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REVIEW OF ARTICLE IV AGREEMENTS CONCLUDED OR UNDER DEVELOPMENT

(Prepared by the Secretariat)

Overview

1. Article VII, paragraph 5(b), of the Convention requires the Conference of the Parties (COP) to review at each of its meetings progress made towards the conservation of migratory species, especially those listed on Appendices I and II. In accordance with CMS Article IX, paragraph 4(h), and COP Resolution 3.5 (Geneva, September 1991), the Secretariat is submitting a consolidated report summarizing measures carried out under Article IV of the Convention to develop and conclude Agreements. Since the last meeting of the Conference of the Parties, significant progress has been made in the negotiation and conclusion of new Agreements and the implementation of existing ones.
2. Part I of this report presents some general considerations on Agreement development and servicing.
3. Part II of this report reviews Article IV Agreements already concluded, but focuses only on five of the six Memoranda of Understanding (MoU) whose secretariat services are provided by the CMS Secretariat. Short reports from Agreements with their own permanent or interim secretariats will be reported on separately by the respective secretariats either in writing or verbally to the COP. The Agreement Secretariats that have provided a written report are:
 - Agreement on the Conservation of Seals in the Wadden Sea (UNEP/CMS/Inf. 8.14.2);
 - Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) (UNEP/CMS/Inf. 8.14.1);
 - Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA) (UNEP/CMS/Inf. 8.14.3); and
 - Agreement on the Conservation of Albatrosses and Petrels (ACAP) (UNEP/CMS/Inf. 8.14.4).
4. Part III of this report focuses on Article IV Agreements under development.
5. Strategic issues related to Agreements that have already been concluded are addressed in document UNEP/CMS/Conf. 8.25.

Part I - General considerations on Agreement development and servicing including related financial issues

6. The Conference of Parties has recognised that Agreements, including Memoranda of Understanding (MoU), represent one of the key operational tools of the Convention reinforcing the Convention's provisions on Agreement development in Articles IV and V.

7. The Seventh Meeting of the Conference of the Parties (COP7) provided a clear mandate to continue Agreement development. To date six Agreements and seven Memoranda of Understanding have entered into force/effect. As the following summary indicated indicates one draft Agreement is under development and needs to be urgently finalised (Houbara Bustard), an on-going CMS process is underway to adopt the Central Asian Flyway Action Plan and identify a legal and institutional option to support its implementation. In addition, at least six MoU are under varying degrees of development. MoUs for the Saiga Antelope and the West African populations of the African Elephant will be opened for signature during COP8.

8. The Convention's support for these initiatives helps not only the species targeted, but demonstrates the Convention's commitment to the country/region in which the instrument will apply. Agreement development and effective servicing raises the Convention's profile as a practical and operationally-oriented framework convention, and helps to bring non-Parties into the CMS family through their membership in CMS Agreements with the hope that they become CMS Parties later on.

9. Agreement development has been only moderately funded in the past triennium under budget line 3310 (Agreement Development), essentially through COP-authorized drawing down of surpluses from the Trust Fund, taking advantage of the healthy conditions of the Trust Fund in recent past years. Subsequent MoU meetings of the Range States have been funded from dedicated budget lines from the regular CMS budget.

10. It is generally accepted that the CMS Secretariat acts as the secretariat to the MoU developed under CMS auspices at no cost to the MoU signatories, the exception being the Indian Ocean-South-east Asia Marine Turtles MoU. As the number of MoU has grown, the CMS Secretariat has increasingly partnered with collaborating organisations to support it in organising Range State meetings and provide technically-oriented documentation. This has been typically funded from the appropriate meeting budget line under the CMS regular budget.

11. Furthermore, in order to better ensure that the MoU and accompanying action plans are effectively implemented, the CMS Secretariat has been developing the theory and practice of outsourced "MoU coordinators" with many of the same collaborating partner organisations, while CMS continues to provide the MoU's secretariat. This has been in line with COP7 Resolution 7.7 that encouraged "the Secretariat to continue exploring partnerships with interested organisations specialised in the conservation and management of migratory species for the provision of secretariat services for selected MoU" (COP7 Resolution 7.7, para. 1(c)). A coordinator at least in part would help to develop range-wide projects, as well as national-level projects requiring international cooperation, for funding, support regular meetings of the Range States, and undertake range-wide communication efforts to raise awareness and share information.

12. The only coordinator funded to date, in part from the CMS budget, has been that for the Siberian Crane MoU. This activity had been funded under budget line 2253 (Implementation Measures), which was also supported by drawing down the Trust Fund surplus.

13. Agreement development is not at all straightforward. Many times the Secretariat is in a reactionary mode, depending in many instances on a variety of variables, few of which the Secretariat

has control over. This is especially the case when a Range State Party may wish to initiate a process, but may not have the requisite financial and other resources to independently lead the process. This is a very common scenario exemplified by the Whale Shark.

14. Many times the Secretariat has had difficulty providing the necessary support and such decisions have been taken considering inter alia (a) whether the activity fulfils a COP request or other procedural requirements (such as a concerted or cooperative action); (b) whether the activity supports an existing CMS activity; and (c) the degree of pre-existing CMS engagement.

15. As indicated in other documents before the COP considering budget matters, it is unlikely that COP8 will be able to draw on Trust Fund surpluses to further support the Agreement development and servicing operational area as has been the case in the past. Other sources of funding would need to be considered to fund these activities for the next triennium.

16. The Secretariat requests that the Parties undertake careful consideration of Agreement development and servicing, in particular in light of the draft Strategic Plan for 2006-11. Among other things, Parties should identify solutions as regards funding this operational activity including the need for (1) meetings to develop Agreements/MoUs; (2) outsourcing of MoU coordination activities; and (3) regular meetings of MoU Range States.

17. In the reports that follow, the Secretariat has indicated, in its view, the level of priority the Convention should attach to each initiative described, along with which, if any, of the four proposed CMS Budget Scenarios would provide finance resources for the initiative.

Part II - Review of Article IV Agreements already concluded

18. This part focuses on five Memoranda of Understanding already concluded for which the CMS Secretariat provides secretariat services.

Memorandum of Understanding concerning Conservation Measures for the Siberian Crane - 1993

19. The Memorandum of Understanding concerning Conservation Measures for the Siberian Crane was concluded under CMS auspices in 1993. It was the first such instrument to be considered an Agreement under CMS Article IV (4). Originally concentrating on the highly endangered Western and Central Populations of Siberian Cranes, which migrate between breeding grounds in Western Siberia and wintering sites in Iran and India, respectively, the MoU's scope was extended in 1998 to cover the larger Eastern Population which winters around Poyang Lake, China, and accounts for over 95% of the species.

20. The Siberian Crane MoU now has 10 Signatory States: Azerbaijan, China, India, Islamic Republic of Iran, Kazakhstan, Mongolia (the latest to join), Pakistan, Russian Federation, Turkmenistan and Uzbekistan. At the time of this writing the CMS Secretariat was coordinating with the Government of Afghanistan to confirm its intention to sign the MoU during COP8.

21. The Fifth Meeting of Siberian Crane Range States had been organised on behalf of CMS by the International Crane Foundation (ICF) through the CMS/ICF Siberian Crane Flyway Coordinator in cooperation with the All Russian Research Institute for Nature Protection (ARRINP) and the Crane Working Group of Eurasia (CWGE) in Moscow, Russian Federation, in April 2004. (The four previous meetings took place in Moscow, Russian Federation, Bharatpur, India, Ramsar, Islamic Republic of Iran, and Baraboo, Wisconsin, USA between 1995 and 2001.) The revised Conservation Plans for the Western, Central and Eastern Populations were adopted by the meeting.

22. Reducing high hunting pressure is critical to the recovery of both the Western and Central Populations, which have collapsed over the past two decades. The Fifth Meeting identified strategies to more effectively enforce hunting regulations and techniques for educating hunters. Efforts in these flyways will also focus on innovative reintroduction methods, including the use of ultra-light aircraft and hang gliders.

23. Encouragingly, a captive-reared Siberian Crane was successfully released for the first time on the wintering grounds in Iran. Satellite telemetry followed the bird's migration to Dagestan where the signal stopped. Important new migration sites have been recently identified in both of these countries. At the meeting, colleagues from Afghanistan, Iran and Turkmenistan agreed to develop a joint survey to identify potential alternate wintering sites along their border areas.

24. Participants gave enthusiastic accounts of a variety of creative programmes to increase awareness and involve local communities. Highly successful and inspiring Crane Day celebrations were held in several countries between 2002 and 2004 (and have continued in 2005).

25. With approximately 3,000 birds, the remaining Eastern Population in China is far more numerous than the other two populations. Recent mid-winter counts at Poyang Lake suggest that the population may number as many as 4,000 birds. Under the UNEP-GEF Siberian Crane wetland project (see doc. UNEP/CMS/Conf. 8.23), protection has expanded to 15 county-level protection stations around the greater Poyang Lake Basin. A team of hydrologists plans to tackle water management issues at migration resting areas in northeast China, including the Zhalong and Xiangha National Nature Reserves.

26. Coordination efforts under the MoU have been strengthened significantly with the recruitment in 2002 of a dedicated Siberian Crane Flyway Officer (SCFC) based in Moscow. The SCFC is jointly funded by CMS and ICF (through the UNEP-GEF Siberian Crane Wetlands Project). The SCFC was the first to be established by CMS for an MoU and the lessons learned have been applied to CMS's and its partners' efforts to establish coordinators for other MoU.

27. The SCFC's tasks are wide-ranging. They include improving: (a) coordination of flyway level activities for the Western/Central Populations, including regular email communication of sightings and reports, as well as publication of a Siberian Crane Newsletter in English and Russian; (b) coordination with the North East Asia Crane Site Network; (c) awareness among all stakeholders including hunters, fisherman, loggers, oil and gas companies, government agencies, general public and schoolchildren; (d) support by national, regional, and local governments; and (e) data collection, management, and dissemination. The SCFC also confirms information on the location of Siberian Crane breeding, sub-adult summering, migratory resting, and wintering areas and co-organises the MoU's periodic Range State Meetings. The SCFC is also supported the organisation of the Meeting to Endorse the Proposed Western/Central Asian Site Network for Siberian Cranes (and other waterbirds) (WCASN).

28. The WCASN meeting aimed to establish the basis for an international network of sites important for the conservation and recovery of Siberian Cranes in Western and Central Asia. The site network will be established within the framework of the MoU and was agreed in principle by the Fourth Meeting of the Range States. The focused site network will pave the way for a wider network of sites for all waterbirds under the Central Asian Flyway Action Plan to Conserve Migratory Waterbirds and their Habitats (see below).

29. Nine Siberian Crane Range States were represented at the WCASN meeting (eight of which are signatories to the CMS MoU) which took place on 13 June 2005 in New Delhi. The meeting was hosted by the Government of India and convened by CMS, with organizational and technical assistance from the International Crane Foundation and Wetlands International.

30. Building on the efforts of an intersessional working group the meeting participants conceptualised the basis for the site network, proposed criteria for nominations and site selections and established an interim review committee.

31. The site network will be coordinated with related initiatives including the Central Asian Flyway project, the North East Asia Crane Site Network, the African-Eurasian Waterbird Agreement GEF Project, and the GEF Econet project in Central Asia. It will also be coordinated with CMS's efforts to adopt and implement the Central Asian Flyway Action Plan to Conserve Migratory Waterbirds and their Habitats.

Action requested:

Outstanding issues regarding the MoU's continued successful implementation, for which the guidance of the Conference of the Parties is sought, include the Convention:

- (1) Providing approximately 1/3 of the funding for the Siberian Crane Flyway Coordinator and supporting related activities (approximately US\$ 15,000 per year) in 2007 and 2008; and

Priority: High

CMS Budget Scenario: 3

- (2) Funding from the regular CMS budget for two Range State Meetings estimated to cost approximately US\$ 48,000 in 2006 and US\$ 50,000 in 2008.

Priority: High

CMS Budget Scenario: 3

Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew - 1994

32. The Slender-billed Curlew is listed in CMS Appendix I and is a concerted action species. The Slender-billed Curlew MoU entered into effect on 10 September 1994. The MoU and Action Plan are designed to conserve one of the world's rarest birds. Since its adoption, 18 of 30 Range States have become signatories (Italy was the last signatory in 2000). The CMS Secretariat, BirdLife International and the International Council for Game and Wildlife Conservation (CIC) have also signed the MoU as co-operating organisations. The Slender-billed Curlew is also listed on Appendix I of AEWA, but remains a CMS responsibility until a transfer to AEWA becomes institutionally possible and, at the same time, it can be ensured that priority attention is given relative to the bird's conservation status. The transfer process would be achieved by common agreement, and CMS would return an oversight role.

33. In 1997, the CMS Scientific Council established a Slender-billed Curlew Working Group as part of a concerted action for the species. BirdLife International has provided the Working Group's secretariat on behalf of and under contract to CMS until 2002, and continues to maintain nominal oversight of the Working Group. The Working Group will report to the Scientific Council at its 13th meeting. Highlights of its work since 2002 are noted in CMS/ScC.13/Doc.11.

34. As part of its mandate, the Working Group finalized a new version of an Action Plan in 2002 that adheres to the CMS model. It incorporates new knowledge that has become available in the course of the concerted action and incorporates the results of an experts meeting in Kiev in 2001. The CMS Secretariat anticipates circulating the Action Plan to the Range States for comments shortly.

Action requested:

Outstanding issues regarding the Slender-billed Curlew MoU's continued implementation, for which the guidance of the Conference of the Parties is sought, include the relative priority that should be given in the next triennium to:

- (1) the MoU's revitalization in light of the new consolidated Action Plan;
- (2) the desirability of transferring lead responsibility for the MoU to AEWA and related cost implications;
- (3) financial support of approximately US\$ 10,000 for coordination activities related to finalising the consolidated Action Plan; and
- (4) the priority to be given to a first meeting of the Range States in 2008 whose costs from the regular budget are estimated to be approximately US\$ 67,000.

Priority: High

CMS Budget Scenario: 3 (Action Plan finalisation); 4 (Range State Meeting)

Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard - 2000

35. The Great Bustard is listed on CMS Appendix I. It was recommended for concerted action by CMS COP Resolution 4.2. CMS COP Recommendation 6.4 noted Hungary's willingness to chair a working group while Spain would serve as vice-chair. Moreover it requested the Range States to undertake in the *Otis tarda* Working Group the necessary steps to implement, if appropriate, an MoU within the framework of the concerted action.

36. The Great Bustard MoU was opened for signature on 27 June 2000 and entered into effect on 1 June 2001. Twelve of sixteen Range States and three participating organisations (BirdLife, CIC, the CMS Secretariat and IUCN) have since signed the instrument.

37. The First Meeting of Signatory States concluded successfully on 17 September 2004 with the adoption of a Medium Term International Work Programme (MTIWP) to support the implementation of the MoU's Action Plan. Representatives of ten of the seventeen Range States, together with specialists from a number of scientific institutes and non-governmental organizations, attended the meeting in Illmitz, Austria.

38. The two-day Symposium of Great Bustard Experts from all over Europe and Part of Asia preceded the meeting on 14-15 September 2004. Over seventy experts and governmental officials attended. They provided important scientific inputs into the MoU meeting including information on the conservation status of the Great Bustard for all of Europe. The entire European population is estimated to be between 35,600 and 38,500 birds.

39. Both meetings took place at the Information Centre of the Neusiedler See National Park. The Austrian Ministry of Agriculture, Forestry, Environment and Water Management and the Neusiedler See National Park hosted the meetings. The Symposium was co-organized by the Ministry and the National Park. The Ministry, National Park and CMS co-organised the MoU Meeting.

40. In addition to adopting the new MoU MTIWP that will help to coordinate international cooperative projects within the agreement area, the Meeting agreed a national report format. It will be

used by the Signatories for future meetings to gauge the MoU's level of implementation. In addition, the Meeting agreed to expand the MoU's geographical scope and laid the basis to invite Italy, the Russian Federation and Serbia and Montenegro to join the MoU and sign it at the next meeting of the Signatory States which will take place in 2007.

41. Very encouragingly, since the First Meeting of the Range States, the CMS Secretariat has learned of three recently approved European LIFE projects to support the breeding populations of the Middle-European Population: Austria (€ 7.0 million), Slovak Republic (€ 500,000); and Hungary (€ 3.5 million).

42. In October 2005, the Austrian Ministry of Agriculture, Forestry, Environment and Water Management generously offered to provide financial support towards a coordinator for the MoU for a period of one year (starting in late 2005) with a possibility of extension. Among other things, the coordinator would support the implementation of the MTIWP. BirdLife International has agreed to act as the coordinator.

Action requested:

Outstanding issues regarding the Great Bustard MoU's continued implementation, for which the guidance of the Conference of the Parties is sought, include:

(1) financing the coordinator in 2007 and 2008, estimated respectively to cost approximately € 29,020 and € 27,050; and

Priority: High

CMS Budget Scenario: 4/External

(2) financing the next meeting of the Signatory States in 2007 estimated to cost approximately US\$ 50,000; and

Priority: High

CMS Budget Scenario: 3

Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa -1999

43. The African Atlantic Coast Marine Turtle MoU was concluded under CMS auspices in Abidjan, Côte d'Ivoire, in May 1999. Range States adopted a comprehensive Conservation Plan linked to the Memorandum in 2002. The 2002 meeting also agreed the content and format of a template for national reports, mirroring the content of the Conservation Plan. Progress was made towards the development of strategy for identifying potential funding sources for marine turtle conservation activities, from a wide Range of local, national and international donors. The Nairobi Declaration, adopted at the conclusion of the 2002 meeting, sets the stage for the MoU's further concerted implementation.

44. Since 2002, the CMS Secretariat has been actively exploring how best to support the MoU's implementation. In 2005 a breakthrough occurred when agreement was reached between CMS, Senegal, which already provides the interim secretariat for the environmental programme of the New Partnership for Africa's Development (SINEPAD), and the UNEP Division of Environmental Conventions (UNEP-DEC), to establish a coordination office for the MoU in Senegal. CMS and UNEP would provide financial support, while Senegal will provide in-kind contributions, for up to three years.

45. A Memorandum of Cooperation was signed in Dakar in October 2005 between the CMS Secretariat and the Senegalese Ministry of Environment, at the AEWAs Third Meeting of the Parties. The activities under the MoC are valued at US\$ 150,000 for the next triennium, whereby CMS and UNEP-DEC would each provide US\$ 75,000 over three years. The MoC will support the implementation of seven main components, including (1) the provision by Senegal of an MoU coordinator and an assistant hosted within SINEPAD, (2) the launch of diverse activities on marine turtles conservation and sustainable use, in the Range States. Currently, four partners are pledging funds towards the MoU: CMS, UNEP-DEC, the UNEP Regional Office for Africa and the Abidjan Convention under the UNEP Regional Seas Programme.

46. The CMS contribution for 2006 was from the 2005 budget. The CMS contribution for 2007 (US\$ 25,000) and 2008 (US\$ 25,000) would come from the regular budget.

Action requested:

Outstanding issues regarding the African Atlantic Coast Marine Turtle MoU's continued implementation, for which the guidance of the Conference of the Parties is sought include:

(1) the coordination arrangement for the MoU in 2007 and 2008; and

Priority: Very high

CMS Budget Scenario: 3

(2) the next meeting of Range States, foreseen to take place in 2007 for an estimated cost of approximately US\$ 82,000.

Priority: High

CMS Budget Scenario: 4

Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer - 2002

47. The Bukhara Deer (*Cervus elaphus bactrianus*), which is proposed for listing on CMS Appendices I and II, faces extinction from a number of human threats. Artificial regulation of the water regime of the major rivers along whose banks it resides, habitat destruction, as well as illegal hunting and poaching are the main reasons for its alarming decline in numbers. Historically the species' area of distribution included all river valleys of Amudaria and Syrdaria and all their river basins. At one time only approximately 350-450 animals remained, scattered in a few small populations in limited areas.

48. The Ministers for Environment of Kazakhstan, Tajikistan and Turkmenistan, meeting in Dushanbe, Tajikistan, concluded and signed the Bukhara Deer MoU on 16 May 2002. WWF International, the International Council for Game and Wildlife Conservation (CIC) and the CMS Secretariat signed the MoU as cooperating organisations. Uzbekistan later joined the MoU in September 2002.

49. The MoU is now 3 years old. It has provided a useful basis for Range States to focus their attention on the Bukhara Deer's conservation status while the Action Plan's implementation is proceeding and provides a useful framework for project development and execution.

50. The WWF Central Asian Programme, which took the lead in working with the Range States and CMS in developing the MoU and the Action Plan, has provided extensive support to Bukhara

Deer conservation activities that pre- and post-date the CMS MoU as part of an existing and long running multi-year project supported by WWF-Netherlands. The project, which has run since 1999, has provided € 50-70,000 a year divided amongst the four Range States for a wide variety of activities. Working together with the relevant authorities from the Range States the deer population has doubled, reintroductions have been initiated at two sites (the first group of deer was set released in August 2005 in Zarafshan, Uzbekistan) and human dimension activities have taken place.

51. Still more needs to be done. The WWF funding is not guaranteed to continue past July 2006, and has not been enough to fund all activities under the MoU Action Plan. The critical issue now therefore is ensuring enough financial and technical resources are available to build on the progress made to date. Support is especially needed for a number of large multi-year and small-scale projects.

52. Large-scale needs include:

- Rehabilitating the region's major riparian forest – Tigrovaja balka – in the upper Amu-Darya (Tajikistan), the home of the species' natural basing population. (€ 70-90,000 per year; 3-5 years).
- Developing deer farms, including a certification system for marketing. (€ 50-90,000 per farm).
- Establishing new protected areas and ecological corridors for natural deer migrations along the Amudaria as part of a transboundary system of protected areas.

53. Small-scale project needs include:

- Developing ecotourism infrastructure in the two existing re-introduction sites situated near famous centres of historical, cultural and religious interest. (€ 10-15,000 per site).
- Providing technical support for equipment to the existing zapovedniks (protected areas) where Bukhara Deer are protected.
- Establishing alternative livelihood projects for local communities premised on alternative livestock forage possibilities outside of the riparian forests used by the deer leading to forest restoration in Zerafshan Zapovednik. (€ 10,000 for feasibility study; € 20-40,000 for demonstration project).
- Re-introducing Bukhara Deer in an additional natural riparian forest habitat site. (€ 25,000 (1st year); € 15,000 per for 3-4 years).
- Establishing a regional ecological camp for schoolchildren to support on-going work with children (€ 15,000).

54. With the support of the American Zoo and Aquarium Association Cervid Taxon Advisory Group and the Minnesota Zoo US\$ 5000 was granted in 2005 by the Disney Wildlife Conservation Fund for initial work on improving deer habitats in Tigrovaja balka, Tajikistan.

55. The CMS Secretariat has assisted by soliciting funds for activities under the Action Plan in December 2003. While no CMS Party expressed interest in providing support, the World Association of Zoos and Aquaria (WAZA) generously provided US\$ 1000 that was forwarded to WWF to support census work. CMS is working with CIC to conceptualise how it could best contribute to the MoU's implementation in the region as a collaborating organisation that has signed the MoU.

56. An outstanding issue is the need for a future Range State meeting in the next triennium considering the progress being made with actions to conserve the Bukhara Deer. One possibility that will be explored by the CMS Secretariat in consultation with the Range States is the desirability of including Bukhara Deer into the agenda of a future meeting of the Interstate Sustainable Development Commission (ISDC) as a means for Range States to share progress and experience.

Action requested:

Outstanding issues regarding the Bukhara Deer MoU's continued implementation, for which the guidance of the Conference of the Parties is sought, include:

- (1) Securing financial resources to support the Action Plan's implementation; and
- (2) the first meeting of MoU Range States in 2007 estimated to cost approximately US\$ 34,500.

Priority: High

CMS Budget Scenario: 4

Memorandum of Understanding concerning Conservation Measures for the Aquatic Warbler (Acrocephalus paludicola) - 2003

57. The Aquatic Warbler (*Acrocephalus paludicola*) - a small passerine bird, migrating up to twelve thousand kilometres from Eastern Europe to sub-Saharan Africa - is listed in CMS Appendix I. It was listed for concerted action in 1999. Over half of the world population of this species breeds and spends part of the year in the marshes and fen mires of Belarus with other major sub-populations found in Poland and Ukraine.

58. Over half of the known breeding population of 12,000-19,000 vocalizing males has been discovered only in the last decade thanks to tremendous work of the BirdLife International Aquatic Warbler Conservation Team (AWCT) chaired by Dr. Martin Flade (Germany). Astoundingly, Aquatic Warbler wintering grounds have yet to be identified at all.

59. Throughout 2001 and 2002, BirdLife International worked closely with the CMS Secretariat to develop a draft Aquatic Warbler MoU. An international meeting was held in Minsk, Belarus, from 29 to 30 April 2003, to negotiate and adopt the MoU. Belarussian Minister of Natural Resources and Environmental Protection, Leonty I. Khoruzhik, hosted and chaired the meeting, in cooperation with the CMS Secretariat, BirdLife International, Akhova Ptushak Belarusi (the BirdLife International Partner in Belarus), the Royal Society for the Protection of Birds (UK) and the United Nations Development Programme. The MoU was opened for signature during the meeting, signed by delegates from nine Range States and entered into effect the same day on 30 April 2003. The CMS Secretariat and BirdLife International signed the MoU as collaborating organisations. At present 11 of 15 Range States have signed the MoU. Belgium is expected to sign during COP8.

60. The MoU expresses countries' intentions to identify, protect and manage sites where Aquatic Warblers breed (Central Europe and Western Siberia), rest on migration (Western Europe) or spend the winter (Central-West Africa). Annexed to the Memorandum is a detailed Action Plan that summarises the distribution, biology and threat status of the Aquatic Warbler, and describes precise actions to be taken by the Range States.

61. Following efforts of the Royal Society for the Protection of Birds, the BirdLife partner in the United Kingdom, the MoU's implementation got off to strong start with the appointment in April 2004

of the BirdLife/CMS International Aquatic Warbler Conservation Officer (AWCO). The Michael Otto Foundation in Germany provided financial support for 3 years. The AWCO is based with APB – the BirdLife partner in Belarus, and is also supported locally by UNDP Belarus.

62. In about one year on the job, the AWCO had published the first edition of the Aquatic Warbler Flyway Newsletter, established close links with the key organisations involved in conservation of the Aquatic Warbler, and began preparations for the first meeting of the Range States scheduled for 2006.

63. Most importantly, the AWCO participated in the development of several applications for funding, including a LIFE project for funding by the European Union submitted by OTOP (the BirdLife partner in Poland), securing a five-year € 5.4 million LIFE project grant (“Conserving *Acrocephalus paludicola* in Poland and Germany”). The project will focus on the survival of the critically threatened “Pomeranian” population of the Aquatic Warbler and establish the recovery of the Polish core population of the species in the Biebrza Valley. Other projects financed by GEF focus on conservation of Aquatic Warbler key breeding grounds in Belarus and are aimed to introduce regular habitat management at Zvanets and Sporava fen-mires.

64. Conservation organizations throughout the species range are working actively to conserve the Aquatic Warbler and its breeding and migratory habitats. Urgent management plans at key Aquatic Warbler breeding sites are being implemented in Belarus, conservation of the core species populations in Poland and Germany, including the disappearing and genetically distinct Pomeranian population, is being addressed in frames of the LIFE project. AWCT members, national BirdLife partners or national conservation organizations are regularly conducting population monitoring at all major breeding sites of the Aquatic Warbler. Breeding biology of the species is being studied in Belarus, Poland and Germany and several PhD theses are being prepared. At key migratory stop-over sites of the Aquatic Warbler in Spain and France LIFE projects on conservation of wetlands are being implemented.

65. Despite remarkable progress that has been made over the last decade in both research and conservation of Aquatic Warbler breeding grounds, the wintering territories of the species still remain unknown. This poses a serious threat to the survival of the Aquatic Warbler, as all the measures that are being taken now to conserve the breeding sites and expand breeding population of the Aquatic Warbler may be seriously impaired by adverse conditions at the species’ wintering grounds.

66. Addressing this issue, RSPB in cooperation with AWCT and conservation organisations in several West African Countries, including the Ghana Wildlife Society, Naturama in Burkina Faso and AMCFE in Mali, set-up a project aiming to narrow down the potential Aquatic Warbler wintering areas in West Africa.

67. The research project was financed through CMS by Defra (the Department for Environment, Food and Rural Affairs of the Government of the United Kingdom) that, together with support from the Darwin Initiative, has already provided substantial support to a number of Aquatic Warbler conservation initiatives.

68. The research has helped to identify the likely areas where the Aquatic Warbler winters so that wintering ground conservation measures can be instituted as necessary as part of the Action Plan annexed to the MoU.

Action requested:

Outstanding issues regarding the Aquatic Warbler MoU’s continued implementation, for which the guidance of the Conference of the Parties is sought include:

(1) CMS funding to continue the MoU coordinator's activities after 2006 estimated to cost approximately US\$ 17,000 for 2 years; and;

Priority: High

CMS Budget Scenario: 3/4

(2) CMS support to the first meeting of the Range States, planned for June 2006, estimated to cost approximately US\$ 39,500.

Priority: High

CMS Budget Scenario: 3/4

Part III - Review of Article IV Agreements Under Development

69. Resolution 7.7 (Implementation of Existing Agreements and Development of Future Agreements) provided an outline of many Agreements that at the time of the Seventh Meeting of the Conference of the Parties were being developed, or were foreseen to be developed, under CMS auspices. Part II of the report reviews the current status of these and other Article IV Agreements that during the triennium were initiated by Contracting Party Range States in collaboration with the CMS Secretariat.

BIRDS

Houbara Bustard

70. The Houbara Bustard (*Chlamydotis undulata*) was recommended for concerted action by Resolution 3.2. The efforts since that time to conclude a formal Agreement under CMS Article IV (4) for the Asiatic subspecies (*Chlamydotis undulata macqueenii*) were recounted for the Seventh Meeting of the CMS Conference of the Parties in document UNEP/CMS/Conf.7.9.2.

71. In Resolution 7.7, COP7 took note of information provided by the representative of the Kingdom of Saudi Arabia that an updated text of an Agreement and Action Plan on the Asiatic populations of the Houbara was ready for distribution and that two meetings were planned for 2003 to review the updated text and conclude the Agreement.

72. When the two meetings did not take place, the CMS Secretariat made a new proposal to the lead country on a possible way forward in May/June 2004. The Secretariat subsequently undertook a mission to Saudi Arabia in December 2004 and worked closely with the lead country to finalise a proposal to the Range States for official comments. The Kingdom of Saudi Arabia officially circulated the proposal to the Range States in March 2005 for comments.

73. An official meeting to conclude the draft Agreement is planned during the upcoming Eighth Meeting of the Conference of the Parties.

Priority: High

CMS Budget Scenario: External

Sand Grouse

74. The Sand Grouse moves nomadically between regions in Botswana, Namibia and South Africa, and is subject to growing hunting pressure. South Africa decided in 1997 to take the lead in the development of an MoU and action plan among the Range States. The MoU, among other things,

would formalise co-operation to collect more scientific data on the bird's biology, the threats affecting it and the potential of using it in a sustainable manner.

75. The initiative was described to the Seventh Meeting of the Conference of the Meetings. In Resolution 7.7, the COP welcomed South Africa's initiative to continue to develop and conclude an MoU and encouraged the Range States to seek an early conclusion to their work.

76. In September 2005, the CMS Secretariat contacted the South African Ministry of Environment Affairs and Tourism to inquire as to whether the MoU project would be taken forward and when a successful completion of the instrument could be expected. South Africa's Focal Point to CMS indicated that not much progress has been made regarding the MoU's further development, noting that South Africa had been attempting to revive the MoU process for quite a while. South Africa has been in contact with its counterparts in Namibia and Botswana to get an indication from their respective governments as to whether they are still willing/interested in finalising the MoU. As of the date of this writing, South Africa has not received official notification from these governmental organisations.

Action requested:

South Africa is invited to provide an update on its progress and future intentions with respect to the pending Memorandum of Understanding on the Sand Grouse. The Conference of the Parties is invited to consider whether this MoU is a priority for CMS support.

Priority: Medium

CMS Budget Scenario: External

Central Asian Flyway

77. The Central Asian Flyway (CAF) covers at least 182 migratory waterbird species, including 29 globally threatened and near-threatened species, that breed, migrate and spend the non-breeding (winter) period within the region. These waterbirds use a wide variety of habitats during their annual cycle. This continental flyway comprises large semi-arid habitats with a limited number of wetlands, particularly in the staging areas. Different groups of migratory waterbirds appear to overlap considerably in the usage of important sites. Many of the wetlands are situated in areas with dense human populations where they provide many goods and services to local communities, but humans are increasingly unsustainably exploiting them. Thus the management of these wetlands to secure the provision of these goods and services requires coordinated multi-sectoral planning and implementation to realise the needs of local people and biodiversity conservation.

78. The Fifth Meeting of the Conference of the Parties to the Convention on Migratory Species (Geneva, April 1997) through Resolution 5.4 called on Range States to take an active role in the development of a conservation initiative for migratory waterbirds in the Central Asian Flyway.

79. The Meeting to Conclude and Endorse the Proposed Central Asian Flyway Action Plan to Conserve Migratory Waterbirds and their Habitats took place in New Delhi, India, from 10-12 June 2005. The New Delhi Meeting was the second official meeting of the CAF Range States since they first met in Tashkent, Uzbekistan, in 2001, to discuss a draft action plan for the CAF and various legal and institutional options to support an action plan's implementation.

80. The New Delhi meeting was attended by nearly 100 participants including delegates from 23 of 30 Range States and a number of international and national level non-governmental organisations. CMS organised the meeting, in cooperation with Wetlands International, who also provided technical advice to the CMS Secretariat and in-kind support to the meeting. The Indian Ministry of Environment and Forests

hosted the event with organisational support from the Wildlife Institute of India. The Governments of India, the Netherlands and Switzerland, as well as CMS, AEWa, the Global Environment Facility, and the UNEP Regional Offices for West Asia, Asia and the Pacific, and Europe (Pan-European Biodiversity and Landscape Strategy) provided generous financial contributions.

81. The meeting had four primary objectives to: (1) provide Range State delegations with an overview of flyway conservation issues; (2) finalise and endorse the draft CAF Action Plan; (3) consider, prioritise and endorse selected implementation activities, and lay the basis for exploring and possibly establishing an interim coordination mechanism; and (4) develop a consensus on their preferred option for a legal and institutional framework for the CAF region. The outcomes of the meeting were summarised in the New Delhi Meeting Statement (UNEP/CMS/Inf.8.26).

82. The New Delhi meeting finalised the text of the draft Action Plan while agreeing that the Russian Federation should provide additional technical data for its annexes. The CMS Secretariat reported the outcomes of the Delhi meeting to the AEWa Standing Committee and the AEWa Third Meeting of the Parties (MOP). It noted there were three outstanding issues in light of the conclusions of the meeting: (1) official adoption of the Action Plan; (2) gaining consensus on a legal and institutional option; and (3) interim coordination of the Action Plan.

83. The Secretariat anticipates that there are two options to address the first outstanding issue: How CMS can best obtain the official adoption of the Action Plan by the Range States? The first option would be another intergovernmental Range State meeting. The other possibility would be that the Range States could provide their consent to adopt the Action Plan by correspondence. The Secretariat would prefer option 2 if there is sufficient support, as there are no funds currently available for option 1.

84. With regard to the second outstanding issue, the New Delhi Statement indicated that there was a clear preference for the CAF Action Plan to be appended to a legally binding instrument and for this instrument to be AEWa. However the official government views of 18 of the 30 Range States were not available in New Delhi. These would be still needed to determine which legal and institutional option would be appropriate to support the Action Plan's implementation. The outstanding issue then is how best to attain the consensus needed to decide on appropriate legal and institutional option?

85. The Secretariat anticipates that another intergovernmental meeting to seek the views of the Range States and adopt an option may be necessary in the next triennium, but could be postponed until the Action Plan is under interim implementation. Among other things, such a meeting would give the Range States a chance to weigh the financial implications of the legal and institutional options. These had not been adequately investigated prior to and discussed at the Delhi meeting. For example, the difference in the costs between a separate Agreement and expanding the AEWa Agreement area would be significant. Such a meeting would not be likely before mid-2006 at the earliest and would require additional financial support from donor countries estimated to be approximately US\$ 100,000 (in line with the costs of the New Delhi meeting).

86. Because the process needed is likely to be lengthy, and interim coordination measures were endorsed by the New Delhi meeting, in consultation with the AEWa Secretariat, the CMS Secretariat has given high priority to establishing an interim coordination mechanism to address the third outstanding issue: interim coordination of the Action Plan. An interim coordination mechanism would:

- a. Provide a flyway level "presence" to promote awareness and support for the Action Plan amongst Range States, international agencies, partner organisations and funding agencies;
- b. Develop, source funding for and implement flyway level activities, and activities at national level requiring international cooperation, based on the agreed prioritised set of activities from the New Delhi meeting;

- c. Catalyse information exchange between the Range States about issues of common concern;
- d. Develop and maintain a web portal and electronic discussion forum for the Central Asian Flyway initiative; and
- e. Provide technical and logistical support to plan and organise follow up meetings to conclude the Action Plan (if a correspondence procedure turns out to be inappropriate) and to reach a decision on the final legal and institutional option to support its implementation.

87. In his 21 July 2005 letter to Range States the Executive Secretary asked them to express their interest in hosting the interim coordination mechanism and to provide financial and/or in-kind resources to support it. The estimated cost for this over 2 years is approximately US\$ 100,000. No Range States have officially responded to this request as yet.

Action requested:

The Conference of the Parties is invited to (a) take note of the outcomes of the New Delhi meeting; (b) urge the Range States to adopt the Action Plan by correspondence; (c) invite offers to host and finance a meeting in 2007 to achieve consensus on a legal and institutional option; and (d) appeal to all Range States, other interested States, AEWA, other intergovernmental organisations and interested international NGOs to consider supporting this initiative generously.

Priority: Very High

CMS Budget Scenario: 3 (Interim Coordination); 4 (Meeting on legal/institutional framework)

Raptors

88. During its 12th meeting the Scientific Council heard a presentation by a representative from the United Kingdom on raptors. He emphasized the importance of raptors as symbols throughout history, as well as sentinels and ecological indicators, in view of their position at the top of the food chain. Populations of raptors were small in relation to those of other birds and they were very susceptible to threats.

89. A proposal by the United Kingdom was described which would evaluate CMS's possible future involvement with raptors. It would consist of a scoping study that would gather together all available information on the habitats, migratory habits and routes of raptors, mapping their flyways and identifying the status of the various species. This would also cover such issues as whether raptors should be defined as including vultures and owls. Finally, the scoping study would look at the advantages and disadvantages of the various means of action available, including the development of action plans, wider MoUs or a fully-fledged Agreement. The Scientific Council welcomed the proposal for the study.

90. The United Kingdom has submitted the study, whose geographical scope is limited to the African-Eurasian region, for the consideration of the Scientific Council and the Conference of the Parties. The full report is available as an information document UNEP/CMS/Inf.8.18, while an executive summary is available as a conference document UNEP/CMS/Conf.8.21.

Action requested:

The Conference of the Parties is invited to take note of the study. A proposal for a draft recommendation on improving the conservation status of raptors and owls in the African Eurasian region has been circulated for consideration by the Conference of the Parties as UNEP/CMS/Rec.8.12/Rev.1. Operative paragraph 2 calls on Range States to consider whether a CMS

instrument would help to attain the recommendation's conservation objectives. The COP is invited to consider the recommendation and provide appropriate guidance among other things on (a) the possible form of the Agreement and the possible financial implications for its negotiation and subsequent coordination. The CMS Secretariat estimates that a negotiation meeting for a raptors Agreement would cost approximately US\$ 179,500.

Priority: Medium

CMS Budget Scenario: 4 (Secretariat preparatory work); External (negotiation meeting)

FISH

Sturgeon

91. CMS's historical involvement with sturgeons was recounted for the Seventh Meeting of the CMS Conference of the Parties (Bonn, 2002) in document UNEP/CMS/Conf.7.9.2. In Resolution 7.7 the CMS COP (1) called upon CMS Party Range States of Sturgeons listed in CMS Appendices to take the lead to develop an appropriate CMS instrument on sturgeons, (2) urged the resumption of cooperative activities among the lead country, IUCN, the CMS Secretariat and the CITES Secretariat, as appropriate; and (3) invited the CITES Conference of the Parties to encourage closer collaboration between the CMS and CITES Secretariats with respect to sturgeon conservation in view of the strategic priorities of these two complementary conventions.

92. The 13th Meeting of the CITES Conference of the Parties directed the CITES Standing Committee to ensure that CITES initiatives in respect of sturgeons complement, reinforce and, as far as possible, benefit from the regional collaboration already undertaken or envisaged in the framework of CMS. In 2005, the CMS and CITES Secretariats agreed, and the CITES Standing Committee endorsed, a list of joint activities pursuant to their 2002 Memorandum of Cooperation which among other things proposes close cooperation and coordination on action concerning priority species such as sturgeon.

Action requested:

The CITES Secretariat and the lead country, Germany, will be invited to elaborate on the situation, report on any additional progress made up until the Conference of the Parties and to propose possible actions for additional progress.

Priority: Medium

CMS Budget Scenario: External

Whale Shark

93. Whale Shark (*Rhinocodon typus*) was listed in CMS Appendix II and for cooperative action in November 1999. The Tenth Meeting of the Scientific Council (Edinburgh, 2001) recommended the convening of a workshop on Whale Shark fisheries and international trade in whale shark products. At Eleventh Meeting of the Scientific Council (Bonn, 2002), the Philippines announced that it intended to seek a regional Memorandum of Understanding for the Whale Shark. It was also announced that India planned to host previously recommended workshop on Whale Shark fisheries and trade.

94. In mid-2003, the Philippines approached the Secretariat to determine the process to be followed to develop a Whale Shark MoU and advance the cooperative action. During this time it was confirmed that the Whale Shark workshop would not take place and, in consultation with the

Scientific Council Chairman, it was decided to redirect the financial resources available for the workshop to a possible future Range State meeting to develop an MoU and action plan.

95. In 2004 a small informal contact group, composed initially of the CMS Secretariat, the CMS Appointed Councillor for large fishes, the Philippines Scientific Councillor and Focal Point, the Chair of the IUCN Shark Specialist Group, a representative from both the Marine Conservation Society of Seychelles and from ECOCEAN discussed the elements of a possible MoU and action plan that could be circulated to Range States in the Indian Ocean and Southeast Asia regions. The group was expanded later in the year to include a governmental representative from Seychelles (an interested non-Party to CMS at the time) and the CMS focal point from Australia.

96. In late 2004, the CMS Secretariat and IUCN Shark Specialist Group co-hosted a dialogue session on Whale Shark at the IUCN World Conservation Congress in Bangkok to solicit comments on the desirability of an MoU and action plan. The conclusions of the meeting are summarised in document UNEP/CMS/Inf.8.24. Of these the most notable were that:

- Only limited baseline knowledge on Whale Shark exists, but enough information exists to promote conservation/fisheries measures;
- Stock assessment information does not exist, but observed individuals seem to be decreasing in size; and
- Management measures needed are either strict protection or fisheries management based on sound science. It was recognised that marine protected areas will be important and tourism needs to be managed or at least premised on a code of conduct.

97. The CMS Executive Secretary noted that it would be important to determine the level of priority CMS should give to initiating a process to further develop international cooperation on the Whale Shark and suggested that a CMS instrument could be in the form of a partnership (e.g., A WSSD Type II Partnership) given the exceptionally large number of Range States and the implications for CMS resources.

98. In response to a question posed by the Executive Secretary, it was indicated that grouping Whale Sharks together with other species for international cooperative activities “makes sense” if it is with other sharks (e.g., Basking Shark (not on CMS Appendices at the time of the meeting) and Great White on CMS Appendix I and II).

99. In May 2005, the International Whale Shark Conference took place in Perth, Western Australia, with the objectives of (a) advancing local, regional and international efforts for the conservation of the Whale Sharks and (b) facilitating regional and international collaboration in research on Whale Sharks. Sixty papers were presented. Among other things, participants agreed that there is a wide scientific consensus on the need for urgent regional and international conservation measures for the Whale Shark. The participants also *inter alia* called for more “local, regional and international effort, cooperation and collaboration in...whale shark research...and conservation.” (see document UNEP/CMS/Inf.8.25).

Action requested:

A proposal for a draft recommendation on migratory sharks (UNEP/CMS/Rec. 8.16) has been circulated for consideration by the Conference of the Parties. In the context of the development of the Agreement that is proposed in lieu of a stand alone MoU on Whale Shark, the Conference of the Parties is invited to consider and provide appropriate guidance among other things on (a) the possible form of the instrument; (b) its species coverage and geographical scope; (c) the potential for a

(WSSD) partnership; and (d) the financial implications for its negotiation and subsequent coordination considering a negotiation meeting in the Indian Ocean and South-east Asia region is estimated to cost approximately US\$ 134,000.

Priority: Medium

CMS Budget Scenario: 4 (Negotiation meeting); 4 (coordination)

MARINE REPTILES

Marine Turtles

100. Six species of Marine Turtles are listed in CMS Appendix I. In 1991, the Conference of the Parties designated Marine Turtles collectively as “concerted action” species within the framework of Resolution 3.2. The Seventh Meeting of the Conference of the Parties endorsed the Secretariat’s proposal to explore, by the most appropriate means, the possible development of an instrument for Marine Turtles in the Pacific Ocean, within the context of the CMS Strategic Plan and the existing CMS Indian Ocean-South-East Asian Marine Turtle MoU (Resolution 7.7).

101. In response to Resolution 7.7, the Second and Third Meeting of the IOSEA Signatory States examined the possible extension of the MoU’s geographic scope. At the Second Meeting several delegations supported the United Kingdom’s view that, for various reasons, it would be premature to extend the geographical scope of the MoU to encompass Pacific Ocean Island States at this stage; and that a paper should be elaborated first to look into the advantages and disadvantages of such a proposal. The Chairman concluded that the Meeting had reacted positively to this cautious approach. It was agreed that, subject to the availability of additional financial resources, the IOSEA Secretariat should develop an exploratory paper that would examine the possible advantages and disadvantages of, and support for, extending the geographic scope of the MoU to the Pacific for consideration by Signatory States.

102. The Third Meeting of the IOSEA Signatory States examined a paper by the IOSEA Secretariat that outlined two options for developing an institutional framework similar to the IOSEA MoU in the Pacific, either by extending the range of the IOSEA MoU and effectively creating another sub-region with co-ordination provided through SPREP, or developing a new Pacific regional agreement. Certain Signatories maintained the view that the IOSEA MoU should continue to focus its efforts on increasing the participation of non-Signatory States in the region, before moving further a field. After discussion, it was agreed that the IOSEA Secretariat, Australia and SPREP would collaborate on a further elaboration of exploratory options paper, with a view to presenting it at a Pacific Regional Environment Programme meeting in September 2005. Because of resources limitations the paper it was not possible to produce the paper in time for the SPREP 16th Meeting.

103. In the South Pacific marine turtle conservation measures were initiated in the 1990s within the framework of the Pacific Regional Environment Programme (formerly the South Pacific Regional Environmental Programme) (SPREP). In 2003, the SPREP constituents adopted the SPREP Regional Marine Species Programme Framework (2003-2007) and with this the SPREP Turtles Action Plan for the same period.

104. The CMS Secretariat had been approached to participate in exploratory discussions to examine various options for enhancing international cooperation in the Pacific Islands region in the 1990s. Since then SPREP has hosted three workshops on CMS and the region over the last three years (2003 (Apia), 2004 (Apia) and 2005 (Nadi)). While these focused primarily on developing a cetaceans MoU, the 2004 and 2005 meetings also provided the possibility for break out groups to discuss other migratory species of interest to the region, including marine turtles.

105. At the Apia 2004 meeting, participants noted that the existing IOSEA process to examine options for expanding the scope of the IOSEA MoU Agreement area may have implications for closer cooperation with the MoU region, but recommended that future discussions on a CMS instrument for marine turtles should draw on the existing SPREP Marine Turtles Action Plan. Participants at the Nadi 2005 meeting supported the development of a regional instrument to conserve marine turtles in the Pacific Islands region.

106. During the 16th SPREP Meeting in 2005, the CMS Executive Secretary confirmed that the SPREP Secretariat and SPREP constituents generally favour a stand alone MoU on turtles for the Pacific Islands region. In his message to delegates the Executive Secretary indicated CMS's willingness to pursue this option as part of a Memorandum of Cooperation with SPREP.

Action requested:

A proposal for a draft recommendation on marine turtles (UNEP/CMS/Rec. 8.17) has been circulated for consideration by the Conference of the Parties. Operative paragraph 3 proposes the negotiation of an Agreement on marine turtles under the auspices of CMS. The Conference of the Parties is invited to consider the proposal and to provide appropriate guidance on, among other things, the financial implications for concluding the Agreement and its subsequent coordination, taking into consideration a Range State meeting is estimated to cost approximately US\$ 84,0000.

Priority: High

CMS Budget Scenario: 4 (MoU negotiation meeting); External (Coordination)

MARINE MAMMALS

Small Cetaceans and Sirenians in West and Central Africa

107. CMS has been actively engaged in small cetacean conservation efforts in the West African region since 1998. A series of projects aiming to promote the study and conservation of small cetaceans in West African countries (mainly Senegal, Gambia, Ghana, Togo) – the West African Cetacean Research and Conservation Projects (WAF CET) - has been undertaken with financial support from CMS. The WAF CET III project was completed in 2004.

108. Following up on the recommendations of a CMS supported workshop on the conservation of small cetaceans in West Africa, held in Conakry (Guinea) in 2000, a first outline of an action plan was developed. Its geographic scope would include 25 Range States.

109. CMS COP Recommendation 7.3 encouraged regional coordination in Central and West Africa for small cetaceans and sirenians, including the consideration of a Memorandum of Understanding. The Conference of the Parties recommended that the countries of the region designate as soon as possible a coordinator to support the MoU's preparatory phase. Multilateral and bilateral technical and funding partners were asked to facilitate the implementation of the recommendation.

110. The development of a Status Report and a Conservation Strategy for the African Manatee throughout its range in Central and West Africa has been agreed among CMS, the UNEP Regional Seas Programme, the Abidjan Convention Secretariat and WWF, with additional financial support from Wetlands International and the Government of Monaco. At the time of this writing the terms of reference for the initiative have been agreed. WWF has also agreed to develop an action plan to conserve small cetaceans in the area covered by its programme for the West Africa Marine Eco-

Region (WAMER). Other potential partners are being approached by the CMS Secretariat to extend the initiative to other West African riparian countries.

111. In parallel with the development of these instruments, the interest of the concerned countries to develop a Memorandum of Understanding under CMS auspices will be explored.

Action requested:

The Conference of the Parties is invited to consider endorsing the Convention's continued support to the initiatives currently being undertaken in the region, taking into consideration the respective financial implications of developing an MoU and coordinating its subsequent implementation estimated for cost approximately US\$ 10,000 per year for 2 years. It may wish to invite Parties, interested States and organisations to support and/or to join current efforts, notably with a view to extending the initiative on small cetacean to other West African riparian Range States.

Priority: High

CMS Budget Scenario: 3/4 (MoU negotiation meeting); 4 (Coordination)

Small Cetaceans and Dugongs in Southeast Asia

112. Recommendation 7.4 encouraged Parties and Range States in South-Southeast Asia to consider the establishment of an appropriate instrument of cooperation for the conservation of the region's small cetaceans and dugongs. It also recommended that countries in the region designate a lead country as coordinator for the preparatory phase of the instrument.

113. CMS has been actively engaged in the region since the First Conference on Biology and Conservation of Small Cetaceans of Southeast Asia (Dumaguete, Philippines) was held in 1995, and has supported several training workshops and census surveys on small cetaceans in the region. In the last triennium since COP7 a survey and training initiative in the Timor and Arafura Seas was undertaken by WWF, with main support from CMS and Environment Australia.

114. Just before COP7, the Second Conference on the Biology and Conservation of Small Cetaceans and Dugongs of South-East Asia was convened in Dumaguete, Philippines in July 2002. The Conference proceedings were recently published as CMS Technical Series No. 9 and circulated to Range States and other stakeholders. Included was a draft regional action plan to address by-catch of small cetaceans and Dugongs in fisheries of South-East Asia and a draft regional agreement on small cetaceans and Dugongs of Southeast Asia.

115. In August 2005, the First Meeting on Dugong Conservation in the Indian Ocean and South-East Asian Region was held in Bangkok, Thailand in response to Recommendation 7.5 (Range State Agreement for Dugong (*Dugong dugong*) Conservation).

Action requested:

The Conference of the Parties may wish to invite Range States to express their continued interest in developing a CMS instrument to conserve small cetaceans and Dugongs in South-East Asia, taking into consideration the need to still identify a lead country, as well as the financial implications to develop the instrument, estimated to cost approximately US\$ 47,000 and the need to ensure its subsequent coordination, estimated to cost approximately US\$ 10,000 for one year. It may also wish to clarify the taxonomic coverage of the initiative, notably on the desirability of excluding Dugongs, in view of the on-going initiative to develop a range-wide Memorandum of Understanding pursuant to Recommendation 7.5.

Priority: High

CMS Budget Scenario: 3/4 (MoU negotiation meeting); 4 (Coordination)

Cetaceans in the Pacific Island Region

116. Following the inclusion by CMS COP7 of several whales species in CMS appendices, and the designation of a number of whale species for concerted action, an initiative aimed at exploring the possibility of developing a CMS instrument for whales in the South Pacific was initiated under the leadership of the Governments of Australia and New Zealand. The Pacific Regional Environment Programme (SPREP) hosted a workshop, in Apia, Samoa, from 3-4 March 2003 on regional marine mammal conservation under CMS.

117. A second workshop financially supported by Australia, New Zealand and the Ford Foundation took place in Apia 17-19 April 2004. At the request of the regional representative from Oceania, the 26th Meeting of the CMS Standing Committee (Bonn, July 2003) approved an extra-budgetary allocation for CMS to also financially support the Apia meeting. Thirteen Pacific countries and territories were represented. The major output of the workshop was a consensus amongst participants that it was desirable to progress towards an MoU developed under CMS auspices.

118. In addition, because it predated the process to develop a cetaceans MoU, and was already being implemented across the SPREP region, the workshop also proposed to append to any future MoU the existing SPREP Whale and Dolphin Action Plan (2003-2007) adopted by SPREP constituents in 2003. The WDAP expires in 2007. As part of its regular procedures SPREP would initiate a process in 2006 to revise it and the revised WDAP would become the new Action Plan to any MoU.

119. Samoa was invited by the second workshop to convene an open ended drafting group to develop a draft MoU for further consideration. A draft MoU was produced and subsequently revised in consultation with the CMS Secretariat. It provided the basis for the drafting group to formally meet in Nadi, Fiji, 5-7 July 2005.

120. At this meeting members of the drafting group, representing 12 countries, produced a proposal for consideration by Range States and Territories of the Pacific Islands region. The Nadi meeting was organized by SPREP and CMS with financial and in-kind support from Australia, New Zealand, CMS, SPREP, the Whale and Dolphin Conservation Society and International Fund for Animal Welfare. The meeting was convened by Samoa.

121. The proposal was circulated to the Range States for official comments in mid-September 2005 prior to the 16th SPREP General Meeting. CMS co-hosted with SPREP and Samoa a side event to provide background information on the MoU and the process to develop it. The MoU was subsequently discussed in the plenary of the SPREP meeting where it was strongly supported.

122. The comment period will end on 30 October 2005. If there is consensus or near consensus on the MoU's text, CMS and SPREP will consider organising a signing ceremony in Nairobi at the CMS Conference of the Parties.

123. It is envisioned that SPREP will provide coordination functions for the MoU with its recent appointment of a new Marine Species Officer in the SPREP Secretariat a portion of whose time can be dedicated to the MoU.

Action requested:

A proposal for a draft recommendation in support of the new Pacific Cetaceans Memorandum of Understanding (UNEP/CMS/Rec.8.19) has been circulated for consideration by the Conference of the Parties. The Conference of the Parties is invited to consider the proposal and, in addition, provide appropriate guidance among other things on the financial implications of the process to revise the SPREP Whale and Dolphin Action Plan, estimated to cost approximately US\$ 84,000.

Priority: Very High

CMS Budget Scenario: 3 (Meeting to revise WDAP); Coordination (External)

Dugong

124. The First Meeting on Dugong Conservation in the Indian Ocean and South-East Asian Region was held in Bangkok, Thailand, from 23-25 August 2005 in response to Recommendation 7.5 (Range State Agreement for Dugong (*Dugong dugon*) Conservation) whereby the Seventh Meeting of the CMS Conference of the Parties recommended that all Range States of Dugong cooperate amongst themselves, as appropriate, and participate actively to develop and conclude a Memorandum of Understanding and an action plan for the conservation and management of Dugong throughout the species' range. The Meeting was held under CMS auspices and was generously co-hosted and financed by the Governments of Thailand and Australia. It was attended by participants from about 20 Range States, and drew heavily on the experience gained to date under the IOSEA Marine Turtle MoU.

125. Dugong was identified by COP7 as a cooperative action species. The meeting acknowledged that Dugong are known to move between jurisdictions and that any action to conserve and manage their populations would require cooperation at a regional scale. The meeting recognized that regional frameworks provide an opportunity to cooperate to conserve the Dugong, to share information, and to secure financial and technical resources.

126. Participants identified and discussed the key objectives and elements for a regional Dugong conservation framework. The meeting concluded that a legally non-binding MoU offered the most suitable approach to promote regional cooperation, and agreed on the appropriate structure and format for a draft MoU.

127. The meeting also sought to clarify the MoU's potential geographic scope, noting the importance of involving countries throughout the range of the species, as well as other countries that were relevant. Though no definitive conclusion was reached, justification was given for extending the coverage eastward to include relevant Pacific island States, whilst taking account of other initiatives being undertaken through SPREP.

128. Through a number of working groups, the meeting developed a paper that provided constructive guidance to future negotiators on the nature and scope of potential conservation and management actions for dugong.

129. It was agreed that a follow-up meeting would be organised somewhere in the region in early 2006 to build on the progress achieved in Bangkok and, if possible, to conclude the MoU and its conservation management plan.

Action requested:

A proposal for a draft recommendation on regional cooperation for Dugong conservation (UNEP/CMS/Rec. 8.15) has been circulated for consideration by the Conference of the Parties. In the

context of the Memorandum of Understanding proposed in operative paragraph 1, the Conference of the Parties is invited to consider and provide appropriate guidance among other things on (a) the relationship of the MoU to the CMS instrument on small cetaceans and Dugongs in South-east Asia called for in Resolution 7.7 and Recommendation 7.4 and described in paragraphs 112-115 above; (b) the financial implications for its conclusion, estimated to cost approximately US\$ 112,000, and subsequent coordination.

Priority: High

CMS Budget Scenario: 3 (MoU negotiation Meeting); 4 (Range State Meeting); External (Coordination)

Monk Seal

130. The Mediterranean Monk Seal (*Monachus monachus*), considered by IUCN as “critically endangered”, is one of the rarest and most threatened species in the world. It is listed on CMS Appendices I and II, and was recommended for concerted action by the Fourth Meeting of the CMS Conference of the Parties (Nairobi, 1994). Approximately 500 individuals may exist in the Mediterranean region and along the Eastern Atlantic coast.

131. The Monk Seal populations in the Mediterranean area have been the focus of scientific and conservation efforts since 1986. The Action Plan for the Management of the Mediterranean Monk Seal, an international strategy developed and implemented within the framework of the Barcelona Convention, has been the key instrument through which national and international level activities have been organised. The 13th Meeting of Contracting Parties to the Barcelona Convention (November 2003) undertook a comprehensive review of the Monk Seal Action Plan and made a number of recommendations.

132. International cooperative efforts aimed at coordinating scientific and conservation activities for the Eastern Atlantic populations are more recent having been initiated in the 1990s. Conservation. The Eastern Atlantic populations total about 200 individuals and are found in in two main colonies: Desertas Islands, Madeira, Portugal and Cabo Blanco peninsula, Morocco-Mauritania

133. As a contribution to the CMS concerted action, Mauritania, Morocco, Portugal and Spain concluded in 2005 the Action Plan for the Recovery of the Mediterranean Monk Seal in the Eastern Atlantic (CMS/ScC.13/Inf.3). The Plan reflects international concern about the critical status of the Monk Seal and the responsibility of the four countries in the distribution range of the Atlantic populations to promote and undertake concerted and effective actions to reverse the decline, recover the species and ensure its favourable conservation status.

134. An expert working group from the four Range States met twice to elaborate and then adopt the Action Plan (Las Palmas, Spain (2000) and Dakhla, Morocco (2004)). The Action Plan’s implementation is being coordinated by a special unit for Monk Seal and small cetacean species in Nouadhibou, Mauritania, close to the most important colony of the *Cabo Blanco* peninsula.

135. Spain took a leading role in the development of the Action Plan and is also interested in working with the other Eastern Atlantic Range States to conclude a Memorandum of Understanding for the Eastern Atlantic populations.

Action requested:

The Conference of the Parties is invited to endorse the Action Plan. The lead country, Spain, will be invited to provide an update on progress made to date in developing an MoU.

Priority: Medium

CMS Budget Scenario: 4/External

TERRESTRIAL MAMMALS

Sahelo-Saharan Antelopes

136. Six species of Sahelo-Saharan antelopes are listed in CMS Appendix I and are the subject of a concerted action guided by the Scientific Council. The Range States affected by extinction or population losses are Senegal, Mauritania, Morocco, Algeria, Tunisia, Mali, Niger, Chad, Sudan, Burkina Faso, Nigeria, Egypt, Libya and Ethiopia.

137. Pursuant to the Djerba Declaration of February 1998, the Range States adopted an action plan developed under CMS auspices that will contribute to the concerted action. The Range States subsequently updated the Action Plan at a workshop hosted by Morocco (Agadir, 2003).

138. During the Agadir meeting, a bilateral agreement was signed between CMS and the Agence Française de Développement (AFD) approving the CMS/Fonds Français pour l'Environnement Mondial (FFEM) Project. The project is now underway with the first phase involving implementing elements of the Action Plan using Tunisia, Niger and Mali as pilot countries for four years. Training and monitoring activities would involve four additional Range States, namely Chad, Mauritania, Morocco and Senegal. Recent work has focused on developing an institutional framework and funding national strategic projects in Tunisia, Niger and preparing a project for Chad. More details on the project are given in document UNEP/CMS/Conf.8.24.

139. In Resolution 7.7, the Seventh Meeting of the Conference of the Parties supported the Secretariat's plan to develop an Agreement in close contact with the Sahelo-Saharan Working Group as requested by the Djerba Workshop. Furthermore, the Agadir Declaration urged Range States to develop and conclude an Agreement or Memorandum of Understanding under CMS auspices to provide a framework for the species' long-term conservation and management. The Declaration also noted that Range State representatives attending the Agadir meeting had proposed forming a working group to assist the CMS Secretariat in preparing a first draft of a Memorandum of Understanding.

140. To further consolidate the Action Plan's implementation, establish an appropriate tool of coordination and support the concerted action a WSSD Type II partnership will be launched during COP8. The partnership would promote the proposed Memorandum of Understanding between the Range States.

Action requested:

The Conference of the Parties is invited to (1) take note of the progress made to date to implement the Action Plan, in particular the initiation of the CMS/FFEM Sahelo-Sahara Antelopes project; (2) endorse the creation of a WSSD partnership and invite the Secretariat, the Sahelo-Saharan Working Group, Range States, other interested States and organisations to consider joining it; and (3) urge Range States to conclude a Memorandum of Understanding to support the existing Action Plan's implementation keeping in mind the financial implications for its conclusion at a future meeting of the Range States to review the Action Plan, estimated to cost approximately US\$ 54,500.

Priority: High

CMS Budget Scenario: External (MoU Negotiation Meeting during Action Plan Range State Meeting)

Saiga Antelope

141. The historical range of *Saiga tatarica tatarica* included the vast plains of the Central Asian and Pre-Caspian region. The numbers and the range of these animals have declined considerably in recent decades resulting in the subspecies' unfavourable conservation status. Poaching and illegal trade in horns and other products, uncontrolled hunting, destruction of habitats, construction of irrigation channels and transportation routes have been responsible for the sharp decline in its numbers. Some of these threats derive from the poverty of the local population and land use mismanagement.

142. *Saiga tatarica* is included in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). As part of the Review in Significant Trade process, the 45th Meeting of the CITES Standing Committees (2001) recommended a ban on imports from Kazakhstan and Russian Federation as well as the development of a regional conservation strategy for the species.

143. CMS's work to develop an MoU and Action Plan for *Saiga tatarica tatarica* predated the subspecies' listing on CMS Appendix II in 2002. The CMS Secretariat undertook work on the MoU when it became apparent that the sub-species was in steep decline and cooperative action was needed to stem it. The draft instruments were the subject of an international workshop on Saiga conservation held in Elista, Republic of Kalmykia, Russian Federation, in May 2002. It was co-sponsored by CMS and CITES. Official comments from the Range States were incorporated in subsequent drafts of the instruments.

144. The 13th Meeting of the CITES Conference of the Parties urged Range States to complete their internal consultations and make the necessary arrangements to sign the MoU and implement the Action Plan. In addition, Mongolia was urged to implement those elements of the Action Plan that were relevant to the conservation of its populations of *Saiga tatarica mongolica*. The 54th Meeting of the CITES Standing Committee will review progress made, prior to the 14th Meeting of the CITES Conference of the Parties, and make appropriate recommendations.

145. The CMS Secretariat and the IUCN European Sustainable Use Specialist Group co-sponsored a dialogue meeting on Saiga at the IUCN World Conservation Congress in November 2004. A summary of the meeting is found as document UNEP/CMS/Inf.8.23.

146. A status report presented by Flora and Fauna International, and obtained via the Imperial College Saiga Darwin Initiative project, with data supplied by the Institute of Zoology, Kazakhstan, the Academy of Science, Mongolia, and the Department of Game & Hunting, Kalmykia, confirmed that population numbers had plummeted from 1 million around 1990 to some 31,000 individuals in 2003, including the sub-species *Saiga tatarica mongolica*. The meeting was significant in that China, as the primary consumer State of Saiga products, announced the seizure of between 2,000 and 3,000 kg of illegally imported Saiga horn, along with measures to register legally held stocks and to initiate tougher enforcement action against smuggling of and trade in illegal horn. The meeting was also useful in identifying six other existing and proposed projects for *Saiga tatarica*.

147. The CMS and CITES Secretariats met in April 2005 to coordinate joint activities for Saiga. They focused in particular on the implementation of the various CITES resolutions from COP13 and the entry into effect and implementation of the Saiga MoU and Action Plan, including the intent to co-

organise the first Meeting of the Range States under the MoU in 2006, at an estimated cost of US\$ 32,000, with a second meeting in 2008.

148. The Saiga Antelope is viewed by both Secretariats as a flagship example of how the two Conventions can complement one another. As an example of this, an informal meeting on Saiga Antelope took place in the margins of the 53rd CITES Standing Committee in June 2005. The main objectives of the meeting, which was Chaired by Dr Holly Dublin, Chairman of the IUCN Species Survival Commission, were to:

- Exchange information on the different saiga-related activities that are planned or being undertaken by IUCN, CMS, CITES, CITES Parties, and interested NGOs;
- Discuss collaboration in implementing CITES Decisions 13.27-13.35 on the Saiga Antelope; and
- Review possibilities for joint actions to be undertaken in 2005-2007.

149. The MoU is anticipated to be opened for signature during the CMS COP.

Action requested:

The Conference of the Parties is invited to endorse the new MoU and to provide appropriate guidance on, among other things, (1) the importance of all Range States of *Saiga tatarica tatarica* to urgently join the MoU and to implement its Action Plan; (2) the continuation of joint CMS/CITES efforts to organise the first meeting of the Range States in 2006; and (3) the need for Range States, interested States and intergovernmental and international non-governmental organisations to actively support the MoU's implementation financially and in-kind, including the possibility of hosting a coordination mechanism for the MoU. The related financial implications of future meetings of Range States, estimated to cost approximately US\$ 32,000 each in 2006 and 2008, and providing coordination functions, estimated to cost approximately US\$ 15,000 a year for 3 years may also be considered.

Priority: Very High

CMS Budget Scenario: 3 (two Range State Meetings); 3/4 (Coordination)

Mongolian Gazelle

150. Mongolian Gazelle (*Procapra gutturosa*), for which Mongolia, China and Russian Federation are Range States, was listed on CMS Appendix II by the Conference of the Parties at its seventh meeting. COP7 also supported the Secretariat's intention to coordinate with the Range States to establish the basis for improved coordinated conservation and sustainable use of the Mongolian Gazelle and agreed that sufficient funding should be provided by CMS and requested from other sources.

151. To collect additional information on the conservation status of the gazelle, and to determine how it could be included in a possible concept for a concerted action on Asian desert and semi-desert mammals modeled on the Sahelo-Saharan Antelope concerted action, the CMS Secretariat sponsored the attendance of Scientific Councilor Roseline Buedels-Jamar to attend the Workshop on Conservation and Management of Mongolian Gazelles in Ulaanbaatar Mongolia (25-27 October 2005). CMS also offered to financially co-sponsor the workshop.

152. The main objective of the workshop was to identify actions to ensure the gazelle's long-term sustainable management. During this meeting it was indicated that:

- The conservation status of Mongolia Gazelle is precarious. It has completely disappeared from the Russian Federation, and only a small number remain in a limited area of China. The vast majority

of animals is now found in Mongolia and the range is now about 190,000 sq km, down 24% from 50 years ago. It is now only found in any numbers in four eastern provinces of Mongolia.

- Not only has the species suffered a massive decline in its range area, but it is also heavily hunted, both legally and illegally. Climatic conditions are an important factor in gazelle population dynamics.
- At present, the size of the gazelle population in Mongolia is uncertain. Population estimates, including aerial surveys carried out in 1989 and 1994, vary considerably (between 250,000 to 2,000,000 individuals). A proportion of the population migrates across the Mongolian-China border every year. New research, based on satellite tracking techniques, has been carried out. But the direction, frequency and other important features of the Mongolian gazelle's migration are still largely unknown, with research remaining very difficult in areas where gazelles cross national borders.
- The Mongolian Gazelle is considered an economically valuable species for the people of Mongolia. Considering the reported decline of the Mongolian gazelle population, and the lack of solid data on current population trends, if the Mongolian Gazelle is to remain a sustainable resource, a series of measures must be taken.

153. The meeting also discussed a draft action plan and the possibility for a cooperative arrangement between Mongolia, Russia and China. Prior to the meeting the CMS Secretariat had provided comments on both documents.

154. The CMS Secretariat has offered to provide continued advice to the Range States on both instruments. However, because two of the three Range States, China and the Russian Federation, are still not Parties to CMS, it is recommended that the three countries conclude the instruments outside of the CMS framework. Meanwhile, the Scientific Council will continue to assess the feasibility of bringing the Mongolian Gazelle into a possible multi-species concerted action.

Action requested:

The Conference of the Parties is invited to consider the situation regarding the Mongolia Gazelle and to provide guidance on how to proceed.

Priority: Medium

CMS Budget Scenario: 4/External

African Elephant

West African Populations

155. The Sixth Meeting of the CMS Conference of the Parties designated *Loxodonta africana* for cooperative action in 1999. Recommendation 6.5 (Cape Town, November 1999) urged the Scientific Council and the Range States to establish a working group and initiate without delay cooperative action for African Elephants in western and central Africa. The COP suggested that the "Range States envisage developing and concluding one or more Agreements, including action plans, and implementing them". Owing to the predominantly transboundary character of their seasonal movements, it was considered that these particular populations would benefit from concerted management.

156. Just prior to COP6, in June 1999, the African Elephant Specialist Group (AfESG) of the IUCN Species Survival Commission (SSC) developed and concluded the West African Elephant

Conservation Strategy (WAECS), with support from WWF. This was undertaken in close consultation with the competent authorities of the region's elephant Range States. IUCN then undertook to support the strategy's implementation by the Range States.

157. In 2002, COP7 invited the Secretariat and the Scientific Council to assist the lead country, Burkina Faso, in its endeavour to organise the work relevant to the African Elephant as outlined in Recommendation 6.5.

158. In June 2003, IUCN/SSC AfESG, the IUCN-Regional Office for West Africa, the CMS Secretariat and Burkina Faso agreed that it would be advantageous to integrate the two processes. It was also agreed to explore through consultation with the Range States and technical experts the desirability of developing a Memorandum of Understanding for the West African populations of the African Elephant with the WAECS annexed as an integral component thereto. Finally, in consultation with the ECOWAS representative attending the meeting, it was confirmed that if the future MoU had 100 percent membership by the Range States it could be submitted to ECOWAS for possible endorsement.

159. The IUCN/SSC AfESG revised some of the technical background information found in the original WAECS. Burkina Faso and the CMS Secretariat worked to develop a draft MoU. The documents were provided to the Range States for official comments in November 2003 and a final proposal was circulated for final approval in March 2005. The MoU will be opened for signature during the Eighth Meeting of the Conference of the Parties.

160. Under the MoU, technical co-ordination will be undertaken by the IUCN/SSC AfESG, where activities are being co-financed by external donors, notably the Government of France.

Action requested:

The Conference of the Parties is invited to (a) endorse the Memorandum of Understanding and Strategy for the Conservation of West African Elephants (*Loxodonta africana*); (b) to encourage all Range States to sign the MoU expeditiously; and (c) to urge States, international organizations and non-governmental organizations, including regional economic organizations, having biodiversity conservation in their mandate, to provide appropriate assistance, including technical and financial support, to support the implementation of the Memorandum of Understanding and the Strategy. A Range State meeting is expected to cost approximately US\$ 57,000. (A CMS contribution towards coordination costs is estimated to be approximately US\$ 37,500 for 3 years.

Priority: Very high

CMS Budget Scenario: 3 (CMS coordination contribution); External (Range State Meeting).

Central African Populations

161. The CMS Secretariat was invited to, but unable to attend, an IUCN/SSC AfESG workshop, organized at the request of the Ministers of Environment for Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea and Gabon, which took place in Limbe, Cameroon, from 29 August-2 September 2005. A detailed logical framework for an IUCN Central African Elephant Strategy was developed during the meeting and a Strategy document is being developed from this.

162. At the workshop the Range States unanimously supported seeking the Strategy's endorsement via the Yaoundé Process and introducing it to Ministers when they meet in November 2005 at the next meeting of the Yaoundé Process Convergence Plan. A representative from the COMIFAC Secretariat has offered to assist with this process and with the subsequent adoption of the Strategy at a Ministerial meeting, possibly as early as June 2006. The workshop participants also unanimously endorsed the

suggestion that the AfESG play the leading role in coordinating and supporting the implementation of the Strategy after its adoption by the COMIFAC ministers.

163. An outstanding issue is the need for CMS's further engagement on the Central Africa populations of the African Elephant in light of the recently initiated process, the Range States' support for the process while keeping in mind the Conference of the Parties' past recommendations and resolutions. The value added of CMS's further involvement would need to be considered.

164. One option might be for the Range States to work exclusively with IUCN to implement the Strategy that is being developed. Another option would be for the Range States to develop a new stand alone Memorandum of Understanding and Action Plan under CMS auspices. A third option would be to follow the model of the West African MoU whereby an MoU is developed under CMS auspices and the new IUCN developed strategy becomes an integral component thereto.

Action requested:

The Conference of the Parties is invited to review Recommendation 6.5 (Cape Town, 1999) and to provide guidance to the Secretariat, the Scientific Council and its working group on elephants on how to proceed with the cooperative action for the Central African Populations in light of the existing process to develop a strategy. A meeting to negotiate an appropriate CMS instrument is estimated to cost approximately US\$ 42,000.

Priority: Medium

CMS Budget Scenario: 4/External

Gorillas

165. Mountain Gorillas (*Gorilla gorilla beringei*) are currently listed on CMS Appendix I. They were recommended for concerted action by the Fifth Meeting of the Conference of the Parties in Resolution 5.1 (Geneva, 1991). The 12th Meeting of the CMS Scientific Council (Glasgow, April 2004) recommended extending the listing of *Gorilla gorilla beringei* to the species *Gorilla gorilla* and the preparation of a comprehensive concerted action that would include existing preliminary projects on Mountain Gorilla, as well as projects on Lowland Gorilla populations.

166. The Secretariat reported to the 28th Meeting of the Standing Committee (Bonn, April 2005) that it was exploring the possibilities of developing an Agreement and Action Plan for Mountain Gorillas with financial assistance from the United Kingdom. It noted that while there were many action programmes and a good framework of cooperation on the ground such as the Great Apes Survival Project (GRASP), an Agreement offering long-term security was missing, and that was something CMS could provide. It was hoped to start the process during 2005. The rate of progress would depend not least on the political climate and the continuation of the peace initiatives in the Democratic Republic of Congo.

167. Since the Standing Committee's meeting, Congo submitted a proposal to list *Gorilla gorilla* on CMS Appendix I, for consideration by the COP at its eight meeting. This would implement the first part of the Scientific Council's recommendation by listing all gorillas on Appendix I of the Convention.

168. The First Intergovernmental Meeting on Great Apes (IGM) and the First Council Meeting to the Great Apes Survival Project partnership (GRASP) took place in Kinshasa, Democratic Republic of the Congo, 5-9 September 2005 and was attended by 11 African Ministers and the UNEP Executive Director. The Global Strategy for the Survival of Great Apes and their Habitat was one of the IGM's

key outputs and was adopted by the Meeting. The delegates also agreed unanimously to a high level statement (the Kinshasa Declaration”), GRASP Workplan and Rules for GRASP (of which CMS is already a Partner alongside 3 other biodiversity-related Conventions and more than 60 other States, IGOs, NGOs and other bodies).

169. The Strategy identifies as one of its longer-term objectives the encouragement of countries to enter into and/or enforce relevant conventions and agreements for the conservation of great apes (section 3.3.2). The Strategy also aims to encourage the Government of each great ape Range State to develop and adopt a national great ape survival plan. Key actions at the national level could include developing cooperative activities between Range States where “areas of ape habitat are contiguous with similar areas in neighbouring countries, where transboundary natural resource management conservation agreements can be implemented, for example within the framework of the Convention on the Conservation of Migratory Species” (section 4.1.13).

170. In the weeks immediately prior to the Kinshasa IGM, and in the light of the new proposal received from the Congo to list all gorillas under CMS, the Secretariat conducted further negotiations to develop a new CMS gorillas initiative, including the GRASP Secretariat at UNEP and UNESCO, the International Gorilla Conservation Programme (IGCP), and the Royal Institute of Natural Sciences of Belgium, together with the Governments of the United Kingdom and Italy.

171. As a result, in his address to the IGM high-level segment in Kinshasa, the CMS Executive Secretary was able to announce the outline of a new project to be co-sponsored initially by CMS, UNEP and UNESCO (through GRASP), the International Gorilla Conservation Programme (IGCP) and the Royal Institute of Natural Sciences of Belgium, with additional financial support from the United Kingdom and Italy. The project’s primary objective would be to support the CMS concerted action by developing an Agreement and accompanying Action Plan on gorilla survival and conservation in conjunction with the 10 Range States. The focus of the Agreement would be on conservation, capacity building, conservation of gorillas, their habitats and alternative livelihoods for human populations. The announcement was well received at the meeting, which was attended by 18 CMS Parties from Africa and Europe.

172. The total budget of the project would be approximately US\$ 193,000 of which CMS’s financial contribution from the regular budget would be approximately US\$ 25,000, a leverage of over 65 percent.

Action requested:

The Conference of the Parties is invited to endorse the outcomes of the Kinshasa Meeting including the Global Strategy for the Survival of Great Apes and their Habitat.

It is also invited to note progress already taken to develop a jointly funded project within the framework of the GRASP Partnership to prepare an Agreement, or an MoU if this is ultimately preferred by Range States, noting its relationship to the proposed CMS concerted action for gorillas if *Gorilla gorilla* is listed on CMS Appendix I, while keeping in mind the pledges received to date for financial and in-kind contributions to support the Agreement’s development.

When considering the financial implications it should be noted that CMS’ role in the project to develop an Agreement has been largely financed from the 2005 budget, which has allowed the Secretariat to attract much larger earmarked funds from donors. Limited expenditure to support the initial implementation of a new Agreement from 2007 onwards would be available under CMS Budget Scenarios 3 or 4 for the next triennium, as matching contributions for further earmarked contributions from donor States or other partners.

Priority: High

CMS Budget Scenario: 3 (Agreement development)

Bats

173. The Conference of the Parties at its Seventh Meeting took note of a study commissioned by the CMS Secretariat to review the feasibility of developing additional CMS Agreements on bats, and encouraged the Secretariat to continue its activities in this field, including exploring the potential to develop further CMS Agreements on bats. It invited CMS Parties to consider developing and submitting proposals to list additional bat species in the CMS Appendices and invited the Scientific Council to have a substantial discussion on bats at its 12th meeting.

174. To support the Council's further consideration of bats at its 12th Meeting, Mr Tony Hutson, the author of the study, graciously offered to update the study at no cost to the Convention. The study was re-circulated for additional comments in late 2003 and these comments were appended to the revised study. In addition, a number of draft listing proposals were developed by Mr Hutson on behalf of the CMS Secretariat in order to pre-identify species that, based on the scientific knowledge available, would appear to be eligible for listing on the CMS Appendices. They were submitted to the Scientific Council for consideration. Based on the Council's positive evaluation, the Secretariat then addressed appropriate Parties and invited them to consider and subsequently submit the proposals to the Eighth Meeting of the Conference of the Parties. Proposals have been received to list three species in Appendix II.

175. During the Scientific Council meeting the working group for the European region expressed strong support for the conclusion of agreements similar to EUROBATS. The regional working group for Africa also supported the adoption of an African regional agreement covering migratory species on bats. Due to the lack of scientific knowledge, particularly regarding the migration of bats, action was called for achieving more information to clarify the role and status of bat species, to outline any threats to human health and to balance this with information on the economic role of bats.

Action requested:

The Conference of the Parties is invited to provide further guidance to the Range States of bats, the Scientific Council and the Secretariat on cooperative activities related to bats. A meeting to negotiate an appropriate CMS instrument is estimated to cost approximately US\$ 137,000.

Priority: Medium

CMS Budget Scenario: 4/External (Agreement negotiation meeting)