



**Convention on Migratory Species
Memorandum of Understanding for the
Conservation of Cetaceans and their
Habitats in the Pacific Islands Region**

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Agenda Item 5.

SECOND MEETING OF THE SIGNATORIES
Auckland, New Zealand, 28-29 July 2009

REPORT OF THE FIRST MEETING OF SIGNATORIES



CONVENTION ON MIGRATORY SPECIES

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FIRST MEETING OF THE SIGNATORIES TO THE
MEMORANDUM OF UNDERSTANDING FOR THE
CONSERVATION OF CETACEANS AND THEIR
HABITATS IN THE PACIFIC ISLANDS REGION
Apia, Samoa, 6 March 2007

REPORT OF THE FIRST MEETING OF THE SIGNATORIES

Agenda Item 1: Welcoming remarks

1. Mr. Lyle Glowka, CMS Agreements Officer, opened the meeting. Mr. Glowka proposed that the Secretariat conduct the meeting through the initial business items until the meeting elected its chairman. He invited Dr. Nailasikau Halatuituia, the representative from Tonga, to lead the meeting in prayer.

2. Mr. Asterio Takesy, Director of Pacific Regional Environmental Programme (SPREP), welcomed the delegates and expressed his pleasure that the MoU had advanced so quickly that it was already in a position to hold its first meeting of the signatories. He recalled that CMS and SPREP entered into their Memorandum of Cooperation in 2003, the year he had joined SPREP. SPREP's experience cooperating with CMS was positive, especially working on whales and dolphins, an iconic and culturally valuable group of charismatic migratory species about which our scientific knowledge was far from complete. Whales and dolphins were wide-ranging, exposed to many threats and they needed to be brought back to healthy population levels.

3. Mr. Glowka agreed that CMS and SPREP were working fruitfully and conveyed to the meeting participants the greetings of the CMS Executive Secretary, Mr. Robert Hepworth. A list of participants is reproduced as Annex 1 to this report. The Pacific was a region of increasing importance to the Convention, and the successful conclusion and opening for signature of the Pacific Islands Region Cetaceans Memorandum of Understanding, to date with nine signatures, was evidence of this. The first meeting of the signatories was an important milestone, but the successful implementation of the MoU depended upon equally important work planned later in the week when the SPREP members would review and revise their Whale and Dolphin Action Plan (2003-07), which the MoU had initially adopted.

Agenda Item 2: Signing ceremony

4. The delegates from Papua New Guinea and the Solomon Islands, representing Range States, and the delegate from WWF International, representing a collaborating organisation, signed the MoU.

Agenda Item 3: Election of officers

5. Mr. Glowka explained that during an informal heads of delegations meeting the previous day, consideration had been given to the election of a chairman for the meeting. It was customary

within CMS to invite the host country to serve in this role, and Mr. Glowka proposed Samoa be elected chair. New Zealand seconded this proposal.

6. Mr. Faumuina Pati Liu of Samoa assumed the chair. He welcomed the delegates to the meeting and thanked them for the honour of being chosen as chairman. He hoped that all delegates would participate actively in the meeting. He also thanked Mr. Takesy, SPREP, CMS and donor countries for making the meeting possible. Pacific Island Countries (PICs) depended on their natural resources for sustainable development, and conserving cetaceans was vitally important to achieving this.

Agenda Item 4: Adoption of the agenda and meeting schedule

7. The Chairman proposed that the meeting adopt informal rules of procedure. The rules he proposed conformed to normal international standards for this type of meeting and provided for decision-making by consensus. As time was limited, the Chair would reserve the right to curtail speakers and asked delegates to be as concise as possible. Priority would be given to signatories first, then non-signatory range states, followed by collaborating organisations that have signed the MoU, and then others. He assured delegates that all opinions would be given equal weight in the report of the meeting.

8. There being no dissenting voices, the rules of procedure were adopted. There also being no observations on the agenda, the annotated agenda or the meeting schedule, these too were adopted. The agenda for the meeting is reproduced as Annex 2 to this report. Mr. Glowka introduced the list of documents the final version of which is reproduced as Annex 3 to this report.

Agenda Item 5: Opening statements

9. All delegations expressed their pleasure at the progress of the MoU and their thanks to SPREP, CMS, Samoa as hosts and the donor countries who had made the meeting possible.

10. New Zealand pointed out that Oceania was the most marine of regions, with much sea and little land. Half of all known cetacean species in the world were present in the region, but numbers had been depleted through whaling.

11. The Solomon Islands was working with neighbouring countries on conservation (e.g., on marine turtles with Indonesia and Papua New Guinea). Partnership was an effective way of meeting challenges – with communities, the private sector, NGOs, IGOs and other governments. The Solomon Islands lacked financial resources.

12. The Cook Islands agreed that conservation of migratory species needed a collaborative approach. The Cook Islands had declared its 1.8 million square kilometres Exclusive Economic Zone (EEZ) as a whale sanctuary. Like many Pacific Island Countries, the Cook Islands would require financial assistance.

13. Australia was encouraged by the momentum of the MoU and particularly welcomed the new signatories and the participation of NGOs. Australia agreed that the MoU meeting was important but stressed that the Whale and Dolphin Action Plan to be reviewed later in the week was important too. Australia was pleased to help finance such meetings and conservation work.

14. France was pleased to be participating and clarified that it was representing New Caledonia, French Polynesia and Wallis and Futuna who were not attending.

15. Fiji acknowledged that it was making up for lost time and wanted to participate fully in international fora and looked to world bodies and its larger neighbours for assistance.

16. Papua New Guinea had committed to sign the MoU in September 2006 during the signing ceremony when the MoU was first opened for signature and was pleased to have kept that promise. Just before leaving for this meeting, the final proposal for the CMS Dugong Memorandum of Understanding and Conservation Plan had been circulated to other agencies for comment and the delegate expressed his gratitude to Australia for providing funding for a dugong survey in the Western Province. He added that management of natural resources needed to be done in consultation with appropriate stakeholders.

17. Niue was committed to the MoU and the SPREP Action Plan. Niue had already declared its EEZ as a protected area for cetaceans but stressed that PICs needed support to implement measures as fully as they would like.

18. Samoa was a Party to CMS and a signatory of the MoU. It too had declared its EEZ as a sanctuary for whales, turtles and sharks. Samoa welcomed the partnership approach and the mutual support of its neighbours.

19. The International Fund for Animal Welfare (IFAW) appreciated the hard work of the secretariats in bringing the MoU so far so soon. IFAW had been working on cetacean conservation in the region for over 10 years and was pleased to be involved in these initiatives. Mr. Takesy announced that IFAW would shortly be interviewing candidates for a post based in the SPREP office.

20. The Whale and Dolphin Conservation Society (WDCS) was honoured to be involved and recognised the MoU as an important component of global efforts to conserve cetaceans. Having helped develop the MoU, WDCS looked forward to helping with its implementation and hoped that after ACCOBAMS, ASCOBANS and the Pacific Islands Cetaceans MoU more instruments would be concluded elsewhere.

21. Dr. Giuseppe Notarbartolo di Sciara, Chairman of the Scientific Committee of the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS), concluded under the auspices of CMS in Monaco on 24 November 1996, conveyed the best wishes of Dr. Marie-Christine Grillo Van Klaveren, the Executive Secretary of the Agreement. In her statement (UNEP/CMS/PIC-1/Inf/12) she hoped that the Pacific Region would fully participate in the CMS-led “Year of the Dolphin” which had been launched by Prince Albert II of Monaco in September 2006 marking the tenth anniversary of ACCOBAMS’ being adopted. ACCOBAMS had progressed well with 20 range states now Parties. Dr. Notarbartolo’s presence was a manifestation of the aspiration expressed in the MoU’s preamble, and shared by the entire CMS family of agreements, to collaborate and share experiences and expertise with the Pacific Islands Region.

Agenda Item 6: Report of the Secretariat

22. Mr. Glowka noted that the report of the Secretariat comprised sub-agenda items 6.1 (Status of signatures), 6.2 (List of designated competent authorities and contact points) and, if appropriate, 6.3 (Other matters). Documents UNEP/CMS/PIC-1/4 (Report of the Secretariat) and UNEP/CMS/PIC-1/Inf/1 (Status of Signatures to the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region) had been produced in support of this agenda item.

Agenda Item 6.1: Status of Signatures

23. Mr. Glowka explained that despite the MoU being only six months old, nine countries out of twenty-two had signed it when it was opened for signature in Noumea on 15 September 2006 during the SPREP Meeting of Environment Ministers and two more had joined today, bringing the total number of signatories to eleven. The number of collaborating organisations had risen to five. Implementation work and conservation actions were already underway through the related SPREP Whale and Dolphin Action Plan process.

24. The CMS Secretariat acted as depositary and was actively seeking further signatures. New Caledonia had been in communication with the Secretariat and had indicated its intention to sign. A means was being sought to enable it to do so. Other countries were being pursued as well.

25. On the suggestion of the Chairman, it was agreed that MoU signatories would promote the MoU and, in their bilateral relationships, encourage non-signatories to sign. The representative of Niue felt that perceived conflicts of interest between IWC and CMS might be the cause for some countries not signing.

26. The representative of Tonga said that his country had declared a whale sanctuary in its waters by royal decree in the 1970s and he hoped to receive notification that he had approval to sign the MoU before the closure of the week's events.

27. Mr. David Paton of the South Pacific Whale Research Consortium confirmed the organisation's intention to sign the MoU as a collaborating organisation at the next meeting of the signatories.

28. The meeting took note of the Secretariat's report.

Agenda Item 6.2: List of designated competent authorities and contact points

29. The Secretariat circulated a form, reproduced as Annex 4 to this report, to confirm each signatory's institutional competent authority that would act as a focal point for the MoU and its implementation, and secure the details of an individual contact point within the competent authority as it was always useful to have details of someone to contact and send information to. Mr. Glowka asked delegates to complete the forms and return them to the Secretariat as soon as possible. He indicated that this request would be reflected in an annex to the report of the meeting (see Annex 6). A provisional list of designated competent authorities and contact points, reproduced as Annex 5 to this report, will be maintained and circulated to the signatories by the Secretariat.

Agenda Item 7: Review of MoU and Action Plan implementation

30. Mr. Glowka explained that every meeting of the signatories should review the conservation status of the species covered by the MoU and the implementation of the Action Plan. Agenda item 7 was therefore composed of sub-agenda item 7.1 (Conservation status of cetaceans within the agreement area) and sub-agenda item 7.2 (Status of implementation). Documentation produced in support of this item was: UNEP/CMS/PIC-1/5 (Review of MoU and Action Plan Implementation), UNEP/CMS/PIC-1/5/Add.1 (Report of the Technical Meeting on Cetaceans in the Pacific Islands Region (1-4 August 2006), UNEP/CMS/PIC-1/Inf/5 (Current State of Knowledge of Cetacean Threats, Diversity, and Habitats in the Pacific Islands Region) and UNEP/CMS/PIC-1/Inf/6 (A Review of Measures for Marine Mammal Conservation, Protection and Management in the Pacific Islands Region).

Agenda Item 7.1: Conservation status of cetaceans within the agreement area

31. Mr. Glowka explained that although the MoU was only six months old, work on the conservation status of cetaceans within the agreement area had been undertaken under the aegis of the SPREP Whale and Dolphin Action Plan (2003-07). Various organisations have been supporting this work and it predates the MoU. The meeting was invited to comment on SPREP's report of the Technical Meeting on Cetaceans in the Pacific Islands Region, held in Apia 1-4 August 2006, which had been circulated to the meeting.

32. It was proposed that WDCS make a brief overview of the subject drawing on the SPREP Technical Meeting report, as well WDCS's new report on the subject detailing the status of cetacean species within the region.

33. Noting that the SPREP Technical Meeting Report was only being distributed in the morning of the meeting, Dr. Garrigue (France) asked that documents be circulated well in advance of the meetings, as she had to distribute them to three French territories. The Secretariat noted that it had issued most documents four weeks in advance of the meeting and sought guidance on the appropriate timing.

34. Mr. Glowka noted that the MoU did not contain a definition of "conservation status" to serve as a yardstick for measuring the action plan's effectiveness, but the term was defined in the parent Convention.

35. In a presentation, Dr. Margi Prideaux (WDCS) agreed that knowing the current conservation status of the species was important and information on national level implementation was helpful too. She explained that WDCS had long experience of working with CMS and its regional cetacean agreements and as its contribution to the First Meeting of the Signatories, WDCS had produced a report: "Current State of Knowledge of Cetacean Threats, Diversity and Habitats in the Pacific Islands Region". The report outlined the nature of the region, threats and concerns, an overview of threats to cetaceans, a preliminary country-by-country overview of cetacean species present, a bibliography and a regional summary of species found in the region. Comments on the report were welcome, especially on the country overviews.

36. Dr. Garrigue thanked WDCS for producing the report and asked whether countries' input was needed for a second edition. Dr. Prideaux explained that a limited print run of the first edition had been produced for the meeting and a revised edition would be printed after comments had been received. Suggestions of who should receive a copy of the report would also be appreciated. Dr. Donoghue (New Zealand) thanked Dr. Prideaux and Dr. Cara Miller for the report and announced that his government would be producing a leaflet for public information in the next few weeks.

37. The meeting took note of the presentation, as well as the appropriate sections of the SPREP WDAP Technical Meeting Report and the WDCS Report addressing the conservation status of cetaceans within the agreement area and verbal summary. Additional information was provided and strategic inputs made on the conservation status of cetaceans within the agreement area that would in turn be forwarded to the SPREP WDAP Regional Workshop following the MoU meeting later in the week.

Agenda Item 7.2: Status of implementation

38. Paragraph 8 of the MoU requires the Secretariat to produce an overview report on the status of the MoU's implementation with all information at its disposal. Because of the short time since the MoU had entered into effect, it was not realistic for the Secretariat to produce an overview

report, but Mr. Glowka pointed out that the SPREP Whale and Dolphin Action Plan (2003-07) was also the MoU Action Plan, and he acknowledged that work had been under way in implementing this Plan for a number of years prior to the MoU's entry into effect. It was anticipated that the revised WDAP would become the MoU's new Action Plan sometime in 2007 if the MoU signatories so decided. Information compiled for the WDAP review process was available to the MoU meeting for review.

39. Mr. Darren Kindlysidis from IFAW pointed out that document UNEP/CMS/PIC-1/Inf/6/Rev.1 (A Review of Measures for Marine Mammal Conservation, Protection and Management in the Pacific Islands Region) contained a summary with a great deal of information on the status of implementation under the SPREP Action Plan.

40. As a further contribution to the discussion, Mr. Glowka gave a short resumé of the history of CMS activities in the region. An exploratory meeting had taken place in 2003 to identify potential actions for CMS. He himself had first come to region in 2004 for the second regional meeting on CMS and marine mammals. An ad hoc open-ended drafting group created by that meeting, chaired by Samoa and operating by correspondence, had produced an outline agreement that the CMS Secretariat had further refined. In 2005 the drafting group met in Nadi, Fiji to decide the range and scope of the Agreement and settle technical aspects, leading to the MoU being concluded and opened for signature on 15 September 2006 in the margins of the SPREP Environment Ministers Meeting in Noumea. That the MoU was now holding its first meeting of the signatories was phenomenal and he thanked the Australian and German governments for providing funds to enable wide participation, as well as SPREP for its contribution of in-kind resources throughout the process and for the first signatories' meeting.

41. He went on to add that the MoU addressed global issues in a manner suited for the region. Migratory species needed international instruments and these instruments had to address both species and habitat conservation.

42. Dr. Donoghue said that he felt the MoU was a modern document suited to the 21st Century, whereas IWC was the product of its age (the post World War Two era of the 20th Century) when attitudes were different.

43. Ms. Dominique Benzaken (SPREP) proposed to follow Dr. Prideaux's example, and précis the SPREP Technical Report on the WDAP's implementation since 2003, in anticipation of a more in depth treatment of the issue during the WDAP Regional Workshop. SPREP's 17th Annual Meeting had requested a review of the species action plans within the SPREP marine programme, and as a result the August 2006 Technical Meeting on the Whale and Dolphin Action Plan (2003-07) took place. The meeting reviewed progress, updated technical information, considered elements for a revised action plan and made recommendations on the following WDAP themes:

- Partnerships: helping with in-country activities, involving NGOs (IFAW, WWF, WDACS) and research by the South Pacific Whale Research Consortium.
- Country Reports: issues identified were information, capacity building, economic benefits, regional and national integration, dialogue with tourism and fisheries interests and monitoring and evaluation.
- Opportunities identified were: the CMS MoU, linkages between regional and global concerns, the CBD Island Biodiversity Programme, Micronesia Challenge, wildlife watching and tourism revenues.

44. Regarding the revised WDAP, consideration was given to the format, themes, actions and its strategic direction, priorities and possible sources of finance and other resources. The themes included threats, habitat restoration and conservation, research, education, information management, capacity building, regional and international collaboration, legislation and coordination.

45. IFAW commended all concerned on the rapid progress achieved.

46. Dr. Donoghue said that executive summaries of two workshops held in Auckland had been distributed as information documents 13 and 14. The meetings had been lecture based but included a field trip. Contributions included use of DNA and management of strandings. A 15 tonne whale was found stranded nearby during the meeting and had allowed participants to put what they had learned into practice.

47. Mr. Burgess (Australia) said that his country found that the personal interest of the minister helped to support implementation. Money to support the CMS Year of the Dolphin was being made available and the outcomes would be shared across the region.

48. The meeting took note of the CMS and SPREP reports.

Agenda Item 8: Future implementation and further development of the MoU and Action Plan

Agenda Item 8.1: MoU Coordination

49. Mr. Glowka explained that the CMS Secretariat provided secretariat services to MoUs concluded under its auspices, in most cases without direct charge to the signatories. To maximise use of resources, spread the burden and save money, CMS sought partner organisations to help prepare and create meetings, prepare technical documentation and undertake logistics and communications.

50. In the case of the CMS Siberian Crane MoU, the international NGO International Crane Foundation fulfilled this role, as the African office of NEPAD (New Partnership for Africa's Development) in Senegal did the same for the MoU on African Atlantic Marine Turtles. BirdLife International and Wetlands International also provided considerable support for other initiatives such as the Aquatic Warbler MoU and the Central Asian Flyway Action Plan, respectively.

51. At the MoU drafting group meeting in Nadi, Fiji in 2005, the possibility of SPREP acting as the MoU's coordinator had been first proposed, but the SPREP staff participating in the meeting were not in a position to commit the organisation to undertake this role at the time.

52. The Pacific Islands Cetaceans MoU had developed at a great pace. With the WDAP (2003-07) still under review, and its revision not yet adopted by the SPREP General Meeting, it was not possible to accurately assess what tasks the coordinator of the MoU could undertake. Thought was needed on the coordinator's responsibilities, the respective roles of CMS and SPREP as well as financing.

53. While Mr. Burgess said that Australia was not in a position to offer any financial support for an MoU coordinator, it would be helpful to have an indication of what such a post might cost and whether there was scope for combining posts for separate CMS initiatives in the region.

54. In response to a question, Mr. Glowka was able to provide examples of costs from other regions: the coordinator in the Central Asia Flyway with approximately 30 range states was likely to cost \$65k per annum in total (\$25k to CMS); the 2 year Aquatic Warbler MoU post in Belarus coordinated through BLI was costing \$34k (half borne by CMS). CMS usually capped its contribution to 50% financed through voluntary contributions. In principle there was no reason not to combine the coordination role of several MoUs to save money, but there were many initiatives in the Pacific Islands Region at different stages of development and the total picture was not entirely clear at the moment.

55. Mr. Sovaki (Fiji) suggested that the issue of a coordinator should be referred to the SPREP General Meeting. Niue and Australia supported this suggestion. Papua New Guinea wanted signatories to be involved in the concept paper as much as possible. IFAW thought that the momentum of the MoU should not be lost and wanted to provide as much support as possible on an interim basis.

56. The MoU signatories were unable to come to a definitive conclusion on the coordination issue since the MoU had accelerated and had overtaken the WDAP review process. The Chairman suggested, and the meeting agreed, that a scoping paper with a joint concept for coordinating the MoU and the SPREP WDAP including the role of coordinator should be prepared for the next SPREP General Meeting in September 2007. The paper should draw on existing examples of MoU coordination under CMS and take account of the likely extent of CMS activities in the region in view of the development of further MoUs. In the margins of this meeting, the MoU signatories could convene an extraordinary meeting to endorse the SPREP decision on this as well as the WDAP. Such a meeting need not last more than two hours.

Agenda Item 8.2: Scientific and technical advice

57. Mr. Glowka pointed out that paragraph 7 of the MoU noted that signatories may also consider at their meetings suitable organisations to provide technical advice to support the MoU's implementation. The meeting was invited to consider the need for scientific and technical advice to be provided to the MoU. It was also requested to consider endorsing the creation of a freestanding ad hoc open-ended technical advisory group (TAWG) that could provide scientific and technical advice to the MoU to support its implementation.

58. CMS and ACCOBAMS showed through their respective Scientific Council and the Scientific Committee that good science led to good decision-making. The MoU should try to emulate these examples but do so in a cost effective way. As Dr. Notarbartolo had indicated in his presentation the previous day, the strength of the ACCOBAMS Scientific Committee was that it was made up of experts rather than national representatives, that its role was fully recognised in the text and structure of the Agreement and it had a record of steady achievement of tangible results.

59. The possible terms of reference (annexed to document 7) had been refined by the Secretariat, and for the time being it was suggested by the Secretariat that the emphasis should be on the TAWG advising the Secretariat and the MoU as a whole rather than individual signatories. Any scientific body should develop its own modus operandi and try to operate through electronic communication or in the margins of other meetings. The experts should be nominated for their knowledge and not as national representatives. The scientific body should be allowed to evolve and adapt, but as the MoU was up and running, it needed technical advice quickly with some indications for priorities in the short term.

60. It was proposed that CMS and SPREP would develop a concept for the constitution of the technical group ready for the next SPREP Annual Meeting and the proposed extraordinary meeting

of the signatories both of which would take place in September 2007. IFAW and WDCS were both willing to provide informal support.

61. France was concerned that the MoU had no financial mechanism and France was not in a position to offer financial support. Australia thought that the coordination and technical issues might best be addressed together. Fiji had found that implementation of other conventions, e.g., CBD and CITES, had been impeded by lack of scientific information. New Zealand pointed out that the SPREP Technical Meeting Group that had met in August 2006, and whose report was available to the meeting as UNEP/CMS/PIC-1/5/Add.1, had identified a number of issues where advice was needed, but only some of these issues were of a scientific and technical nature.

62. The CMS Secretariat reminded the meeting that as part of the broader CMS family, the MoU could expect scientific support from the CMS Scientific Council and the advisory bodies of related agreements such as ACCOBAMS, even after the MoU's advisory arrangements were in place.

63. CMS and SPREP undertook to develop a concept for the provision of technical advice to be submitted to the next SPREP General Meeting and the extraordinary meeting of the MoU signatories. The offers made by both IFAW and WDCS to provide support on an informal ad hoc basis were welcomed.

Agenda Item 8.3: Reporting and information management

64. Mr. Glowka recognised that reporting was a burden especially for agencies short of human resources, but reports were essential for monitoring the MoU and Action Plan's implementation and the success of the measures adopted. He was anxious not to add to reporting requirements and, where possible, suggested that the CMS MoU and SPREP WDAP processes should avoid duplication, perhaps relying on a common format to facilitate synthesis and comparisons.

65. The CMS family included the Convention itself and 16 Agreements and the CMS Secretariat was working on an online reporting system, so any developments could be recorded on a rolling basis as they happened. Information of local, national, regional and global actions by government agencies and NGOs could be made available across the region to assist implementation efforts, possibly as part of the reporting process as well as through an "E-library" (subject to the technical constraints). A project template could be devised to allow all projects being undertaken across the region to be tabulated in a projects database.

66. As to the periodicity of reporting, France suggested that the next reports should be required in 2010 and 2012. Mr. Glowka agreed that there were precedents for triennial reports but normally reports coincided with agreement meetings.

67. It was agreed that the reporting should coincide with MoU signatories' meetings.

Agenda Item 8.4: Priorities for implementation

68. Mr. Glowka noted that the Secretariat had not prepared a document for this agenda item, but most of the issues had been raised at other points in the meeting.

69. Mr. Tongatule (Niue) raised the question of ownership of the Action Plan, given that the membership of SPREP was larger than that of the MoU. There was scope for the MoU signatories to adopt the SPREP Whale and Dolphin Action Plan whole or add additional commitments.

70. Mr. Glowka explained that ideally the region should be striving for one action plan to apply to all cetaceans. While it was up to the MoU signatories to ultimately decide, the general understanding throughout the development of the MoU was that the SPREP WDAP would become the MoU Action Plan and, in fact, this has happened since the WDAP (2003-07) was presently the MoU's Action Plan.

71. The understanding remained that the once the SPREP General Meeting adopted the revised WDAP the MoU signatories would then need to decide whether they wanted to adopt it as the MoU Action Plan. He went further and indicated that by adopting the SPREP WDAP the MoU signatories would signal their higher level political commitment to support its implementation as distinct from the SPREP General Meeting simply adopting the WDAP.

72. Mr. Glowka agreed that the dual application of the Action Plan meant that procedural considerations had to be addressed. Options were for the MoU signatories to endorse the revised SPREP Whale and Dolphin Action Plan by correspondence or through an extraordinary session of the signatories in the margins of the September 2007 SPREP meeting or another regional meeting.

73. The signatories expressed a clear preference for the latter.

Agenda Item 8.5: Any other matters

74. No additional matters were proposed.

Agenda Item 9: Next meeting of the Signatories

75. Mr. Glowka pointed out that organising meetings was costly in staff time and financial resources. He proposed that the signatories consider holding MoU meetings in conjunction with other meetings such as the SPREP General Meetings. This would enable the CMS and SPREP Secretariats to cooperate and assist each other and would result in great savings.

76. The signatories agreed to hold MoU meetings every two years in the margins of the SPREP General Meeting. The next regular MoU meeting would therefore be held in September 2008. An extraordinary meeting would be held in the margins of the 2007 SPREP General Meeting to consider adopting the revised SPREP WDAP as the MoU Action Plan, and to decide on how to proceed with coordination and to agree the concept for scientific and technical advice.

Agenda Item 10: Any other business

77. The new signatories were asked to pose for a photograph.

Agenda Item 11: Closure of the meeting

78. After the customary votes of thanks to all those who had helped organise the meeting, the chairman closed the meeting at 13.30.



CONVENTION ON MIGRATORY SPECIES

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Annex 1

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LIST OF PARTICIPANTS

Representatives of Signatories

AUSTRALIA

Mr. Philip Burgess
Director
Cetacean Policy and Recovery
Department of Environment and Water Resources
John Gorton Building
King Edward Terrace Parkes ACT 2600
GPO Box 787
Canberra ACT 2601
Australia

Tel: +612 6274 1418
Fax: +612 6274 1542
Email: Philip.Burgess@environment.gov.au

Ms. Nina Thappa
Assistant Director
Cetacean Policy and Recovery
Department of Environment and Water Resources
John Gorton Building
King Edward Terrace Parkes ACT 2600
GPO Box 787
Canberra ACT 2601
Australia

Tel: +612 6274 1756
Fax: +612 6274 1542
Email: Nina.Thappa@environment.gov.au

Dr. Nick Gales
Leader
Australian Centre for Applied Marine Mammal
Science
Australian Antarctic Division
203 Channel Highway
Kingston, TAS 7050
Australia

Tel: +613 6232 3437
Fax: -
Email: Nick.Gales@environment.gov.au

COOK ISLANDS

Ms. Elizabeth Munro
NBSAP Project Coordinator
National Environment Service
PO Box 371
Avarua
Rarotonga
Cook Islands

Tel: +682 21 256
Fax: +682 22 256
Email: liz@environment.org.ck

Mr. Joseph Brider
Environment Officer
National Environment Service
PO Box 371
Avarua
Rarotonga
Cook Islands

Tel: +682 21 256
Fax: +682 22 256
Email: joe@environment.org.ck

FEDERATED STATES OF MICRONESIA

Mr. Marion Henry
Assistant Secretary
Division of Resource Management & Development
FSM Department of Economic Affairs
PO Box PS-12
Palakir
Pohnpei, FSM 96941
Federated States of Micronesia

Tel: +691 320 2620/5133
Fax: +691 320 5854
Email: marionh@mail.fm; fsmdea@mail.fm

FIJI

Mr. Manasa Sovaki
Principal Environment Officer
Department of Environment
PO Box 2109, Government Building
Suva
Fiji

Phone: +679 331 1699
Fax: +679 331 2879
Email: msslutumailagi@yahoo.com

Mr. Aisake Batibasaga
Principal Research Officer
Fisheries Department, MAFF
PO Box 3165
Suva
Fiji

Tel: +679 336 1122
Fax: +679 336 3170
Email: abatibasaga@fisheries.gov.fj
abatibasaga@yahoo.com

FRANCE

Dr. Claire Garrigue
Responsable Scientifique
Opération Cétacés
BP12827
98802 Noumea
Nouvelle-Calédonie

Tel: +687 24 16 34
Fax: +687 24 16 34
Email: op.cetaces@offrater.nc
op.cetaces@lagoon.nc

NEW ZEALAND

Dr. Mike Donoghue
Senior International Relations Officer
International Relations Unit
Department of Conservation
Box 10-420
Wellington
New Zealand

Tel: +64 21870310
Fax: +644 78668262
Email: mdonoghue@doc.govt.nz

Mr. Malcolm Millar
Deputy High Commissioner
New Zealand High Commission
Beach Road
Apia
Samoa

Tel: +685 21711
Fax: +685 20086
Email: Malcolm.Millar@mfat.govt.nz

NIUE

Mr. Sauni Tongatule
Director
Department of Environment
PO Box 80
Fonuakula
Alofi
Niue

Tel: +683 4021
Fax: -
Email: tongatules@mail.gov.nu

PAPUA NEW GUINEA

Dr. Gae Gowae
Deputy Secretary, Conservation
Department of Environment & Conservation
PO Box 6601, Boroko
Port Moresby
Papua New Guinea

Tel: +675 325 0180
Fax: +675 325 0182
Email: gmaxau@yahoo.com

Mr. Vagi Rei
Senior Marine Officer
Department of Environment & Conservation
P.O. Box 6601
Boroko
Papua New Guinea

Tel: +675 325 0195
Fax: +675 325 0182
Email: vagirei@yahoo.com.au

SAMOA

Mr. Faumuina Pati Liu
ACEO – Environment Conservation
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
Apia
Samoa

Tel: +685 31198/31197
Fax: +685 23176/25869
Email: Pati.Liu@mnre.gov.ws

Ms. Malama Momoemausu
Principal Marine Conservation Officer
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
APIA
Samoa

Tel: +685 31197/30100
Fax: +685 2586
Email: malamas.usu@mnre.gov.ws

Ms. Juney Ward
Senior Marine Conservation Officer
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
APIA
Samoa

Tel: +685 31197
Fax: +685 25869
Email: Juney.Ward@mnre.gov.ws

Mr. Isamaeli Asotasi
Marine Conservation Officer (Marine Species)
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
APIA
Samoa

Tel: +685 31197/31198
Fax: +685 25869
Email: asotasi02@yahoo.com
isamaeli.asotasi@mnre.gov.ws

Mr. Michael Forsyth
Fisheries Officer
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
Apia
Samoa

Tel: +685 20369
Fax: +685 24292
Email: -

Mr. Toetu Pesaleli
Fisheries Officer
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
Apia
Samoa

Tel: +685 20369
Fax: +685 24292
Email: -

Ms. Jame McCray
Marine Statistician/Peace Corps Volunteer
Ministry of Natural Resources, Environment &
Meteorology
Private Mail Bag
Apia
Samoa

Tel: +685 776 2509
Fax: +685 25869
Email: jame.mccray@gmail.com

SOLOMON ISLANDS

Mr. Fred Iro Ganate
Permanent Secretary
Department of Forests, Environment &
Conservation
P O Box G24
Honiara
Solomon Islands

Tel: +677 28611
Fax: +677 24460
Email: psforestry@pmc.gov.sb

Mr. Joe Horokou
Director
Department of Forests, Environment &
Conservation
Environment and Conservation Division
P O Box G24
Honiara
Solomon Islands

Tel: +677 28611
Fax: +677 22824
Email: horokoujoe@hotmail.com

VANUATU

Mr. John Mahit
Fisheries Officer
Fisheries Department
PMB 9045
Port Vila
Vanuatu

Tel: +678 23119/23621
Fax: +678 23641
Email: jmahit@gmail.com

Mr. Francis Hickey
Vanuatu Cultural Centre/National Museum
PO Box 1655
Port Vila
Vanuatu

Tel: +678 24343
Fax: +678 24343
Email: francishi@vanuatu.com.vu

Representatives of non-Signatories

AMERICAN SAMOA

Ms. Maryjane Falefa Porter
Division Head
Information and Education Division
Department of Marine and Wildlife Resources
PO Box 3730
Pagopago
American Samoa 96799

Tel: +1 684 633 4456
Fax: +1 684 633 5944
Email: maryjane@dmwr-asg.com

Ms. Nenenteiti Teariki-Ruatu
Deputy Director
Environment Conservation Division, MELAD
PO Box 234, Bikenibeu
Tarawa
Kiribati

Tel: +686 28000
Fax: +686 28334
Email: nrtitaake@yahoo.com.au
Teiti.ecd@melad.gov.ki

KIRIBATI

Mr. Uriam T. Iabeta
Assistant Secretary
Ministry of Foreign Affairs & Immigration
Tarawa
Kiribati

Tel: -
Fax: -
Email: as@mfa.gov.ki

TONGA

Dr. Nailasikau Halatuituia
Chief Executive Officer
Ministry of Lands, Survey, Natural Resources &
Environment
PO Box 5
Nuku'alofa
Tonga

Tel: +676 23611 / 23210
Fax: +676 23216
Email: ceo@lands.gov.to

Mr. Samiuela Pakileata
Assistant Conservation Officer
Department of Environment & Natural Resources
Management
PO Box 5
Nukualofa
Tonga

Tel: +676 25050
Fax: +676 25051
Email: samu200@yahoo.co.nz

TUVALU

Mr. Enate E. Taua'a
Director
Department of Environment
Private Mail Bag
Funafuti
Tuvalu

Tel: +688 20179
Fax: +688 20113
Email: enviro@tuvalu.tv

UNITED STATES OF AMERICA

Mr. Chris Yates
Assistant Regional Administrator
Pacific Islands Regional Office
NOAA Fisheries
1601 Kapiolani Bldg
Honolulu, HI 96814
USA

Tel: +1 808 944 2235
Fax: +1 808 944 2142
Email: Chris.Yates@noaa.gov

Ms. Naomi McIntosh
Sanctuary Superintendent
National Oceanic and Atmospheric
Administration
Hawaii Islands Humpback Whale National Marine
Sanctuary
6600 Kalaniana'ole Hwy., Suite 301
Hawaii 96753
USA

Tel: +1 808 397 2651 ext. 251
Fax: +1 808 397 2650
Email: naomi.mcintosh@noaa.gov

Dr. David Mattila
Science Coordinator
Hawaii Islands Humpback Whale National Marine
Sanctuary
PO Box 509
Kihei, Hawaii 96753
USA

Tel: +1 808 879 2818 ext. 113
Fax: -
Email: David.Mattila@noaa.gov

Intergovernmental Organisations

ACCOBAMS SECRETARIAT

Dr. Giuseppe Notarbartolo Di Sciarra
Chair
Accobams Scientific Committee
Jardin De L'UNESCO
Les Terrasses De Fontvieille
MC 98000
Monaco

Tel: +39 335 637 6035
Fax: +39 2 700 518 468
Email: DICIARA@TIN.IT

SPREP SECRETARIAT

PO Box 240
Apia
Samoa

Tel: +685 21929
Fax: +685 20231
Email: sprep@sprep.org

Mr. Asterio Takesy
Director
Email: asteriot@sprep.org

Ms. Dominique Benzaken
Coastal Management Adviser
Email: dominiqueb@sprep.org

Ms. Anne Patricia Trevor
Associate Turtles Database Officer
Email: annet@sprep.org

Ms. Megan Krolik
YOST Campaign Coordinator
Email: megank@sprep.org

Ms. Theresa Fruean
Programme Assistant – Island Ecosystem
Programme
Email: theresaf@sprep.org

Mr. Stuart Chape
Island Ecosystems Programme Manager
Email: stuartc@sprep.org

Mr. Lui Bell
Marine Species Officer
Email: luib@sprep.org

Ms. Tamara Logan
Education & Social Communications
Email: tamaral@sprep.org

Ms. Makerita Atiga-Patu
Secretary to IE Programme Manager
Email: makeritap@sprep.org

Non-Governmental Organisations

BLUE PLANET MARINE

Mr. David Paton
Director
Blue Planet Marine
PO Box 5535
Kingston ACT 2604
Australia

Tel: +614 31 664472
Fax: -
Email: davidpaton@grapevine.com.au

CONSERVATION INTERNATIONAL

Ms. Deb Bass
Marine Specialist
Technical Team – CBC Melanesia
Conservation International
PO Box 1024
Atherton Qld 4883
Australia

Tel: +617 40918830
Fax: +617 40918888
Email: dbass@conservation.org

IFAW

Mr. Darren Kindlysides
Campaigns Manager
IFAW Asia Pacific
8 Belmore Street
Surry Hills
NSW 2010
Australia

Tel: +612 9288 4929
mobile: +61 400 174 127
Fax: +612 9288 4901
Email: dkindleysides@ifaw.org

Ms. Sue Miller Tai
IFAW Pacific Regional Adviser
Marine Program Manager – Pacific Island
Hotspots
Conservation International
C/o- SPREP
PO Box 240
Apia
Samoa

Tel: +685 21593/21929
Fax: +685 20231
Email: staei@conservation.org

Marguerite Young
IFAW Asia Pacific
8 Belmore Street
Surry Hills
NSW 2010
Australia

Tel: +612 9288 4929
Fax: +612 9288 4901
Email: myoung@ifaw.org

OPERATION CETACEANS

Ms. Aline Schaffar
Operation Cetaces
BP 12827
98802 Noumea
New Caledonia

Tel: +687 241634
Fax: +687 241634
Email: aline.schaffar@laposte.net

THE NATURE CONSERVANCY

Mr. Gerald Miles
Regional Director
External Affairs/Asia Pacific
51 Edmonstone St,
South Brisbane
4101 Australia

Tel: +617 3214 6903
Fax: +617 3214 6999
Email: giles@TNC.ORG

WDCS

Dr. Margi Prideaux
Whale and Dolphin Conservation Society
(WDCS)
PO Box 720
Port Adelaide Business Centre
Port Adelaide
South Australia 5015

Tel: +618 8242 5842
Fax: +618 8242 1595
Email: margi.prideaux@wdcs.org

Dr. Cara Miller
WDCS International
P.O. Box 720
Port Adelaide Business Centre
Port Adelaide
South Australia 5015

Tel: +618 422 388 725
Fax: +618 8447 4211
Email: cara.miller@wdcs.org

WWF-SPP

Ms. Penina Solomona
WWF South Pacific Programme
4 Ma'afu Street
PMB, G.P.O
Suva
Fiji Islands

Tel: +679 3315533
Fax: +679 3315410
Email: psolomona@wwfpacific.org.fj

CMS Secretariat

Mr. Lyle Glowka
Agreements Officer
UNEP/CMS Secretariat
United Nations Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany

Tel: +49 228 815 2422
Fax: +49 228 815 2449
Email: lglowka@cms.int

Ms. Paola Deda
Inter-Agency Liaison Officer
UNEP/CMS Secretariat
United Nations Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany

Tel: +49 228 815 2462
Fax: +49 228 815 2449
Email: pdeda@cms.int

Mr. Robert Vagg
UNEP/CMS Secretariat
United Nations Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany

Tel: +49 228 815 2476
Fax: +49 228 815 2449
Email: rvagg@cmsint

Dr. William F. Perrin
Southwest Fisheries Science Center
8604 La Jolla Shores Drive
La Jolla CA 92037
United States of America

Tel: +1 858 546 7096
Fax: +1 858 546 7003
Email: william.perrin@noaa.gov



CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/PIC-1/Report
Annex 2

Original: English

AGENDA

1. Welcoming remarks
2. Signing ceremony
3. Election of officers
4. Adoption of the agenda and meeting schedule
5. Opening statements
6. Report of the Secretariat
 - 6.1 Status of signatures
 - 6.2 List of designated competent authorities and contact points
 - 6.3 Any other matters
7. Review of MoU and Action Plan implementation
 - 7.1 Conservation status of cetaceans within the agreement area
 - 7.2 Status of implementation
8. Future implementation and further development of the MoU and Action Plan
 - 8.1 MoU coordination
 - 8.2 Scientific and technical advice
 - 8.3 Reporting and information management
 - 8.4 Priorities for implementation
 - 8.5 Any other matters
9. Next meeting of the Signatories
10. Any other business
11. Closure of the meeting



CONVENTION ON MIGRATORY SPECIES

Distr: General

 UNEP/CMS/PIC-1/Report
 Annex 3

Original: English

FINAL LIST OF DOCUMENTS

Symbol	Agenda Item(s)	Title of Document
UNEP/CMS/PIC-1/1	4.0	Provisional Agenda (as at 8 February 2007)
UNEP/CMS/PIC-1/2	4.0	Provisional Annotated Agenda and Meeting Schedule
UNEP/CMS/PIC-1/3	4.0	List of Documents
UNEP/CMS/PIC-1/4	6.0	Report of the Secretariat
UNEP/CMS/PIC-1/5	7.0	Review of MoU and Action Plan Implementation
UNEP/CMS/PIC-1/5/Add.1	7.1, 7.2, 8.4	Report of the Technical Meeting on Cetaceans in the Pacific Islands Region (1-4 August 2006)
UNEP/CMS/PIC-1/6	8.1	MoU Coordination
UNEP/CMS/PIC-1/7	8.2	Scientific and Technical Advice
UNEP/CMS/PIC-1/8	8.3	Reporting and Information Management
UNEP/CMS/PIC-1/9	9.0	Next Meeting of the Signatories
Information Documents		
UNEP/CMS/PIC-1/Inf/1	6.1	Status of Signatures to the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region
UNEP/CMS/PIC-1/Inf/2	6.2	Designated Competent Authority and Contact Point Form
UNEP/CMS/PIC-1/Inf/3	7.0	Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region and Action Plan
UNEP/CMS/PIC-1/Inf/4		Provisional List of Participants
UNEP/CMS/PIC-1/Inf/5	7.1	Current State of Knowledge of Cetacean Threats, Diversity, and Habitats in the Pacific Islands Region
UNEP/CMS/PIC-1/Inf/6/Rev.1	7.2	A Review of Measures for Marine Mammal Conservation, Protection and Management in the Pacific Islands Region
UNEP/CMS/PIC-1/Inf/7		Programme of the CMS Outreach Workshop (5 March 2007)
UNEP/CMS/PIC-1/Inf/8		Agenda: Workshop on Cetaceans and Fisheries Interactions (7 March 2007)
UNEP/CMS/PIC-1/Inf/9		Programme of the Regional Workshop to Review the SPREP Whale and Dolphin Action Plan (6, 8-10 March 2007)
UNEP/CMS/PIC-1/Inf/10		Convention on the Conservation of Migratory Species of Wild Animals and Appendices
UNEP/CMS/PIC-1/Inf/11		Provisional Agenda: Heads of Delegations Meeting
UNEP/CMS/PIC-1/Inf/12		Statement of the ACCOBAMS Executive Secretary
UNEP/CMS/PIC-1/Inf/13		Executive Summary of Capacity-building Workshop for Pacific Island Participants on Cetacean Research and Management
UNEP/CMS/PIC-1/Inf/14		Executive Summary of Cetacean Strandings Workshop for Pacific Island Participants
UNEP/CMS/PIC-1/Inf/15		Statement from France
UNEP/CMS/PIC-1/Inf/16		Statement from Solomon Islands

Designated Competent Authority and Contact Point Form

Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region

Recalling Paragraph 7 of the above MoU:

“Designate a competent authority to serve as a focal point for communication between the signatories and for implementing activities under this Memorandum of Understanding, and communicate the complete contact details of this authority (and any changes thereto) to the Secretariat.”

I hereby designate the following governmental institution as the competent authority to serve as focal point for the MoU and for implementing activities under the MoU:

Organisation:

I hereby nominate the following person as contact point for purposes of communicating with the Secretariat and other Signatories:

Family name: (Mr./Ms./Dr.)..... **First name:**

Title/Function:

Department:

Organisation:

Full postal address:

.....

.....

Tel.:

Fax:

E-mail:

Signature: **Date:** **Stamp of Ministry**

.....
(responsible Minister)

**CONVENTION ON
MIGRATORY
SPECIES**

Distr: General

UNEP/CMS/PIC-1/Report
Annex 5

Original: English

**DESIGNATED COMPETENT AUTHORITY AND CONTACT POINT LIST
FOR SIGNATORIES**
(as at May 2007)**AUSTRALIA**

Mr. Philip Burgess
Director, Cetacean Policy and Recovery
Department of the Environment and Water
Resources
John Gorton Building
King Edward Terrace Parkes ACT 2600
GPO Box 787
Canberra ACT 2601
AUSTRALIA

Tel: +612 6274 1418
Fax: +612 6274 1542
Email: Philip.Burgess@environment.gov.au

COOK ISLANDS
*YET TO RECEIVE***FEDERATED STATES OF MICRONESIA**
*YET TO RECEIVE***FIJI**
*YET TO RECEIVE***FRANCE**

Mme. Martine Bigan
Chargée de mission espèces marines
Direction de la nature et des Paysages
Ministère de l'Ecologie et du Développement
Durable
20, avenue de Ségur
75302 Paris 07 SP
FRANCE

Tel: (+33 1) 42 19 18 70
Fax: (+33 1) 42 19 19 30
E-mail: martine.bigan@ecologie.gouv.fr

NEW ZEALAND
*YET TO RECEIVE***NIUE**
*YET TO RECEIVE***PAPUA NEW GUINEA**
*YET TO RECEIVE***SAMOA**

Mr. Faumuina Pati Liu
Assistant Chief Executive Officer
Division of Environment and Conservation
Ministry of Natural Resources and
Environment Private Mail Bag
Apia
SAMOA

Tel: (+685) 31197/31198
Fax: (+685) 25869
E-mail: Pati.Liu@mnre.gov.ws

SOLOMON ISLANDS

Mr. Fred Iro Ganate
Permanent Secretary
Ministry of Forestry, Environment &
Conservation
Solomon Islands Government
P O Box G24
Honiara
SOLOMON ISLANDS

Tel: (+677) 28611 / 24215
Fax: (+677) 24460
E-mail: psforestry@pmc.gov.sb

VANUATU
YET TO RECEIVE

Signatories/non-Signatories		Actions requested of Signatories/Non-Signatories				
		Considerations regarding signature of MoU by selected non-Signatories	Competent Authority	Contact Point	National Report availability	Other
			Yes = officially nominated No = no nomination received yet			
Signatories						
1.	Australia		Yes	Yes	n/a	
2.	Cook Islands		No	No	n/a	
3.	Federated States of Micronesia		No	No	n/a	
4.	Fiji		No	No	n/a	
5.	French Republic		Yes	Yes	n/a	
6.	New Zealand		No	No	n/a	
7.	Niue		No	No	n/a	
8.	Papua New Guinea		No	No	n/a	
9.	Samoa		Yes	Yes	n/a	
10.	Solomon Islands		Yes	Yes	n/a	
11.	Vanuatu		No	No	n/a	
Non-Signatories						
1.	French Polynesia	Eligibility to sign MoU after internal territorial process confirmed by the CMS Secretariat with representatives from the French Government and French Polynesia during the SPREP Environment Ministers Meeting (Noumea, September 2007)				
2.	Kiribati					
3.	Marshall Islands					
4.	Nauru					

Signatories/non-Signatories		Actions requested of Signatories/Non-Signatories				
		Considerations regarding signature of MoU by selected non-Signatories	Competent Authority	Contact Point	National Report availability	Other
			Yes = officially nominated No = no nomination received yet			
5.	New Caledonia	Confirmed intention to sign MoU with the CMS Secretariat (February 2007)				
6.	Palau					
7.	Tokelau					
8.	Tongo	Confirmed intention to sign MoU with the CMS Secretariat (Apia, March 2007)				
9.	Tuvalu					
10.	United Kingdom of Great Britain and North Ireland					
11.	United States of America					
12.	Wallis and Futuna Islands	Eligibility to sign MoU after internal territorial process confirmed by the CMS Secretariat with representatives from the French Government and from Wallis and Futuna during the SPREP Environment Ministers Meeting (Noumea, September 2007)				

Last updated: May 2007