites the CMS and CBD Secretariats to collaborate in generating guidance to integrate migratory species into national biodiversity strategies and action plans and CBD work programmes; and
- invites the CMS Secretariat and UNEP-WCMC to work with the CBD Secretariat to develop a national reporting format for CBD Parties to report on their national efforts in addressing migratory species.



The resolution also: endorses the MOUs between the CMS Secretariat and the International Whaling Commission (IWC), UNESCO and CITES; notes progress made in developing joint work programmes with the Ramsar Convention and Wetlands International; encourages the Secretariat to continue establishing or intensify collaboration with other organizations; and invites the CMS Agreement Secretariats to share information and contribute to implementation of the MOUs. Regarding the Millennium Ecosystem Assessment (MA), the resolution, *inter alia*: invites the MA to integrate migratory species and their habitats into the design and execution of the Assessment; urges Parties and non-Parties to integrate consideration of relevant migratory species and their habitats into the MA sub-global assessments; and invites the MA to collaborate with the Scientific Council to examine how the MA could benefit the Convention and the Parties.

RESOLUTIONS, RECOMMENDATIONS AND AMENDMENTS TO APPENDICES I AND II

Delegates considered proposals for amendments to CMS appendices (UNEP/CMS/Conf.7.12, 7.12 Add., 7.12 Rev.1, 7.12 Rev.2, Annex and CRP.1) on Friday, 20 September.

MARINE MAMMALS: Scientific Council Chair Galbraith informed Parties that due to information gaps in the Australian proposal to list six whale species in Appendix I, the Council supported listing only three of the species (Fin Whale, Sei Whale and Sperm Whale) in both Appendices I and II, and three (Antarctic Minke Whale, Bryde's Whale and Pygmy Right Whale) in Appendix II only. Norway opposed any whale species listings, underlining that whales are already addressed by the IWC, CITES, IUCN and FAO, and noting that the rate of decline for the Sei and Fin Whale populations does not meet Appendix I criteria. Some delegates noted that other conventions address the trade and hunting of whales, while the CMS addresses their conservation and habitats. Some delegates drew attention to the precautionary principle. Norway also opposed the listing of the Killer Whale in Appendix II and the Great White Shark in Appendices I and II. Some delegates from Latin America proposed listing the South American Sea Lion and South American Fur Seal in Appendix II.

While Ghana proposed listing the West African Manatee, Peru proposed the Amazonian Manatee. Stressing the unfavorable conservation status and imminent extinction of the Gangetic River Dolphin and the Scientific Council's support for including it in Appendix I, India and others requested that attention be paid to the proposal despite its late submission to the Secretariat. Müller-Helmbrecht said that the COP-7 Bureau supported discussion of the Gangetic River Dolphin proposal by the COW, despite its late submission. On Tuesday, 24 September, the COW endorsed most proposals, but forwarded some of the great whale proposals to Plenary for further consideration.

In the closing Plenary, Norway clarified that none of the whale species proposed for listing are of interest to Norwegian whaling, and highlighted the lack of scientific knowledge. He reiterated Norway's objection to listing whales in Appendices I and II, but said that a vote would not be necessary, and requested that his reservation be recorded. Denmark asked that a formal reservation to listing any whale species in 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 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 others, she acknowledged efforts in other fora, but stressed the need for an integrated approach to the conservation and management of great whales. The Plenary adopted the proposals.

TERRESTRIAL MAMMALS: Roseline Beudels, for the CMS Scientific Councillor for terrestrial mammals, stressed the Scientific Council's approval for listing the Wild Bactrian Camel in Appendix I. She noted the unfavorable conservation status of the Asiatic Wild Ass, Goitered Gazelle and Mongolian Gazelle, and the very unfavorable status of the Saiga Antelope. She highlighted the Council's recommendation that these species be listed in Appendix II. The Plenary adopted the proposals as endorsed by the COW.

BIRDS: John O'Sullivan, proposed CMS Scientific Councillor for birds, explained that the Scientific Council had recommended 15 species for listing in Appendix I and four species for listing in Appendix II. Delegates debated listing the European Turtledove in Appendix II, with Zimbabwe and others noting that the turtledove is a common species.

On Tuesday, 24 September, during the closing Plenary, Mali requested that his objection to list turtledoves on Appendix II be placed on record, but agreed to cooperate with Range States. Morocco, with 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 the proposals as endorsed by the COW.

FINANCIAL AND ADMINISTRATIVE ARRANGEMENTS

On Thursday, 19 September, delegates considered financial and administrative matters (UNEP/CMS/Conf.7.13.1). The COW established a working group, chaired by Robert Vagg (UK), which met on five occasions. During the Working Group's discussions on Friday, 20 September, Parties agreed unanimously that the proposed budget for 2003-2005 of US\$7,732,703 was too high and should be reduced. On Saturday, 21 September, the Group met in the afternoon to discuss a revised budget proposal entailing a 16.5% increase over the previous biennium to be shared by Parties. On Monday, 23 September, the Group considered a revised 7.17% budget increase. On Tuesday, 24 September, Chair Vagg reported to the COW, noting a new budget proposal entailing a 5.96% increase in Party contributions over the next triennium. Regarding the scale of contributions, Argentina requested a reduction due to its severe economic crisis. The COW endorsed the draft resolution without any amendments. The closing Plenary adopted the resolution as endorsed by the COW.

Final Resolution: The resolution (UNEP/CMS/Res.7.7), *inter alia*, recognizes the need to strengthen the Secretariat's capacity, and notes the need for flexibility when applying the UN scale of contributions to Parties with economic difficulties. It also:

- notes the priorities outlined in the Strategic Plan;
- instructs the Standing Committee to scrutinize the status of the Trust Fund intersessionally, and assisted by the Scientific Council, to prioritize project proposals to be funded from the Trust Fund during 2003-2005;
- urges all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries;
- invites non-Parties, IGOs, NGOs and others to contribute to the Trust Fund;
- expresses concern over the outstanding unpaid pledges;



- approves the upgrading of certain staff posts; and
- requests the UNEP Executive Director to extend the duration of the Trust Fund to 31 December 2005.

The total budget, outlined in Annex 1 of the resolution, amounts to US\$5,441,289 over the 2003-2005 triennium, with US\$4,958,689 to be shared by the Parties and the rest to be withdrawn from the Trust Fund. The final budget entails, *inter alia*: the creation of a new inter-agency liaison officer that would provide more resources for regional development; COP-8 servicing and support to delegates to attend COP-8 to be funded by the Trust Fund; US\$10,000 per annum to be transferred from "Matching funds for other species" to Scientific Council strategic developments; and Information Management Plan to be funded by voluntary contributions or Trust Fund surplus. Annex 2 of the Resolution outlines the scale of contributions by Parties to the Trust Fund. Annex 3 delineates the Medium-term Plan for 2003 to 2008. Annex 4 explains the Terms of Reference for the Administration of the Trust Fund.

INSTITUTIONAL ARRANGEMENTS

HEADQUARTERS AGREEMENT AND JURIDICAL PERSONALITY, AND CO-LOCATION OF AGREEMENT SECRETARIATS: On Saturday, 21 September, CMS Executive Secretary Müller-Helmbrecht highlighted the recently signed Headquarters Agreement between Germany and the CMS (UNEP/CMS/Conf.7.14.1). He noted that the scope of the Agreement could be extended to co-located Agreements by their decision-making bodies.

Introducing a document on the co-location of Agreement Secretariats (UNEP/CMS/Conf.7.14.2), CMS Executive Secretary Müller-Helmbrecht noted that the Secretariats of the Agreements relating to Europe (ASCOBANS, AWEA and EUROBATS) have successfully co-located with the CMS Secretariat.

On Monday, 23 September, the Secretariat introduced the draft Resolution on the Headquarters Agreement and Juridical Personality (UNEP/CMS/Res.7.8). The closing Plenary adopted the amended resolution as endorsed by the COW.

Final Resolution: The resolution (UNEP/CMS/Res.7.8 (Rev.1)): endorses the Agreement between Germany, the UN and the CMS Secretariat concerning the headquarters of the CMS Secretariat and defers consideration of the Secretariat's international juridical personality until COP-8.

STANDING COMMITTEE: On Saturday, 21 September, CMS Deputy Executive Secretary Hykle introduced a document on institutional arrangements for the Standing Committee (UNEP/CMS/Conf.7.14.3). The closing Plenary elected new regional officers.

SCIENTIFIC COUNCIL: On Monday, 23 September, the Secretariat introduced a draft resolution on Institutional Arrangements for the Scientific Council (UNEP/CMS/Res.7.6). Council Chair Galbraith suggested that the core budget and the Trust Fund be added as possible resources, in addition to voluntary contributions, for financing the Council's conservation strategy. On Tuesday, 24 September, the COW endorsed, and the Plenary adopted, the resolution.

Final Resolution: The resolution (UNEP/CMS/Res.7.6 (Rev.1)) decides to formalize the involvement of the advisory bodies to CMS agreements by granting them and observer status; instructs the Scientific Council to produce a strategy on its scientific and conservation work and to develop and provide an informa-

tion pack for Parties on its *modus operandi*; decides to appoint six topical experts for the 2003-2005 triennium; and determines that expenses for the development of a scientific strategy be covered from the core budget or from voluntary contributions.

CLOSING PLENARY

The closing Plenary convened in the afternoon on Tuesday, 24 September. CMS Executive Secretary Müller-Helmbrecht introduced the draft resolution on the Date, Venue and Funding of COP-8 (UNEP/CMS/Res.7.9 (Rev.1)), stating that Parties interested in hosting the next COP should inform the Secretariat no later than 31 December 2003. It was adopted.

Credentials Committee Chair Tatwany reported that 50 of the 67 registered Parties had submitted proper credentials. He proposed that the eight Parties that had submitted credentials by fax or as a copy should forward the originals before 8 October 2002. The Plenary adopted the report without amendments.

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 (Latin America and the Caribbean); the UK and Ukraine as representatives, and Monaco and Hungary as alternates (Europe); and Australia and New Zealand (Oceania).

The Plenary then adopted all of the meeting's resolutions and recommendations. Since the draft Report of the CMS COP-7 (UNEP/CMS/Conf.7/L.1) was only available in English, it was decided that the comments on the French or Spanish versions would be incorporated by the Secretariat for final approval. Delegates adopted the Report. The Plenary also affirmed by acclamation the appointment of John O'Sullivan as Scientific Councillor for birds.

Chair Altmann thanked delegates for their valuable contributions and cooperation, and closed the meeting at 6:45 pm.

AEWA MOP-2 REPORT

Michael von Websky, Deputy Director-General, German Ministry for the Environment, Nature Conservation and Nuclear Safety, welcomed delegates to the second Meeting of the Parties (MOP-2) to the African Eurasian Migratory Waterbird Agreement (AEWA). He noted the German Government's decision to earmark one million Euros for the African-Eurasian Flyway Project. AEWA Technical Committee Chair Yousoof Mungroo thanked the German Government for its continued commitment to AEWA. CMS Executive Secretary Müller-Helmbrecht recognized AEWA as the most important CMS Agreement and highlighted several AEWA relevant CMS COP-7 outcomes, including resolutions on oil pollution, electrocution of migratory bird species, by-catch, and the CMS Information Management Plan. Robert Hepworth, on behalf of UNEP Executive Director Klaus Töpfer, highlighted the joint CMS-AEWA meeting as the first post-WSSD environmental meeting and stressed its important role in reducing biodiversity loss.

ORGANIZATIONAL MATTERS: The Plenary appointed Michael von Websky (Germany) as AEWA MOP-2 Chair, and Mbareck Diop (Senegal) as Vice Chair. The Plenary adopted the meeting's list of documents (AEWA/MOP 2.1), provisional annotated agenda (AEWA/MOP 2.2 (Rev. 1)) and provisional schedule (AEWA/MOP 2.4 (Rev.1)).



The Plenary appointed Alfousseyni Semega (Mali) as Credentials Committee Chair, Yousoof Mungroo (Mauritius) as Technical Working Group Chair and Mbareck Diop (Senegal) as Administrative and Financial Working Group Chair.

Participants approved the admission of observers (AEWA/MOP 2.5), including 26 IGOs and NGOs.

Two working groups were established to consider the meeting's agenda items. The Technical Working Group reviewed the following draft resolutions: Agreement and Action Plan amendments, conservation guidelines, phase out of lead shot and international implementation priorities. The Group also considered draft recommendations on the review of international single species action plans for the: Sociable Plover, Great Snipe, Dark-bellied Brent Goose and Black-winged Pratincole.

The Administrative and Financial Working Group examined the: Central-South Asia Flyway project, Headquarters Agreement, institutional arrangements, financial and administrative matters, small conservation grants fund, and guidelines for contributions in kind in lieu of cash.

OPENING STATEMENTS: Nepal, Togo, Algeria and Guinea Bissau assured Parties of their intention to participate in the Agreement's activities. Ukraine, Lebanon and Hungary noted their recent AEWA ratifications, while Chad and Ghana expressed hope to ratify by December 2002, Norway and Uzbekistan by 2003, and Gabon and Estonia by MOP-3. Côte d'Ivoire, Ireland, Zimbabwe, Rwanda, Nigeria, Ethiopia and Comoros also noted ongoing work toward accession.

REPORTS OF CONVENTION-RELATED BODIES

Introducing the Secretariat's report for 2000-2002 (AEWA/MOP 2.6), AEWA Executive Secretary Bert Lenten highlighted: accrual of additional funds for implementation; International Implementation Priorities for 2000-2004; and development of the African-Eurasian Flyway GEF Project.

Technical Committee Chair Mungroo introduced the Committee's report (AEWA/MOP 2.7), drawing attention to: the Committee's work on the international implementation priorities; amendments to the Action Plan; guidelines on conservation and on acceptance of contributions in kind; activities on phasing out lead shot in wetlands; establishment of the Dark-bellied Brent Goose Working Group; and drafting the 2003-2005 budget proposal. He recommended establishing an AEWA Standing Committee.

The Netherlands said that there are 33 Parties to AWEA, of which 19 are from the Eurasian Region and 14 are from the African region. He noted that Israel would become the 34th Party in November 2002.

AMENDMENTS TO THE ACTION PLAN

On Wednesday, 25 September, Derek Scott (Wetlands International) introduced a draft resolution on proposed Amendments to the Action Plan (AEWA/MOP 2.9). The draft resolution contained three proposals: by South Africa to add 11 species to Annex 2 of the Agreement and Table 1 of the Action Plan; from MOP-1 to add six species; and from the Secretariat to add 48 species so as to include all species of regular occurrence in the AEWA area.

On Thursday, 26 September, the Technical Working Group agreed that the resolution should instruct the Technical Committee to develop guidelines on long-term population decline; review and develop criteria for delimiting geographical division of species

populations; carry out work on wetland-dependent species that are not waterbirds *sensu stricto*; and reflect agreed changes to the conservation status table.

On Friday, 27 September, the closing Plenary adopted the draft resolution on Amendments to the Annexes to the Agreement (AEWA/Res.2.1/Rev.1) with amendments.

Final Resolution: The resolution (AEWA/Res.2.1/Rev.2), *inter alia*:

- agrees to include 65 species in Annex 2 of the Agreement, comprising 11 species as specified in Table 1b of document AEWA/MOP 2.9, six species as specified in Table 1c of document AEWA/MOP 2.9, and 48 species as specified in Table 1d of document AEWA/MOP 2.9;
- requests the Secretariat to monitor the implementation of the amendments and to stimulate the preparation of single- and multi-species action plans for species identified as having an unfavorable conservation status;
- requests the Technical Committee to review further development of the Agreement by including additional species of wetland birds and species traditionally considered as seabirds; and
- calls on Parties to provide necessary resources to undertake priority actions such as the drafting of single- and multi-species action plans where most needed.

REPORT ON THE AFRICAN-EURASIAN FLYWAY GEF PROJECT

On Wednesday, 25 September, Chris Baker (Wetlands International) reported on the African-Eurasian Flyway GEF Project, noting its aim of improving the conservation status of African-Eurasian Migratory Waterbirds by coordinating measures to conserve the network of sites necessary for these birds to complete their annual cycle, through establishing a network of sites, enhancing technical capacity, and improving communication.

PHASING OUT LEAD SHOT FOR HUNTING IN WETLANDS: On Wednesday, Nienke Beintema (AEWA) introduced documents on phasing out lead shot for hunting in wetlands (AEWA/MOP 2.11 and AEWA/Res.2.2). She reported large-scale die-offs due to lead ingestion by waterbirds, but noted that some countries had successfully shifted to lead-shot alternatives. On Thursday, 26 September, the Technical Working Group discussed the draft resolution. Several delegates called for financial support for implementing activities, monitoring and awareness raising programmes, especially for developing countries. The closing Plenary adopted the draft resolution (AEWA/Res.2.2/Rev.1) with minor amendments.

Final Resolution: The resolution (AEWA/Res.2.2/Rev.1), *inter alia*:

- recalls that the AEWA Action Plan states that Parties shall endeavor to phase out the use of lead shot for hunting in wetlands by 2000, and notes that implementation is insufficient in most Range States;
- concludes that the main impeding factor to compliance is a lack of information and communication, and acknowledges that some Range States lack the expertise and finances to set up information and communication networks;
- calls on Parties to: enhance their efforts to phase out the use of lead shot in wetlands, to promote communication and awareness in authorities and the hunting community, to allocate resources for relevant law enforcement, and to stimulate and facilitate the production and availability of non-



toxic shot; and report to the MOP on progress made to phase out lead shot in accordance with self-imposed and published timetables; and

- requests the Secretariat to assist developing countries and those with economies in transition to achieve the phasing out of lead shot and the Technical Committee to review the experiences of countries that have phased out lead shot and to map the situation in all Range States.

SYNTHESIS OF PARTY REPORTS: Executive Secretary Lenten noted that only ten countries had submitted national reports, of which two were non-Parties. He added that due to time constraints, the Secretariat would synthesize the reports after the meeting.

COOPERATION WITH OTHER BODIES: Lenten noted the Secretariat's cooperation with various Conventions' Secretariats and with NGOs, highlighting the draft Ramsar and CMS-AWEA Joint Work Programme (AWEA/Inf.2.4 (Rev.1)) and collaboration with Wetlands International. CMS Executive Secretary Müller-Helmbrecht invited AWEA to endorse the CMS-CBD joint work programme.

ADOPTION OF THE CONSERVATION GUIDELINES

On Wednesday, 25 September, Tomme Young (IUCN Environmental Law Center) introduced the draft guidelines on national legislation for migratory waterbird conservation (AWEA/MOP 2.12). The Technical Working Group discussed a draft resolution on Conservation Guidelines (AWEA/Res.2.3) on Thursday, 26 September. The UK and Germany suggested that the guidelines be remitted to the Technical Committee. The closing Plenary adopted the draft resolution (AWEA/Res.2.3/Rev.1).

Final Resolution: The resolution (AWEA/Res.2.3/Rev.2) takes note of the Conservation Guideline on National Legislation for Migratory Waterbirds (AWEA/MOP 2.12) and of the Conservation Guideline on Avoidance of Introductions of Non-Native Migratory Waterbird Species (AWEA/MOP 2.13), and accepts them as interim guidance for implementing the Action Plan. It also urges relevant bilateral and multilateral donor agencies to consider both guidelines, and invites multilateral environmental agreements (MEAs), including the CBD and the Ramsar Convention, to take note of the interim guidelines. The resolution further instructs the Secretariat and the Technical Committee to regularly review the existing AWEA guidelines, and the Secretariat to disseminate the interim guidelines widely and to monitor their use in implementation of the Agreement.

REVIEW AND APPROVAL OF NEW PROJECTS FOR INCLUSION IN THE REGISTER OF INTERNATIONAL PROJECTS

On Wednesday, AWEA Executive Secretary Lenten reported on the Register of International Projects (AWEA/MOP 2.14), requesting Parties to provide information on projects to the Secretariat. He added that the Technical Committee would keep the Register up to date.

AWEA INTERNATIONAL IMPLEMENTATION PRIORITIES 2000-2004 AND 2003-2007

On Wednesday, Ward Hagemeyer (Wetlands International) introduced the Report on the Performance of the AWEA International Implementation Priorities for 2000-2004 (AWEA/MOP 2.10), noting the allocation of funds for 12 out of the 33 activities for 2000-2004, and that 11 activities correspond to key GEF

Flyway Project activities. He also introduced a proposal for International Implementation Priorities for 2003-2007 (AWEA/MOP 2.19) and noted 16 new activities. On Thursday, 26 September, the Technical Working Group discussed the draft resolution on International Implementation Priorities for 2003 to 2007. The Group agreed to add reference to supporting international waterbird censuses in Africa, the Middle East and Central Asia. Switzerland proposed mentioning synergies with other organizations and giving prominence to the African-Eurasian Flyway GEF Project. The draft resolution (AWEA/Res.2.4/Rev.1) was adopted by the closing Plenary with minor amendments.

Final Resolution: The resolution (AWEA/Res.2.4/Rev.1), *inter alia*:

- notes that Parties, especially developing countries and economies in transition, require a clear prioritization of activities to apply their resources most effectively, and that prioritization would assist multilateral and bilateral donors in allocating funds for international cooperation.
- adopts the international implementation priorities for 2003-2007, as contained in document AWEA/MOP 2.19 (Rev.1);
- requests GEF support to approve the African-Eurasian Flyways GEF Project;
- notes the particular importance of identifying the key sites network and migration patterns of Agreement species and of supporting the further development of the International Waterbird Census in Africa, the Middle East and Central Asia;
- urges Parties and specialized international organizations to develop new international cooperation projects for Agreement implementation according to the priorities;
- urges Parties, the Secretariat and specialized international organizations to seek innovative mechanisms and partnerships to enable implementation of the priorities;
- requests donors to provide financial assistance to maintain and strengthen the International Waterbird Census; and
- instructs the Secretariat to: disseminate the International Implementation Priorities for 2003-2007; coordinate with related conventions and international organizations for their implementation; seek donors; and report to each MOP on progress in implementation and updated lists of priorities.

INTERNATIONAL SINGLE SPECIES ACTION PLANS SOCIABLE PLOVER, BLACK-WINGED PRATINCOLE AND GREAT SNIPE:

On Wednesday, Umberto Gallo-Orsi (Birdlife International) introduced the Sociable Plover (AWEA/MOP 2.15), Black-winged Pratincole (AWEA/MOP 2.18) and Great Snipe (AWEA/MOP 2.16) Action Plans, noting their vulnerable, data deficient and least endangered IUCN conservation status, respectively. The closing Plenary adopted the draft resolution (AWEA/MOP2/Res.2.13/Rev.1) without amendments.

Final Resolution: The resolution (AWEA/MOP 2/Res.2.13/Rev.1) adopts the International Action Plans on the Sociable Plover, the Black-winged Pratincole and the Great Snipe, and invites Range States to implement the action plans.

DARK-BELLIED BRENT GOOSE: On Wednesday Barwolt Ebbing (Alterra) introduced the Dark-bellied Brent Goose Action Plan (AWEA/MOP 2.17), highlighting measures proposed at the second meeting of the Dark-bellied Brent Goose Working Group, including identification of funding sources, and ensuring that the species' individuals are easily approachable. He noted that adoption of the Plan by AWEA would be premature until Range States accept it. The closing Plenary adopted the draft recommen-



dation (AEWA/MOP 2/Rec.2.1), with added reference to the Action Plan's interim adoption by the Standing Committee in cooperation with the Technical Committee.

Final Recommendation: The recommendation (AEWA/MOP 2/Rec.2.1/Rev.1): encourages the Dark-bellied Brent Goose Working Group to prepare the Action Plan's final draft for endorsement by Range States; calls on Parties and Range States to endorse the final draft; invites them to implement the action plan; requests Parties, Range States and organizations concerned to provide financial assistance to develop a population model; authorizes the Standing and Technical Committees to adopt the Action Plan on an interim basis; and requests that the final plan be brought to MOP-3 for formal adoption.

FORMAT FOR AEWA SPECIES ACTION PLANS: On Thursday, Umberto Gallo-Orsi (Birdlife International) introduced the document on a Format for AEWA Species Action Plans (AEWA/MOP 2.20), recommending the use of internationally agreed standards and outlining proposed chapters on biological assessment, threats, and legislation implementation. Delegates approved its inclusion in the Conservation Guidelines.

DEVELOPMENT OF THE ACTION PLAN FOR THE CENTRAL ASIAN-INDIAN FLYWAY

On Thursday Ward Hagemeyer (Wetlands International) noted the development of the Action Plan for the Central/South Asian (formerly Central Asian/Indian) Flyway (AEWA/MOP 2.20) and the intention to finalize an instrument in a meeting scheduled for 2003. In the Financial and Administrative Working Group, Lenten outlined three options: development of a new CMS agreement, extension of the AEWA area, and development of a non-legally binding instrument. The Group agreed to revisit this proposal at MOP-3.

INSTITUTIONAL ARRANGEMENTS

HEADQUARTERS AGREEMENT AND JURIDICAL PERSONALITY: The Financial and Administrative Working Group agreed to forward the draft resolution on the Headquarters Agreement for and Juridical Personality of the Agreement Secretariat (AEWA/MOP 2.22 and Res.2.11) to the Plenary, with some countries reiterating their doubts about the efficiency of the current co-location arrangements. The closing Plenary adopted the draft resolution (AEWA/MOP 2/Res.2.11/Rev.1) with the understanding that AEWA would remain a legal entity in its own right.

Final Resolution: The resolution (AEWA/Res.2.11/Rev.1) welcomes and endorses the Headquarters Agreement between the German Government, the UN and the CMS Secretariat, endorses that the Agreement shall apply *mutatis mutandis* to the AEWA Secretariat, and expresses the Parties' gratitude to the German Government for its financial and other support.

TECHNICAL COMMITTEE: On Thursday, the Administrative and Financial Working Group discussed a draft resolution on Institutional Arrangements: Technical Committee (AEWA/Res.2.5/Rev.1). The closing Plenary adopted the draft resolution with minor amendments.

Final Resolution: The resolution (AEWA/Res.2.5/Rev.1), *inter alia*:

- notes that the Technical Committee shall be comprised of nine regional representatives, as well as one from IUCN, Wetlands International, the International Council for Game and Wildlife Conservation, and experts on rural economics, game management and environmental law;

- agrees that the Committee should concentrate on providing scientific and technical advice;
- instructs the Committee to improve communication with all Range States, particularly Parties;
- decides that Parties can send one observer to Committee meetings at their own expense;
- adopts the revised Rules of Procedures in Annex 1 of the Resolution; and
- requests each Party to appoint before 1 January 2003, a suitably qualified technical expert to act as national focal point for Technical Committee matters.

STANDING COMMITTEE: On Wednesday, Technical Committee Chair Mungroo reported on the Committee's recommendation to establish a seven-member Standing Committee (AEWA/MOP 2.23 and AEWA/Res.2.6). On Thursday, 26 September, the Administrative and Financial Working Group discussed: expanding the Bureau as opposed to creating a Standing Committee; the composition of the Committee and representation issues; and the frequency of meetings. The draft resolution (AEWA/MOP 2/Res.2.6/Rev.1) was adopted in closing Plenary with minor amendments.

Final Resolution: The resolution (AEWA/MOP 2/Res.2.6/Rev.1), *inter alia*:

- considers the usefulness of a small permanent committee for matters relating to the organization of meetings and for the continuous implementation of the Agreement;
- decides to establish a Standing Committee, which shall, *inter alia*, carry out interim activity on behalf of the MOP, make recommendations for consideration at the MOP, oversee the development and execution of the Secretariat's budget and fund-raising, and the Secretariat's implementation of policy; provide guidance and advice to the Secretariat on Agreement implementation and preparation of meetings, represent the MOP vis-à-vis the Government of the host country of the Secretariat's headquarters, UNEP and other international organizations, act as Bureau at the MOP, and report to the MOP on activities carried out between ordinary sessions of the MOP;
- determines that: the MOP shall appoint seven Parties to the Committee, with at least five based on balanced geographical distribution, one from the host country of the next MOP and a representative from the Depositary; Parties that are not members of the Standing Committee are entitled to send an observer to Committee meetings at their own expense; the Chair may invite others to participate in Committee meetings as observers; the membership of the Committee shall be reviewed at each MOP and the term of office of the members nominated on a geographical basis shall expire at the close of the second MOP following that at which they were nominated; the Committee should meet at least once between MOPs; and the Committee will draw up and adopt its own Rules of Procedure; and
- requests: the Secretariat to make provision in future budgets for the payment of reasonable travel expenses of appointed Standing Committee members from developing countries and economies in transition; and Parties to provide financial assistance to those countries for sending observers to Committee meetings.



FINANCIAL ARRANGEMENTS

ADOPTION OF THE 2003-2005 BUDGET: On Thursday, the Administrative and Financial Working Group discussed the draft resolution on Financial and Administrative Matters (AEWA/Res.2.7). The Secretariat outlined the budget estimates for 2003-2005 and participants discussed minimum contributions and upgrading the Executive Secretary's post. Participants also discussed funding projects from the Trust Fund rather than from the core budget, with the understanding that no more than US\$200,000 should be withdrawn from the Trust Fund over the triennium. Some delegates warned against cutting necessary expenditures, such as MOP-related ones, and against overburdening the Trust Fund. Others questioned the inclusion of GEF project expenditures in the AEWA budget. The closing Plenary adopted the draft resolution (AEWA/Res.2.7/Rev.1).

Final Resolution: The resolution (AEWA/Res.2.7/Rev.1), *inter alia*:

- confirms that Parties shall contribute to the budget adopted at the scale agreed upon by the MOP;
- adopts the 2003-2005 budget attached as Annex 1 to the resolution;
- agrees to the scale of Parties' contributions as listed in Annex 2 of the resolution and to the *pro rata* scale for new Parties;
- agrees that US\$100 per annum is the minimum contribution;
- requests Parties, especially those that have to pay the minimum contribution, to pay promptly and in any case no later than the end of June of the year to which they relate, consider paying for the triennium in one installment;
- urges all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries and countries with economies in transition to participate in and implement the Agreement throughout the triennium;
- invites non-Parties to consider contributing to AEWA's implementation on a voluntary basis;
- approves the establishment and upgrading of two posts;
- invites Parties and UNEP to consider the feasibility of providing gratis personnel and/or Junior Professional Officers;
- requests the UNEP Executive Director to extend duration of the Trust Fund to 31 December 2005; and
- approves the terms of reference for the administration of AEWA's budget as set out in Annex III to the resolutions for 2003-2005.

Annex 1 of the Resolution details the estimated US\$1,790,937 budget for 2003-2005, of which US\$200,000 should be withdrawn from the Trust Fund to reduce Parties' contributions. Annex 2 lists the scale of contributions for 2003-2005. Annex 3 contains terms of reference for the administration of AEWA's Trust Fund.

ACCEPTING CONTRIBUTIONS IN KIND IN LIEU OF CASH TO THE BUDGET OF THE AGREEMENT: On Thursday, Lenten introduced the document on accepting contributions in kind in lieu of cash (AEWA/MOP 2.25 and AEWA/Res.2.8/Rev.1), explaining that this method is unprecedented and is intended to help Parties that have difficulties fulfilling their financial obligations. Sierra Leone suggested establishing a maximum cash-value beyond which in kind contributions could not be accepted. The Financial and Administrative Working Group agreed to forward the draft resolutions on the Guidelines for the Acceptance of Contributions in Kind in Lieu of Cash to the Budget of the Agreement (AEWA/Res.2.8/Rev.1) without amendment. The closing Plenary adopted the draft resolution.

Final Resolution: The resolution (AEWA/Res.2.8/Rev.1), *inter alia*:

- decides that contributions to the AEWA budget may be accepted in kind in lieu of cash when a Party is a country with an economy in transition or is a developing country, exceptional circumstances are demonstrated, and the nature of the contribution in kind is consistent with the needs and objectives of the Agreement;
- determines that Parties wishing to make contributions in kind in lieu of cash shall submit an official request to the Secretariat;
- authorizes the Standing Committee to decide on the request, in accordance with the criteria set out in the resolution and in cooperation with the Agreement Secretariat and UNEP; and
- further determines that any approval of contributions in kind in lieu of cash for a given Party will expire at the ordinary session of the MOP following the date of approval.

ESTABLISHMENT OF A SMALL CONSERVATION

GRANTS FUND FOR THE AGREEMENT: On establishing a Small Conservation Grants Fund (AEWA/MOP 2.26 and Res.2.9), Lenten suggested establishing another fund to ensure a sustainable replenishment of the proposed grants fund. One delegate suggested, and others opposed, that the grants be available only to least developed countries. Delegates agreed that the Standing Committee, in consultation with the Technical Committee, should review and decide upon small grant applications. Delegates also expressed concern that 13% of voluntary contributions may be taken by UNEP. Sweden stressed the need to cooperate with the Ramsar Secretariat when using the funds. The closing Plenary adopted the draft resolution as amended by the Working Group.

Final Resolution: The resolution (AEWA/Res.2.9/Rev.1):

- urges Parties and other donors to make voluntary contributions to the Agreement budget for the purpose of providing small grants for the implementation of the Agreement in eligible countries;
- decides that conditions apply to the award of grants, including: the recipient must be a developing country or a country with an economy in transition; the proposed activity must contribute to the implementation of the Agreement; the proposed activities are a response to emergencies affecting population of AEWA species and/or sites used by them; and the award for any single project will not exceed US\$15,000;
- authorizes the Standing Committee, in consultation with the Technical Committee, to review and decide upon applications;
- instructs the AEWA Secretariat to develop, in close consultation with the Ramsar Convention on Wetlands, a procedure for consideration of Small Grants Fund applications to avoid duplication of efforts;
- invites the Ramsar Convention to consider establishing a common Wetlands and Waterbirds Endowment Fund to resource both the Ramsar and the AEWA Small Grants Funds; and
- requests AEWA's Executive Director to channel the 13% overheads charge levied on voluntary contributions to the Small Grants fund back into the Fund.

DATE AND VENUE OF MOP-3

On Thursday, 26 September, the Financial and Administrative Working Group considered a draft resolution on the Date, Venue and Funding of MOP-3 (AEWA/MOP 2/Res.2.10 (Rev.1)). The closing Plenary adopted the draft resolution without amendments.



Final Resolution: The resolution (AEWA/MOP 2/Res.2.10 (Rev.1)) decides that MOP-3 should take place before the end of 2005 or early 2006, preferably after the Ramsar Convention's COP-9.

CLOSING PLENARY

On Friday, 27 September, Chair von Websky introduced the draft report of the meeting (AEWA/MOP2/L.1 and Add.1). The closing Plenary adopted the report with minor amendments.

Credentials Committee Chair Semega (Mali) reported on Parties' credentials status, noting that 21 of the 32 Parties, and 12 observer Parties' credentials were accepted. He said that the credentials of three Parties were refused.

Vice Chair Diop introduced a tribute to the organizers (AEWA/Res.2.12/Rev.1) expressing gratitude to Germany for hosting and supporting the meeting.

Chair von Websky then thanked delegates for a productive meeting, and encouraged them to continue their good work. He also thanked the AEWA and CMS Secretariats, Wetlands International and the Credential Committee's and Working Groups' Chairs. AEWA Executive Secretary Lenten thanked the participants for their good inputs, and the German Government for supporting the efforts to make the meeting a success. Chair von Websky closed the meeting at 3:30 pm.

A BRIEF ANALYSIS OF COP-7

"All multilateral environmental agreements are in the spotlight to prove themselves in the post-WSSD political climate of the 21st century." – NGO delegate at CMS COP-7

FROM JO'BURG TO BONN

The Seventh Conference of the Parties to the Convention on Migratory Species is the first international environmental meeting following the World Summit on Sustainable Development (WSSD), which was held in Johannesburg, South Africa, only weeks earlier. The impact of the WSSD, which was attended by many world leaders, and its ambitious Plan of Implementation remain to be tested. However, its influence on other environmental fora, like the CMS, was apparent. One of the meeting's resolutions, entitled appropriately enough, "Implications of the WSSD for CMS," flags relevant WSSD outcomes and urges Parties and non-Parties to integrate migratory species conservation into national policies and programmes, with particular reference to significantly reducing the current rate of biodiversity loss by 2010. It is unclear whether or not the specific target actually motivated the CMS's deliberations, especially since the agenda was set well before the WSSD. Nevertheless, delegates worked towards this goal as they listed 37 new species on the CMS appendices and adopted numerous resolutions and recommendations aimed at biodiversity loss and nature conservation.

EXPANDING BY LEAPS AND BOUNDS

The first day of the CMS was marked by the signing of three Memoranda of Understanding (MOUs) – on the Bukhara Deer, the Great Bustard and Marine Turtles of the Indian Ocean and South-East Asia. Other species-based MOUs are in the pipeline. The CMS also signed cooperation agreements with CITES and UNESCO. The signing ceremony not only signaled a successful start to the meeting, but it reaffirmed one of the Convention's main goals: concluding agreements between Range States for the conservation and management of migratory species. Other signs of success

include an increase in Party membership from 65 to 80 since the last COP, and the Secretariat hopes that number will grow to 100 by COP-8. The CMS is also pursuing stronger institutional linkages, such as developing other MOUs and joint work programmes with other international bodies, including the Convention on Biological Diversity, the Ramsar Convention on Wetlands, UNESCO and CITES. It is also beginning to expand its scope by addressing such cross-cutting issues as the relationship between migratory species and oil pollution and wind turbines. A growing CMS will certainly help to raise this Convention's international profile, and more importantly should result in the conservation of more threatened migratory species. However, while the CMS' growth may be regarded as an indication of its success, it is also possible that the CMS might be in danger of expanding beyond its means.

SHOW ME THE MONEY

The quantity and quality of the COP's new resolutions and recommendations should not be underestimated. But their success can only be achieved through the generous support – financial support in particular – of the Parties themselves. With competition for funding between environmental conventions on the up, governments were only willing to commit to a fraction of the CMS and AEWA Secretariats' proposed budget, with Parties only committing to an increase for the next triennium of 5.96% and 8.3%, respectively. The revised budget is sure to impose serious limitations on the Secretariat, on the ability of developing countries to implement their Convention obligations, and on projects to be developed. Conspicuously absent from the CMS and AEWA meetings was the United States, which is not a Party to the Convention due to its own bilateral and trilateral agreements with Canada and Mexico. However, there are some promising signs that the United States may participate in some CMS related-activities, and perhaps, one day ratify the Convention. There is no doubt that US membership would help raise the political profile of the Convention, not to mention, increase the budget.

SCIENCE VS. POLITICS

Another concern relates to the politicization of the Convention. Compared to other environmental conventions, the CMS is still seen as a conservation agreement with strong science-based input. However, some politically controversial issues have seeped in, particularly on whales. Fortunately, the debate did not become too contentious with opposing Parties agreeing to follow the CMS Scientific Council's advice of listing certain whales in Appendices I and II, and others in Appendix II only based on scientifically agreed upon criteria. It will be interesting to see if this outcome will have implications on the whale debate at the upcoming CITES COP, or within the IWC – two conventions that are much more politicized than the CMS.

FINDING ONE'S NICHE

The whale issue is a good example of the overlapping agendas of varying international agreements. Many argue that the IWC and CITES already provide enough protection for whales, and therefore, whales do not need to be addressed at the CMS. But, others see the role of CMS differently. As one delegate explained, "the IWC mitigates threats arising from whaling, and CITES addresses threats from trade, but only the CMS targets action related to the migrations of great whales, and thus it has an important and complementary role to play in creating an integrated approach to ensuring the species' ongoing survival." Although the CMS is



showing signs of finding its niche in the international biodiversity arena, as it has recently demonstrated by becoming the CBD's "lead partner" on migratory species, it will ultimately be up to the Parties and the Secretariat to build on these successes.

THINGS TO LOOK FOR BEFORE CMS COP-8

SCIENTIFIC COMMITTEE ON CETACEANS OF THE MEDITERRANEAN AND BLACK SEA: The First Scientific Committee meeting of the Agreement on Cetaceans of the Mediterranean and Black Sea (ACCOBAMS) will meet from 3-5 October 2002, in Tunis, Tunisia. For additional information, contact: ACCOBAMS Interim Secretariat; tel: +377-9315-8010; fax: +377-9350-9591; e-mail: mcvanklaveren@accobams.mc; Internet: <http://www.accobams.mc>

WORKSHOP ON INVASIVE ALIEN SPECIES: The Council of Europe and the European Section of IUCN SSC/ISSG Workshop on Invasive Alien Species on European Islands and Evolutionary Isolated Ecosystems will meet from 10-12 October 2002, in Horta, Azores, Portugal. For further information, contact: Véronique de Cussac, the Bern Convention Secretariat; tel: +33-3-9021-3476; e-mail: veronique.decussac@coe.int; Internet: <http://www.nature.coe.int>

GEF ASSEMBLY: The second Assembly of the Global Environment Facility (GEF) will convene from 16-18 October 2002, in Beijing, China. It will be preceded by a Council Meeting on 14-15 October 2002. For further information, contact: GEF Secretariat; tel: +1-202-473-0508; fax: +1-202-522-3240/3245; e-mail: secretariatofgef@worldbank.org; Internet: <http://www.gefonline.org/assembly/assembly.htm>

UNFCCC COP-8: The eighth meeting of the Conference of the Parties and the 17th meetings of the Subsidiary Bodies to the UN Framework Convention on Climate Change (UNFCCC) will convene from 23 October - 1 November 2002, in New Delhi, India. For more information contact: UNFCCC Secretariat; tel: +49-228-815-1000; fax: +49-228-815-1999; e-mail: secretariat@unfccc.int; Internet: <http://unfccc.int/cop8/>

INTERNATIONAL CONFERENCE ON MARINE

TURTLES: The International Conference on Marine Turtles will meet from 24-28 October 2002, in Rome, Italy. For further information, contact: Eladio Fernandez-Galiano, Council of Europe, Environmental Conservation Management; tel: +33-388-412259; fax: +33-388-413751; e-mail: eladio.fernandez-galiano@coe.int; Internet: <http://www.nature.coe.int>

FIFTH AFRICAN ELEPHANT DIALOGUE MEETING:

The fifth Dialogue Meeting for the African Elephant Range States under CITES will take place from 29-31 October 2002, in Santiago, Chile. For further information, contact: the CITES Secretariat; tel: +41-22-917-8139/40; fax: +41-22-797-3417; e-mail: cites@unep.ch; Internet: <http://www.cites.org>

CITES COP-12: The 12th Conference of the Parties to the Convention on International Trade in Endangered Species will convene from 3-15 November 2002, in Santiago, Chile. It will be preceded by the 47th meeting of the CITES Standing Committee, which will be held from 1-2 November 2002. For further information, contact: CITES Secretariat; tel: +41-22-917-8139/40; fax: +41-22-797-3417; e-mail: cites@unep.ch; Internet: <http://www.cites.org/eng/cop/index.shtml>

SYMPOSIUM ON BAT RESEARCH: The 32nd Annual North American Symposium on Bat Research (NASBR) will take place from 6-9 November 2002, in Burlington, Vermont, USA. For further information, contact: Tom Griffiths, Program Director, NASBR; tel: +1-309-556-3697; fax: +1-309-556-3864; e-mail: tgriff@titan.iwu.edu; Internet: <http://www.nasbr.org>

GLOBAL BIODIVERSITY FORUM: The 17th Session of the Global Biodiversity Forum will meet from 15-17 November 2002, in Valencia, Spain. For further information, contact: Caroline Martinet, IUCN; tel: +41-22-999-0001; fax: +41-22-999-0025; e-mail: caroline.martinet@iucn.org; Internet: <http://www.gbfc.ch>

RAMSAR CONVENTION COP-8: The eighth Conference of the Parties to the Ramsar Convention on Wetlands will convene from 18-26 November 2002, in Valencia, Spain. For more information, contact: Ramsar Convention Bureau; tel: +41-22-999-0170; fax: +41-22-999-0169; e-mail: ramsar@ramsar.org; Internet: http://www.ramsar.org/index_cop8.htm

BERN CONVENTION STANDING COMMITTEE: The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats will meet from 2-5 December 2002, in Strasbourg, France. For further information, contact: Véronique de Cussac, the Bern Convention Secretariat; tel: +33-3-9021-3476; e-mail: veronique.decussac@coe.int; Internet: <http://www.nature.coe.int>

BARCELONA PROTOCOL AD HOC MEETING: The *ad hoc* Meeting for Birds Species Listed in Annex II of the Protocol of Specially Protected Areas (SPA) to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean will take place from 12-13 December 2002, in Tunis, Tunisia. For further information, contact: UNEP OCA/PAC; tel: +254-2-621234; fax: +254-2-230127; e-mail: schroder.unep@un.org; Internet: <http://www.unep.ch/seas/>

CBD COP-7: The seventh Conference of the Parties (COP-7) to the Convention on Biodiversity (CBD) will meet in March 2004 in Kuala Lumpur, Malaysia. It will be preceded by a series of regional preparatory meetings (Latin America and the Caribbean, Asia and the Pacific, Africa), all taking place from 10-12 February 2004 at venues to be determined. For further information, contact: Hamdallah Zedan, Executive Secretary, CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>

WATERBIRDS CONFERENCE: The International Conference on "Waterbirds Around the World" will take place from 3-8 April 2004, in Edinburgh, Scotland. For further information, contact: Gerard C. Boere, Wetlands International, Programme Coordinator; tel: +31-317-478887; fax +31-317-478850; e-mail: boere@wetlands.agro.nl; Internet: <http://www.wetlands.org>

CMS COP-8: The eighth Conference of the Parties (COP-8) to the Convention on Migratory Species of Wild Animals is scheduled to take place in 2005. For further information, contact: CMS Secretariat; tel: +49-228-815-2402; fax: +49-228-815-2449; e-mail: cms@unep.de; Internet: <http://www.wcmc.org.uk/cms/>

AEWA MOP-3: The third Meeting of the Parties (MOP) of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) is scheduled to take place before the end of 2005 or early 2006. For further information, contact: AEWA Secretariat; tel: +49-228-815-2413; fax: +49-228-815-2450; e-mail: aewa@unep.de; Internet: <http://www.unep-wcmc.org/AEWA/>