



CONVENTION ON MIGRATORY SPECIES

Distr: GENERAL

UNEP/CMS/COP.8/Report

ORIGINAL: ENGLISH

EIGHTH MEETING OF THE
CONFERENCE OF THE PARTIES
Nairobi, 20-25 November 2005

REPORT OF THE EIGHTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

INTRODUCTION

1. The eighth meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) was held at the United Nations Office at Nairobi, from 20 to 25 November 2005.

I. OPENING OF THE MEETING AND WELCOMING ADDRESSES (items 1 and 2)

2. An opening ceremony and partnership fair were held on Sunday, 20 November, and included the presentation of the Award for the Thesis on Migratory Species Conservation sponsored by National Geographic Deutschland and Lufthansa.

3. Mr. Martin Brasher, Chair of the CMS Standing Committee, conducted the opening business of the 1st plenary session, commencing at 10 a.m. on the morning of Monday, 21 November 2005.

4. A welcoming address by Dr. Klaus Töpfer, Executive Director of the United Nations Environment Programme (UNEP), was presented to the Conference by video recording, as Dr. Töpfer was unable to attend personally. In his address, he said that, 26 years after the adoption of CMS, the challenges which it faced were, if anything, more daunting than ever. Perhaps the greatest problem currently being faced was climate change, which had immense implications for migratory species and for the stability of ecosystems generally. In addition, the recent spread of avian influenza had major implications for migratory species as well as for human health.

5. He emphasized the urgency of preserving the diversity of nature, and its linkage to sustainable development and the battle against poverty, and to achievement of the Millennium Development Goals. It was important to deal with problems at their source, not by merely treating the symptoms. Migratory species were an essential element of that global interrelationship, and their conservation required urgent action not only through the work of Governments and experts, but also through the stimulation of private business and recognition of the economic advantages of preserving biodiversity, including migratory species. Finally, he welcomed delegates to Kenya, a country with a wealth and diversity of nature and resources that, like many others in Africa, would pay back what we invest today in a rich manner.

6. In his opening statement Mr. Robert Hepworth, Executive Secretary of the CMS Secretariat, welcomed delegates to Kenya on the day the country demonstrated the strength of its democracy in a referendum on the Constitution. He highlighted the crucial role of CMS in moving towards the formidable targets for biodiversity set by the World Summit on Sustainable Development and the Convention on Biological Diversity. He hoped that the establishment of the Biodiversity Liaison Group would aid coordination between the five biodiversity-related conventions.

7. In his opening statement Mr. Brasher noted with pleasure that there were currently 93 Parties to CMS, compared to about 25 when he first chaired the Standing Committee during the period 1989–1991. He praised the cooperative and constructive way in which business was conducted within the Convention.

8. He summarized the intersessional work of the Standing Committee, thanking Germany for hosting the meetings. The Committee had dealt with a number of finance-related issues, including the preparation of the Strategic Plan for the next six years. An intersessional budget working group had been established in response to some financial difficulties; the devaluation of the dollar had proved a major problem. The Secretariat intended to explore further the possibility of generating income from the corporate sector. Several of those issues would be revisited under other items of the agenda.

II. ADOPTION OF THE RULES OF PROCEDURE (item 3)

9. Item 3 was taken up at the 1st plenary session. Introducing the item, Mr. Lahcen El Kabiri, Deputy Executive Secretary, drew attention to documents UNEP/CMS/Conf.8.4/Rev.2 and its corrigendum. No substantive amendments to the rules of procedure had been adopted by the Conference of the Parties at its seventh meeting. Representatives were invited to consider the Secretariat's proposal for the addition of a new rule 12 on the submission of resolutions and recommendations. The proposed new rule would facilitate the work of the Secretariat and was consistent with similar provisions in other conventions, such as the Convention on Wetlands of International Importance especially as Waterfowl Habitat and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

10. Special attention was also drawn to paragraph 2 of rule 15, on the withholding of voting rights of Parties whose contributions were in arrears, which the Conference of the Parties at its seventh meeting (resolution 7.8, paragraph 13) agreed would be strictly adhered to. At that meeting, the Parties in arrears were invited to bring their contributions up to date or to communicate to the Secretariat the nature of any mitigating circumstances before the eighth meeting of the Conference of the Parties. Nevertheless several countries, especially developing countries in Africa, were still in arrears of over three years and were liable to lose their voting rights, if the Conference so decided.

11. The Chair said that that issue had been discussed at the meeting of the Standing Committee, which recommended that countries in arrears be given a further opportunity to present to the Bureau, in writing, satisfactory assurance that payment would be made in the near future. Several countries had already been able to give such assurance. One representative suggested that bilateral meetings between Parties in arrears and the Secretariat would assist the process. There was general support in the meeting for the approach recommended by the Standing Committee.

12. The rules of procedure were adopted with the inclusion of new rule 12 and the guidance on the application of rule 15 paragraph 2. The adopted rules of procedure are set out in Annex II to the present report.

13. At the 8th plenary session, the representative of the Secretariat said that Chad and Ukraine had paid their subscription and, therefore, had the right to vote. The following countries had not paid their subscriptions and were at risk of losing their right to vote: Burkina Faso, Cameroon, Democratic Republic of the Congo, Georgia, Guinea-Bissau, Mali, Mauritania, Niger, Paraguay, Sao Tome and Principe, Somalia, Togo, Uganda and Uzbekistan.

III. ELECTION OF OFFICERS (item 4)

14. At the 1st plenary session of the Conference, in accordance with rule 5 of the rules of procedure, the Chair of the Standing Committee requested nominations for the following officers: Chair of the Conference, Chair of the Committee of the Whole (also to serve as Vice-Chair of the Conference) and Vice-Chair of the Committee of the Whole.

15. The Conference elected the following officers by acclamation:

Conference of the Parties

Chair: Mr. Patrick van Klaveren (Monaco)

Vice-Chair: Mr. Rolph Payet (Seychelles)

Committee of the Whole

Chair: Mr. Rolph Payet (Seychelles)

Vice-Chair: Dr. Roberto Schlatter (Chile)

IV. ADOPTION OF AGENDA AND WORK SCHEDULE (item 5)

16. Introducing the item at the 1st plenary session, the representative of the Secretariat drew attention to the provisional agenda (UNEP/CMS/Conf.8.1/Rev.3), the annotated provisional agenda (UNEP/CMS/Conf.8.1/Add1/Rev.3) and the provisional schedule (UNEP/CMS/Conf.8.2/Rev.2). He outlined the way the Conference would work through a plenary meeting, a Committee of the Whole and various working groups and committees. The meeting adopted its agenda, as set out in annex III to the present report.

V. ESTABLISHMENT OF CREDENTIALS COMMITTEE AND SESSIONAL COMMITTEES (item 6)

17. The item was taken up at the 1st plenary session. The representative of the Secretariat summarized the linguistic and regional criteria that representatives might consider when making nominations for membership of the Credentials Committee. The representatives of Australia, Latvia, Morocco, Niger and Peru were elected to the Credentials Committee.

VI. ADMISSION OF OBSERVERS (item 7)

18. The item was taken up at the 1st plenary session. Introducing the item, the representative of the Secretariat invited the meeting to admit as observers three Scientific Council experts – Dr. Colin Limpus (marine turtles), Mr. John O’Sullivan (birds) and Dr. Roberto Schlatter (Neotropical fauna) – as well as representatives of intergovernmental organizations and international and national non-governmental organizations meeting the criteria set out in article VII, paragraph 9, of the Convention. The Conference agreed to the admission of the observers.

VII. REPORTS FROM CONVENTION AND AGREEMENT BODIES (item 8)

19. The item was taken up at the 1st plenary session. The Chair invited Convention and Agreement bodies to make brief reports to the meeting.

A. Secretariat

20. Mr. Hepworth presented an introduction to the report of the Secretariat prepared for the eighth meeting of the Conference of the Parties. He referred the meeting to the report of the Secretariat 2002–

2005 (UNEP/CMS/Conf. 8.3), summarizing developments since the seventh meeting of the Conference of the Parties. Thirteen new Parties, mostly from Africa and Small Island Developing States, had joined the Convention during that period, taking membership to 93 countries. A number of other countries were in the process of joining the Convention, or expressing interest in doing so.

21. He said that recent developments in staffing and in management approach had helped build a cohesive, flexible, creative team, able to respond rapidly to changing events. Regular meetings took place between members of the CMS family of partners, and team-building workshops had helped promote a can-do approach. His aim was to encourage individual responsibility within a framework of maximum transparency.

22. The Secretariat now had a full complement of staff. Preparations were under way for the move to the new United Nations campus in Bonn, where there were excellent facilities and space to host meetings and workshops.

23. A non-governmental organization, Friends of CMS, had recently been created in Germany as part of the fund-raising strategy of CMS. The Executive Director of UNEP had agreed to act as chair of Friends of CMS. The purpose of the organization was to raise funds privately for CMS. If the experiment succeeded, the Secretariat hoped to create other such organizations in other countries.

24. He expressed gratitude to countries that had given the Secretariat financial support. He noted that the eighth meeting of the Conference of the Parties had been mainly funded by Finland, Germany, Italy, Monaco, Norway and the United Kingdom. He also expressed gratitude to the Division of Environmental Conventions of UNEP for a \$40,000 grant that it had provided to support attendance by representatives of non-Party States.

25. The Deputy Executive Secretary noted that the Secretariat must be positioned to act quickly, manage its resources efficiently and provide administrative support to its daughter Agreements.

26. Ms. Jasmin Kanza, Administrative Officer at the Secretariat, presented a brief report on the CMS administrative and financial services. She drew attention to a service-level agreement that was helping promote harmonization of services between CMS, UNEP and the United Nations Office at Nairobi.

27. Mr. Lyle Glowka, Agreements Development and Servicing Officer, presented a brief report on conservation work through the development of Agreements and Memoranda of Understanding. The activities of the Secretariat in that regard were described in greater detail in UNEP/CMS/Conf. 8.25/Rev.1, on strategic issues related to the review and development of CMS Agreements already in force and UNEP/CMS/Conf. 8.5, on the development of new and future Agreements. He summarized the salient features of the six Agreements and eight Memoranda of Understanding that had been concluded, and of those for which dialogue was in progress, noting that they were open to all Range States of the species involved, regardless of whether or not they were Parties to the Convention.

28. Dr. Marco Barbieri, Scientific and Technical Support Officer, described the small-scale projects that had become a major component of the CMS programme of work. Approximately \$500,000 had been allocated to new projects since the seventh meeting of the Conference of the Parties. The Scientific Council had recommended further projects, but the declining reserves in the trust fund meant that CMS contributions to those projects would be limited to no more than 50 per cent, and additional funding was urgently required.

29. Dr. Francisco Rilla, Information and Capacity-Building Officer, said that the work of his unit had focused heavily on efforts to develop capacity in all regions and improve the flow of information between Parties to CMS and non-Parties. Joint programmes had been launched with other conventions to explore synergies in the conservation, planning and education areas. One particularly important development had been the cooperation between CMS and the Global Register of Migratory Species.

30. Ms. Paola Deda, Inter-Agency Liaison Officer, made a presentation on the activities of her unit, reviewing meetings organized by other organizations attended by the staff of the Secretariat. Information technology was being used to streamline the dissemination of information, and regular press releases were issued to local and international media. The Secretariat was working closely with a number of non-governmental organizations and with the Division of Early Warning and Assessment of UNEP. Partnership agreements had been signed with organizations such as Birdlife International.

31. The Conference commended the Secretariat on the work that it had done over the previous triennium, and took note of the report of the Secretariat.

B. Standing Committee

32. Mr. Hepworth noted that Mr. Brasher had already covered the work of the Standing Committee under agenda item 2. The Conference agreed that there were no further matters for discussion on the issue.

33. The report of the 29th Meeting of the Standing Committee (UNEP/CMS/Inf.8.6) is contained in Annex V to the present report.

34. Following the closure of the Eighth Meeting of the Conference of the Parties, the Standing Committee held a brief meeting. The report of the Committee's 30th Meeting is contained in Annex VI to the present report.

C. Scientific Council

35. Dr. Colin Galbraith, Chair of the Scientific Council, made a presentation on the Council's activities during the triennium 2002–2005. His account was meant to accompany the report of the 13th Meeting of the Scientific Council (UNEP/CMS/Inf.8.5), which is reproduced as Annex VII to the present report. His presentation concentrated on three areas: issues related to the work of the Scientific Council; action that the Scientific Council had taken; and future actions. A particular focus had been placed on the value of migratory species and, in particular, the relationship between human well-being and ecosystem services. That link made the rapidly increasing extinction rate of species particularly worrying. Moreover, various examples demonstrated that the deterioration in population levels could be very rapid and catastrophic. The risks associated with climate change, pollution and disease were highlighted, along with the need for focused research to provide a clear understanding of the threats and proportionate responses.

36. He outlined the ways in which the Council addressed the issues within its remit, reviewing the activities of its working groups and relevant conferences that had taken place during the triennium. Moving onto future activities, he noted that the Council had contributed to the formulation of the CMS draft Strategic Plan and had finalized its own implementation plan. The latter adopted the same structure as the Strategic Plan and could be modified in accordance with changes to the former.

37. With the support of its taxonomic and other working groups, the Council had reviewed many aspects of CMS's current and future work from the scientific perspective. Those included a number of potential new Agreements; the 25 proposals for listing of species on the CMS appendices; the issue of acquiring and accessing conservation data and information; the resolutions and recommendations to be considered by the Conference of the Parties at its eighth meeting; the 2010 Biodiversity Target; recommendations for priority projects; and continuing cooperative actions.

38. A special session on Africa had taken place at the thirteenth meeting of the Scientific Council, and the creation of a new post of appointed Councillor for African fauna had been recommended. He drew attention to the need for decision on new appointment for a Councillor for Asiatic fauna and also to the Council's desire for the creation of two new appointed councillorships focused on fish as a taxonomic group and on the issue of by-catch.

39. Concluding, Dr. Galbraith stressed the need to forge links with other scientific bodies and liaise with other conventions. He also highlighted the need to ensure adequate funding of Council projects and meetings if the aims of the Convention were to be achieved. There was an urgent need to focus on actions and outcomes and avoid excessive bureaucracy.

40. The Conference took note of the report of the Chair of the Scientific Council.

D. Article IV Agreements/Memoranda of Understanding

41. The attention of the meeting was drawn to the review of article IV Agreements concluded or under development (UNEP/CMS/Conf.8.10). A number of the Agreements or Memoranda of Understanding described in the document gave presentations to the meeting.

42. The Executive Secretary of the Agreement for the Conservation of Cetaceans of the Black Sea, Mediterranean and Contiguous Atlantic Area (ACCOBAMS) made a presentation on the Agreement, which had 18 Parties. The objective of the Agreement was to monitor the abundance in the region of such species as the common dolphin. A workshop had recently been held in Monaco.

43. The Executive Secretary of the Agreement on the Conservation of Bats in Europe (EUROBATS) said that the Agreement had continued to grow, with Italy being the most recent country to join. A number of African States had expressed willingness to develop an Agreement on bats, and EUROBATS would be willing to cooperate with them on that issue. Excellent collaboration was taking place between EUROBATS, UNEP and the CMS Secretariat. He expressed gratitude to Germany, the host country of EUROBATS.

44. The Executive Secretary of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) provided a summary of its recent activities. Reviewing the third meeting of the Parties, which had been held in Senegal in October 2005, he said that tentative arrangements had been made for the next meeting following an offer from Madagascar to host the event. AEWA had achieved much over the previous triennium but ensuring sustained progress would rely heavily on the contributions of Parties to the Agreement. Gratitude was expressed to Germany, CMS and UNEP for their support.

45. The Executive Secretary of the interim Secretariat of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) said that the Agreement had been in force for 18 months, and the interim Secretariat was still hosted by Australia, which had offered to host a permanent Secretariat. The first meeting of the Parties and the first meeting of the Advisory Committee had been held, and the second meeting of each had been scheduled.

46. Mr. Douglas Hykle, Coordinator of the Indian Ocean-South-East Asia Marine Turtle Memorandum of Understanding (IOSEA-MOU) and senior CMS advisor, gave a presentation on the work of IOSEA. The Memorandum of Understanding covered a vast area, necessitating division into four subregions, with a current membership of 23 countries. He said that the IOSEA Secretariat had invested resources in improving information exchange across the region. Its innovative website included a reporting facility that allowed signatories to provide and update information on line. The Secretariat was working on analytical tools to evaluate those reports, enabling it to assess progress in implementation, identify gaps and prioritize future work. Another innovation was an interactive mapping system displaying comprehensive data throughout the Indian Ocean, an application that could be extended to other CMS regions.

47. The IOSEA Secretariat was also exploring synergies with other regional conventions and was giving special attention to the issue of by-catch by monitoring the implementation of the by-catch reduction guidelines of the Food and Agriculture Organization of the United Nations (FAO). A network of sites of importance for marine turtles was under development, as was a major assessment of leatherback turtle conservation status. A Year of the Turtle conservation campaign covering over 40 countries had been declared for 2006. In conclusion, he thanked the major core sponsors of the IOSEA Secretariat – Australia, France, the United Kingdom, the United States of America, CMS and UNEP.

48. The Conference noted the oral and written reports submitted by article IV Agreements and Memoranda of Understanding.

VIII. REPORTS FROM STATES (item 9)

49. The item was taken up at the 2nd plenary session. The Chair invited reports from the depositary and host Government, Party States and non-Party States.

A. Depositary

50. The representative of Germany, the host country for the Secretariat and depositary of the Convention, praised CMS for basing its activities on specific, scientifically founded principles. He underlined the observation that conservation of biodiversity and eradication of poverty were two sides of the same coin. He noted Germany's strong commitment to CMS and described the efforts made by the embassies of the German Government to encourage non-Parties to join. An organization, Friends of CMS, had been established in Germany and had attracted the support of some major companies. The former parliamentary buildings in Bonn were being refurbished and would be available to accommodate the Convention in 2006.

B. Party States

1. Synthesis of Party reports

51. The item was taken up by the Committee of the Whole at its 1st session, on the morning of Tuesday, 22 November 2005.

52. Dr. Gerardo Fragoso, Head of the Species Programme at the UNEP World Conservation Monitoring Centre, presented a synthesis of Party reports to the Committee (UNEP/CMS/Conf.8.5 and Add.1). Parties had been asked to respond, using a standard format, at least six months before the current meeting of the Conference. By that deadline, only nine of 89 possible reports had been received; consequently, the deadline had been extended to the end of August and the 47 reports (53 per cent) received by then formed the basis of the synthesis, although the submission of further reports was expected and encouraged. It was, however, observed that the provision of online reports should enable Parties to update their reports on a continuous basis rather than attempting to meet specific deadlines at the last minute. Online reporting would also facilitate information-sharing, avoid duplication of effort and make possible inputs by a range of experts and other interested parties. It was agreed that in the meantime, the current format should continue for the benefit of Parties which could not easily gain access to the Internet.

53. Information was presented on the principal taxonomic groups used by the Convention: birds, marine mammals, marine turtles, terrestrial mammals, bats, and other taxa. The most serious threat identified to marine species was by-catch. It was noted, however, that by-catch often occurred in international waters, whereas mitigation activities were more likely to be implemented at the national level. A draft resolution before the Convention (UNEP/CMS/Res.8.14) gave further consideration to that issue, which was felt to be urgent. Habitat destruction and fragmentation were also identified as major threats to migratory species, especially birds and terrestrial mammals. Again, it was noted that most mitigation activities were nationally based, and there were calls for more action to maintain bilateral and international migratory corridors.

54. Several representatives stressed the difficulty of passing or enforcing legislation dealing with particular species or groups of species. Birds were most often specifically protected within their ranges; marine turtles and bats were most often neglected. Exchanges of information would assist Range States desirous of additional legislation to benefit from the experience of those States which had implemented effective legislation. The same consideration also applied to studies which had been conducted on a wide range of conservation activities related to migratory species. Analysis of the information provided in national reports had revealed that no information was available on 24 of 107 Appendix I species, often

because no CMS Parties covered the species' ranges. Some non-Parties, notably China, the Russian Federation, the Republic of Korea and Japan, had large numbers of Appendix I species within their boundaries, highlighting the urgency of encouraging more countries to become Parties to the Convention. Regarding Appendix II species, several representatives said that they had initiated or participated in the development of an agreement or Memorandum of Understanding for a number of species, including dugongs, migratory raptors and West African elephants.

55. Some Parties commented on the need for greater involvement of indigenous peoples in species protection and management; there was general agreement that the matter should be given further attention. Representatives of a number of African countries drew attention to communication difficulties, with information often failing to reach designated focal points, and suggested greater intersessional activity, including regional meetings, as a possible solution. The representative of the Secretariat replied that the Secretariat gave high priority to communication with Parties, and was always looking to improve it.

56. In response to the suggestion by one representative that the reporting process could take greater account of what had actually been achieved – or otherwise – in the conservation of migratory species, the representative of the Secretariat said that information of that nature would be requested in future reports, although it was difficult to present such information in concrete form.

57. Another representative suggested that the International Whaling Commission should be added to the list of organizations with an interest in by-catch.

58. The representative of the United Kingdom, speaking on behalf of the European Union and its member States, noted that there were several issues related to reporting on the agenda; the European Union would be prepared to put forward a draft resolution bringing together those issues. It was agreed that the text would be circulated through the Secretariat. The draft resolution dealt with several of the issues raised in discussion, and Parties would have an opportunity to make further suggestions (See discussion under agenda item 24 C (Format for Party Reports)).

2. Statements by new Parties who have acceded since September 2002

59. The Chair invited new Parties, which had recently joined the Convention to deliver statements to the Conference. Statements were made by Austria, Bolivia, Côte d'Ivoire, Ecuador, Eritrea, Samoa, Sao Tome and Principe, and the Seychelles.

C. Non-Party States

60. The Chair invited statements from non-Party States in the process of joining the Convention or considering accession in the future. The representatives of Algeria, Antigua and Barbuda, Armenia, Brazil, Costa Rica, Cuba, Haiti, Honduras and the Islamic Republic of Iran made statements and reaffirmed their Governments' intention to join the convention.

IX. REPORTS FROM PARTNERS (item 10)

61. The item was taken up at the 1st plenary session. Partners of CMS were invited to make oral reports.

A. UNEP

62. Reporting on the interaction between CMS and UNEP, Mr. Bakary Kante, Director of the Division of Environmental Conventions, UNEP, stressed the importance of investigating the linkages between the objectives of CMS and the United Nations Millennium Development Goals. The Division of Environmental Conventions had supported that process by organizing two events during 2005 that sought to determine how various multilateral environmental agreements could contribute to achieving the goals.

63. Although only one of the Millennium Development Goals expressly mentioned the environment, others could not be achieved without the mainstreaming of environmental issues in policy decisions. With that in mind, a meeting held at the United Nations Office at Nairobi in July 2005 had produced a plan for cooperation between various multilateral environmental agreements and UNEP for achieving the Millennium Development Goals. A subsequent meeting held at the London School of Economics, United Kingdom, in October had increased understanding of ways to secure payment for ecosystem services. Ecosystem services were of particular importance to people in developing countries and multilateral environmental agencies, including CMS, should work with UNEP to create a market for such services.

64. He affirmed the support of UNEP for the achievement of the CMS draft Strategic Plan 2006–2011. He noted the financial backing that UNEP had given CMS, adding that a further \$30,000 would be made available to support implementation of the forthcoming Strategic Plan. He asked Parties to show generous support to the Convention, in order to ensure that it was capable of achieving its objectives. For its part, CMS should ensure clear and transparent reporting of its activities.

B. Biodiversity Liaison Group

65. The representative of the Secretariat of the Convention on Biological Diversity, speaking on behalf of the Biodiversity Liaison Group, said that the group had been established by the five biodiversity-related conventions to coordinate actions to achieve the 2010 Biodiversity Target. He summarized the consequences of species extinction for human health and well-being, for ecosystem resilience and for sustainable development.

66. Turning specifically to the issue of cooperation between the Convention on Biological Diversity and CMS, he said that the two conventions shared a common vision and goal and had worked together impressively over the years, but needed to ensure complementarity in their working methods. The 2010 target provided a framework for such complementarity. Annex II of draft resolution 8.18 (document UNEP/CMS/ Res.8.18) contained proposals on how better to incorporate migratory species into national biodiversity strategies and actions plans. Finally, he summarized some of the matters that would be considered at the Conference of the Parties to the Convention on Biological Diversity at its eighth meeting in March 2006.

C. Other intergovernmental bodies

67. A representative of the Caribbean Environment Programme made a presentation on the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention), which had 22 Parties. Priority was given to issues related to biodiversity, and a protocol on biodiversity had been developed. The protocol recognized CMS and provided a strong basis for cooperation with it and the Convention on Biological Diversity, the Ramsar Convention and CITES. The Convention had established a network of institutions and professionals working in the area of biodiversity.

D. Civil society

68. The item was taken up at the 2nd plenary session. Statements were invited from non-governmental organizations and other partners of CMS.

69. In his statement, the representative of the World Conservation Union (IUCN) pointed out that IUCN and CMS had signed a Memorandum of Cooperation in 2003. From an IUCN perspective, the objective of the agreement had been to review the terms of cooperation and to better coordinate the input of IUCN, mainly through its Species Survival Commission and its expert volunteer network of specialist groups and task forces, which could provide significant technical advice. He noted that the active involvement of IUCN in the development of a CMS Memorandum of Understanding for West African populations of the African Elephant and an Agreement on the conservation of the Asian Houbara Bustard was testimony to its commitment. He said that, throughout its history, IUCN had aimed at providing the best scientific advice to multilateral environmental agreements. He noted that CMS had an important role

to play in specific areas, for example in the coverage of aquatic migratory species, which were underrepresented in the Appendixes.

70. A representative of the World Wide Fund for Nature (WWF) outlined the organization's recent work in cooperation with the Convention. She noted that WWF had many projects concerning migratory species that were important to the Convention and further highlighted her organization's close interaction with CMS in the development and implementation of various conservation instruments. Urgent action was needed to address the issue of by-catch and would benefit from the establishment of a global forum to consider the issue. WWF remained committed to continued collaboration with the Convention.

71. A representative of Wetlands International discussed various issues linking his organization's work with the Convention. He highlighted the recent cooperation of Wetlands International with the Convention in tackling the issue of avian influenza, as well as joint efforts to explore the linkages between biodiversity and sustainable development and attempts to reach an Agreement on migratory birds and wetlands in the Central Asian flyway. Cooperation between Wetlands International and AEWA had been particularly successful, and a joint work plan had been drafted.

72. A representative of the World Association of Zoos and Aquariums gave a brief outline of his organization's expansion over recent years. Although it was not yet a CMS partner organization, it had contributed to various Convention projects during 2004–2005 and looked forward to broadening and intensifying its relationship with CMS.

X. CMS AND THE 2010 BIODIVERSITY TARGETS (item 11)

73. The item was taken up at the 2nd plenary session. In considering the item, the Conference had before it document UNEP/CMS/Conf.8.6/Rev.1. Presenting the item, Dr. Barbieri said that, at its twenty-sixth meeting, in July 2003, the Standing Committee had agreed to request CMS to contribute to the work being led by the Convention on Biological Diversity to develop a set of global indicators to measure progress towards achievement by the international community of the 2010 Biodiversity Target. A statement had been made at the ninth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice of the Convention on Biological Diversity expressing the readiness of CMS to contribute to the process.

74. A representative of BirdLife International drew the attention of the Conference to paragraph 22 of document UNEP/CMS/Conf.8.6/Rev.1, indicating that BirdLife International had been closely involved in the development of the Living Planet Index. He noted that BirdLife International was keen to continue working with CMS on related matters and would therefore like to be mentioned in paragraph 2 of the operative text of draft resolution 8.7. The Chair assured BirdLife International that it would be added to the list of organizations in the resolution.

75. Dr. Barbieri said that the Scientific Council at its thirteenth meeting had discussed the issue and the Council had recommended inclusion in resolution 8.7 of a further operative paragraph to include consideration of other indicators in addition to those of the Living Planet Index. A representative suggested that the Secretariat be requested to report on the issue to the Conference of the Parties at its ninth meeting.

76. At its 8th plenary session, the Conference of the Parties adopted resolution 8.7 on CMS and the 2010 biodiversity target, as contained in annex VIII to the present report.

XI. CMS STRATEGIC PLAN (item 12)

A. Outcome of the Strategic Plan 2000–2005

77. During the 3rd session of plenary, on Tuesday, 22 November 2005, Mr. Glowka provided an overview of the evaluation of the implementation of the Strategic Plan 2000–2005 that had been

undertaken by the Secretariat. During the review period, the performance indicators working group had developed several indicators aimed at evaluating implementation of the Strategic Plan. They fell into two categories: indirect indicators that assessed process related activities and direct indicators that evaluated conservation outcomes. The subsequent analysis, which had been an entirely internal exercise, had assessed the degree of progress on the 133 activities listed in the Strategic Plan 2000–2005 under the four core objectives.

78. The review revealed that there had been most success in the area of the objective 4 activities, which aimed to facilitate and improve implementation of the Convention. Here there was a 97 per cent engagement rate, meaning that 97 per cent of activities had been partially or fully completed in that area. The particularly strong performance in attempts to strengthen institutional linkages with partner organizations highlighted the focus and success of Secretariat work.

79. Objective 1 activities, which aimed to promote conservation of migratory species, recorded a 72 per cent engagement rate, which was taken to suggest the effectiveness of the Small Grants Programme and the establishment of Agreements under CMS. For objective 2, which aimed to focus and prioritize conservation actions for migratory species, a 50 per cent engagement rate had been achieved. Work towards objective 3, which comprised just three activities aimed at extending CMS membership, saw 67 per cent engagement. The overall engagement rate of 75 per cent was considered good, considering the staffing situation of the Secretariat during the triennium. It was noted, however, that the implementation assessment had been weakened somewhat by the limited information available to the Secretariat on outcomes to date.

B. New Strategic Plan 2006–2011

80. Dr. Olivier Biber, Chair of the strategic plan working group, discussed the work that had been undertaken during the triennium 2003–2005 towards production of the draft Strategic Plan 2006–2011 (UNEP/CMS/Res.8.2/Rev.1). The working group had been established in accordance with resolution 7.6 of the Conference of the Parties at its seventh meeting and had undertaken extensive consultations, including two very useful workshops, prior to drafting the draft Strategic Plan. The thirteenth meeting of the Scientific Council had recently provided additional recommendations, particularly relating to CMS handling of emerging issues.

81. Dr. Biber noted that during subsequent discussion of the CMS budget, representatives should remain mindful that the draft Strategic Plan had no budgetary implications other than those derived from the Convention text; implementation of the Strategic Plan would imply costs and would depend on the commitments of contracting and implementing Parties.

82. In view of the linkages between budget options and the activities of the Strategic Plan, the representative of Australia proposed the establishment of a working group to consider the prioritization of activities outlined in the Strategic Plan. Several other Parties supported that proposal and the Parties agreed to incorporate consideration of several proposals for adjustment of the text into the discussions.

83. The representative of Bangladesh highlighted the possibility of cooperation between the Asian Development Bank and CMS to support funding of conservation projects. The representative of ACCOBAMS noted the need to ensure that the Strategic Plan exploited the synergies between CMS and other Agreements. The working group was established in line with the adopted rules of procedure. At its final plenary session the Conference of the Parties adopted resolution 8.2, as contained in Annex VIII of the present report.

C. Application in CMS of the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity

84. The item was taken up by the plenary at its 2nd session. Ms. Deda provided a brief overview of the question of application to CMS of the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity, proposed in the draft resolution on sustainable use (UNEP/CMS/Res.8.1). Summarizing the more detailed discussion of the issue available in document UNEP/CMS/Conf.8.8, she outlined the substance of the four operative paragraphs of the draft resolution. It was further noted that the issue had

been discussed at the thirteenth meeting of the Scientific Council and that the working group responsible for considering the issue had recommended that the Council not support the resolution in its current form.

85. There followed a lengthy discussion of the issue. Dr. Galbraith provided some clarification of the position of the Scientific Council, noting that the body's plenary session had felt some concern that its working group was not representative of the majority of the Council's members. In the light of extensive prior discussion of the matter, the Council concluded that, although it was pleased to give advice on the scientific aspects of the discussion, the matter should be referred to the Conference of the Parties for discussion of other aspects.

86. One representative voiced support for adoption of the draft resolution on sustainable use, noting the potential benefits to both local communities and conservation efforts. Implementation should, however, be accompanied by due precautionary testing and development. Another representative supported that approach, adding that the approval by several other global agreements of the use of the Addis Ababa principles militated against simply rejecting them. A means of adopting the principles should be sought that was sensitive to the particular needs of CMS.

87. Several Parties voiced strong concern over use of the Addis Ababa principles in the context of CMS. One representative argued that, while the principles were appropriate in the context of the Convention on Biological Diversity, the focus of CMS on protecting endangered species was at odds with the notion of sustainable use. That was particularly so in relation to the Convention's provisions on cetaceans and species listed within Appendix I. Further consideration should be given to the effect of applying the Addis Ababa principles in the context of CMS before adoption of the resolution. Other representatives voiced support for that position, stressing the need to ensure that there was no legal conflict between the draft resolution and the statutes of the Convention. The representative of an environmental non-governmental organization pointed out that the guidelines were designed to be helpful, rather than prescriptive, and should be applied in a different manner depending on the status of the species in question.

88. In view of the divergence of opinions on the issue, the Conference of the Parties agreed on the formation of a working group to discuss the matter, which would report back to the plenary at its 3rd session.

89. During the 3rd plenary session, the representative of the United Kingdom, who had acted as co-chair of the sustainable use working group alongside South Africa, reported on the findings of the working group. Considerable concern had been expressed about the proposed substance of the draft resolution and a smaller drafting group had been formed to draft a revised proposal, which would be submitted to the working group for further consideration.

90. At the 6th plenary session, the representative of South Africa outlined the changes that had been made to the resolution on sustainable use (UNEP/CMS/Res.8.1/Rev.1). The Conference adopted resolution 8.1 on sustainable use, as contained in annex VIII to the present report.

XII. MEASURES TO IMPROVE THE CONSERVATION STATUS OF APPENDIX I SPECIES (item 13)

A. Major (concerted action) projects

1. Sahelo-Saharan antelopes project

91. The Committee of the Whole took up the item at its 2nd session. Mr. El-Kabiri introduced document UNEP/CMS/Conf.8.24/Rev.1, on the status of concerted action for Sahelo-Saharan antelopes.

92. He outlined in detail the progress made; activities concerned six threatened species of antelope, of which one, the scimitar-horned oryx, was on the verge of extinction; the other five were severely threatened. A total of 14 Range States were involved, from Mauritania to Ethiopia. The concerted action

had been initiated at the fourth meeting of the Conference of the Parties, during which the Conference passed a resolution calling for implementation of a plan of action, which was subsequently adopted in Tunisia in 1998 and updated in 2003 during a workshop in Morocco.

93. While initial implementation had been not as rapid as might have been desired, progress had been made, including the establishment of a database and a website, the development of start-up activities in Senegal, proposals for new complementary activities in Chad, the establishment of links with other initiatives and the raising of awareness regarding the threat posed by hunting. In the margins of the workshop in Morocco, CMS and France had signed an agreement under the auspices of the action plan to implement a project aimed at protecting the antelopes, conserving drylands biodiversity, combating desertification and promoting rational resource use in the Sahelo-Saharan region. In addition, a partnership, modelled on the type II partnerships established under the World Summit on Sustainable Development, would be launched during the Conference, entailing formal commitments by the partners aimed at protecting the antelopes. In conclusion, he noted that the project, though very important, had not been given enough attention by other international organizations, including donors, and was in need of funding. He recommended that the Conference prepare documents on the subject for donor countries and partners on the possible extension of the project, which would be reflected in the resolution to be adopted on the issue.

94. The Committee took note of the presentation.

95. The representative of Sweden, noting the success of the Sahelo-Saharan antelopes concerted action, reported that he wished to introduce a draft recommendation by France, India, Sweden, Belgium and Uzbekistan to initiate a major concerted action project on Eurasian arid land mammals, building on the work of the Scientific Council's working group on terrestrial mammals, which had noted the unfavourable conservation status of many large mammal species of temperate and cold arid lands in Eurasia. The recommendation would propose a concerted action and associated cooperative action covering all threatened migratory large mammals in Central Asia, the northern Indian subcontinent, Western Asia, the Caucasus and Eastern Europe, and featuring an action plan and status reports for all species concerned. Initial concerted action would focus on the Bactrian camel, the wild yak, the snow leopard and the Bukhara deer (subject to inclusion on Appendix I), while cooperative action would focus initially on the Arctic wild ass, the goitered gazelle and the Mongolian gazelle.

96. The Chair invited the representative of Sweden to circulate the proposed recommendation (UNEP/CMS/Rec.8.23) to the Parties. The draft recommendation was subsequently endorsed by the Committee for consideration and possible adoption by the Conference of the Parties.

97. At its 7th plenary session the Conference of the Parties adopted recommendation 8.23 on Central Eurasian and arid land mammals, as contained in Annex VIII to the present report.

2. Siberian Crane wetland project

98. At the 2nd session of the Committee of the Whole, Mr. Sadegh Zadegan (Islamic Republic of Iran) gave a presentation on the work of the International Crane Foundation relating to the Siberian crane, whose conservation status was categorized as critical. Population numbers had declined to some 3,000 in East Asia and fewer than 10 in West Asia. Reviewing the history of conservation efforts since the original preparation of the Memorandum of Understanding on the species by CMS in 1993, he described current efforts under way to improve its conservation status. In particular, he outlined efforts being undertaken in four Range States – China, the Islamic Republic of Iran, Kazakhstan and the Russian Federation – under the UNEP-GEF Siberian Crane Wetland Project, a six-year undertaking that had commenced in 2003, which aimed to ensure the conservation of a network of critical sites. He observed that all the 16 identified wetland sites were eligible for GEF support. In conclusion, he thanked CMS for the support that it had provided for the project. The Committee took note of the presentation.

B. Other measures to promote the conservation of Appendix I species

99. The item was taken up by the Committee of the Whole at its 4th session, on the afternoon of Wednesday, 23 November 2005. Introducing the item, Dr. Barbieri said that two sets of issues would be dealt with: concerted action species, and cross-cutting issues that were the subject of draft resolutions or recommendations submitted for the attention of the Conference.

100. Regarding concerted action species, he drew attention to draft resolution 8.29 on concerted action for Appendix I species (UNEP/CMS/Res.8.29), reminding the Committee that concerted action had been one of the main operational tools of CMS since the third meeting of the Conference, and a number of initiatives had been taken to assist the conservation of Appendix I species. The last relevant list of concerted action species was that found in resolution 7.1 of the seventh meeting of the Conference of the Parties. The Scientific Council regularly monitored and reviewed action related to those species, including during its most recent thirteenth meeting. The Committee took note of the reports relevant to the matter.

101. He said that the following species had been recommended for concerted action during the next triennium: Bactrian camel (*Camelus bactrianus*), wild yak (*Bos grunniens*), Bukhara deer (*Cervus elaphus bactrianus*) (subject to approval by the Conference of its inclusion in Appendix I), the gorilla (*Gorilla gorilla*) (replacing the listing of the mountain gorilla), Balearic shearwater (*Puffinus mauretanicus*) and the red knot (*Calidris canutus rufa*).

102. Dr. Roseline Beudels, Scientific Councillor for Belgium and Coordinator of the Terrestrial Mammal Working Group within the Scientific Council, drew attention to draft recommendation 8.23 on Central Eurasian arid land mammals (UNEP/CMS/Rec.8.23), which was relevant to some of the species recommended for concerted action. She reiterated the importance of CMS work in the arid lands of Eurasia and North Africa.

103. The Committee endorsed draft resolution 8.29 for consideration and possible adoption by the Conference of the Parties.

104. Regarding cross-cutting issues, Dr. Barbieri drew the attention of the Committee to the amended draft resolution on by-catch (UNEP/CMS/Res.8.14/Rev.1).

105. Introducing the resolution, the representative of Australia said that by-catch was one of the major causes of mortality among migratory species in the marine environment. By-catch often occurred in international waters, necessitating mitigatory action that was more inclusive and holistic than had been the case in the past. CMS had a crucial role to play in coordinating and encouraging such action. The appointment of a Scientific Councillor for by-catch would greatly assist in that work.

106. The draft resolution received widespread support from a number of representatives, some of whom suggested minor drafting changes. Some representatives expressed concern that parts of the draft resolution, and some of the suggested textual changes, might overstep the institutional mandate of CMS, particularly where regional fish management organizations were concerned. The representative of the World Wide Fund for Nature (WWF) suggested that it was a prime function of CMS to take a strong position on activities endangering migratory species, and it was within its remit to make recommendations to other organizations.

107. The Chair invited the representative of Australia to coordinate drafting suggestions and produce a further revision for consideration of the meeting.

108. Continuing with cross-cutting issues, the representative of the United Kingdom, on behalf of the European Union and its member States, presented draft resolution 8.13 on climate change (UNEP/CMS/Res.8.13). He noted that the rationale of the resolution was the need to take into account the consequences of climate change on migratory species. He said he would consult with the representative of Australia on some editorial suggestions made by the latter.

109. On another cross-cutting issue, the representative of Germany, speaking on behalf of the European Union and its member States, provided an outline of the status of the draft resolution on adverse human-induced impacts on cetaceans (UNEP/CMS/Res.8.22). He noted that, at its 13th meeting, the Scientific Council had agreed in principle to support the draft document but that the Council and European Union member States had agreed that some redrafting would be appropriate. A meeting of European Union members had produced a revised draft, which interested Parties would have the opportunity to discuss in the context of a working group that evening. A presentation on the outcome of those discussions would be made to the Committee of the Whole.

110. A further cross-cutting issue, avian influenza, was introduced. The representative of Switzerland presented a new proposal for a draft resolution pertaining to the issue of avian influenza (UNEP/CMS/Res.8.27). In view of the discussion of the matter that had taken place at the 13th meeting of the Scientific Council and further comments from Parties on a first draft of the resolution, it was agreed that a working group should be formed to discuss the issue further. The group would report back to the Committee of the Whole.

111. The Committee of the Whole resumed discussion of those issues at its 7th session on the morning of 25 November. The Committee considered revised drafts of the resolution on climate change (UNEP/CMS/Res.8.13/Rev.2) and the resolution on by-catch (UNEP/CMS/Res.8.14/Rev.2) and endorsed both for consideration and possible adoption by the Conference of the Parties.

112. The representative of Switzerland presented a revised draft of the resolution on avian influenza (UNEP/CMS/Res.8.27/Rev.1). He drew attention to provisions of the text that aimed to deter culling or destruction of wetlands as a response to an outbreak of avian influenza. Another important provision called on the Scientific Council to investigate the need for action to tackle other diseases. The Committee of the Whole supported Switzerland's proposal for a minor amendment to the text and endorsed the document for consideration and possible adoption by the Conference of the Parties, subject to that adjustment.

113. The representative of Germany, speaking on behalf of the European Union and its member States, outlined several proposals for minor amendments to the latest draft of the resolution concerning protection of cetaceans (UNEP/CMS/Res.8.22/Rev.3). It was recommended that the annex to the draft resolution, which listed measures against human induced impacts on cetaceans, be removed and be presented to the Scientific Council as an informal paper for evaluation. In addition, New Zealand should be included amongst the proponents of the resolution.

114. Following objections from the representative of Australia, it was agreed that the annex would be removed but would not go before the Scientific Council as an informal paper. Parties would, however, remain at liberty to submit the document to the councillors as they saw fit. Additionally, following some discussion of the merits of including explicit reference to the Cartagena Convention within paragraph 3 of the text, it was agreed that the reference should appear in the final draft.

115. The Committee of the Whole endorsed draft resolution 8.22/Rev.3 for consideration and possible adoption by the Conference of the Parties, subject to the agreed amendments.

116. At its 7th plenary session, the Conference of the Parties adopted resolution 8.29 on concerted action for Appendix I species, and recommendation 8.23 on Central Eurasian arid land mammals, as contained in annex VIII to the present report.

117. At its 8th plenary session, the Conference of the Parties adopted resolution 8.13 on climate change, resolution 8.14 on by-catch, and resolution 8.22 on human impacts on cetaceans. All are contained in annex VIII to the present report.

118. At its final plenary session, the Conference of the Parties adopted resolution 8.27 on avian influenza, as contained in annex VIII to the present report.

XIII. MEASURES TO IMPROVE THE CONSERVATION STATUS OF APPENDIX II SPECIES (item 14)

A. Strategic issues on Agreements already in force

119. The Committee of the Whole took up the item at its 2nd session. Mr. Douglas Hykle, CMS Senior Advisor, introduced document UNEP/CMS/Conf.8.25/Rev.1, describing it as very important for the future evolution of the Convention. Noting that the Convention had a number of provisions defining the relationship between the Convention and existing agreements, he observed that one of the most important related to the review of existing Agreements and their integration into the work of the Conference of the Parties. He also highlighted as a key issue the question of principles to be taken into account by the Conference in considering the possible extension of existing Agreements, which was discussed in paragraph 13 of document 8.25. The Conference, he said, had to consider whether to endorse those principles, and he asked that the Parties focus their discussion on that question.

120. Following the presentation, the Chair opened the floor for debate, noting that Parties might also wish to comment on the budget and the issue of servicing and coordinating Memoranda of Understanding.

121. The representative of the United Kingdom, speaking on behalf of the European Union and its member States, conveyed his agreement that the principles for considering an extension of an existing Agreement were important, but suggested that the discussion of those principles in the document was somewhat confused. New work, he said, could be accomplished by two methods: the establishment of a new agreement under article IV of the Convention; or the extension of an existing agreement. In the latter case, such an expansion could be accomplished, at least as a legal matter, without any involvement of the Convention, because existing Agreements were sovereign and independent bodies. That point, he suggested, was not reflected in the document as presented, and his delegation would submit proposed language to correct that shortcoming.

122. The representative of ACCOBAMS pointed out the need for paragraph 13 to cover the extension of an Agreement to an area partly covered by another Agreement, giving as an example of such a situation her Agreement and the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS). In such a case, she suggested, the Secretariat should play the role of intermediary and provide advice, but it had to be remembered that the question of whether to extend an Agreement was a matter for decision by the Contracting Parties of that Agreement.

123. Following the debate, the Chair requested the representative of the United Kingdom and other interested Parties to meet in order to produce proposals that could be presented to the Conference and reflected in the report.

124. The Conference of the Parties resumed consideration of the item at its 8th plenary session. Mr. Hykle explained that, following discussions between representatives of the United Kingdom, on behalf of the European Union and its member States, and the Secretariats of CMS and ACCOBAMS, various alterations had been proposed to paragraph 13 of document UNEP/CMS/Conf.8.24/Rev.1 and circulated in a conference room paper.

125. Following brief discussion of the proposed wording of paragraph 13 (b), it was agreed that the revisions should be presented in the meeting report in the form laid out in the conference room paper.

126. In particular these key principles should be followed:

- (a) The initiative for any new Agreement should rest with the CMS Parties in the region, and promoted by the CMS Secretariat, in accordance with Articles IV and IX paragraph 4 (g), respectively, of the Convention.
- (b) In the case of existing daughter Agreements with an independent decision making process, their Parties need to decide whether they would be willing to accept a geographical expansion in the

light of the conservation, legal and resource implications on which the concerned Agreement Secretariat should advise, working together with the CMS Secretariat wherever possible.

- (c) Range States that are neither Parties to CMS in the case of (a), nor Parties to the daughter Agreement in the case of (b), shall nevertheless be consulted at an early stage and be involved in any relevant discussions.
- (d) In any event, any decision to adopt a new Agreement, or extend the scope of an existing one, should be taken at a properly constituted intergovernmental meeting at which country delegates have appropriate credentials and powers to finalise the text of an Agreement or MoU on behalf of their governments having considered the advice of the relevant secretariat(s) concerned.
- (e) Recognizing the ability of the CMS Secretariat to provide a strategic overview of the gaps and needs in relation to the geographic coverage of CMS Agreements, and the position of the Conference of the Parties to take decisions under (a), although not legally required to approve any extension of an existing daughter agreement under (b), Parties should seek to involve the Conference of the Parties and the CMS Secretariat in any discussions of new arrangements.

127. The Conference of the Parties took note of the revised text.

B. Development of new and future Agreements

128. The Committee of the Whole took up the item at its 2nd session. Mr. Glowka introduced document UNEP/CMS/Conf.8.10. Noting that the Conference at its seventh meeting had given the Secretariat a clear mandate to continue promoting efforts to develop new Agreements under article IV of the Convention and to service existing Agreements, he observed that such Agreements were at the heart of the Convention. He also expressed satisfaction at the rate at which new Agreements were coming into existence: counting the Memorandum of Understanding concluded that day on West African populations of the African elephant, there were six Agreements and eight Memoranda of Understanding.

129. In addition to benefiting migrant species directly, Agreements and Memoranda were also useful ways to involve non-Parties in the work of the Convention and to raise the Convention's profile. He also discussed the funding of Agreement development and servicing, explaining that the former had up to that time been funded primarily by draw-downs of budget surpluses authorized by the Conference, while regular Memorandum of Understanding Range State meetings had been funded from dedicated budget lines. The surplus that had funded agreement development, however, was exhausted, so the Conference was faced with the question of how to fund that activity from the regular budget. He then outlined some of the activities that had taken place under the various Agreements, including the great bustard Memorandum of Understanding, the African Atlantic turtles Memorandum, the Bukhara deer Memorandum, the aquatic warbler Memorandum of Understanding and the Houbara bustard Agreement. In conclusion, he referred the Conference to draft resolution 8.5.

130. The Committee of the Whole discussed a number of individual draft recommendations for Agreements to be developed under CMS auspices during its 2nd session. For some of these initiatives, the Secretariat encouraged interested Parties to select a lead country to take primary responsibility for developing selected Agreements.

Draft recommendation 8.12

131. The draft recommendation on improving the conservation status of raptors and owls in the African-Eurasian region was introduced by the representative of the United Kingdom, speaking on behalf of the European Union and its member States.

132. He provided a detailed outline of the draft recommendation and of the report (UNEP/CMS/Inf.8.18), funded by the United Kingdom, out of which the draft recommendation had grown, and made an offer to convene an intergovernmental meeting to further the development of the initiative.

133. All six representatives who spoke on the matter expressed support for the recommendation. The representative of Austria reported that the white-tailed eagle had returned to the east of that country and was breeding there and that an action plan to protect the species was in place. Problems remained, however, primarily with pesticide poisoning. The representative of Bangladesh asked for his country to be included in the process and requested assistance for a regional Memorandum of Understanding for the subcontinent and South-East Asia. The representatives of India and the Philippines expressed support for the concept of including the States of South Asia in the process. The representative of Djibouti also expressed support for the draft recommendation and requested Secretariat assistance in identifying the threats to raptors in his country, the eastern port of entry to Africa for migratory species.

134. The representative of the United Kingdom invited interested Range States that had not been included in the consultant's report on which the recommendation was based to a forthcoming intergovernmental conference on the matter, which would be held as soon as possible, and undertook to evaluate the points made by the other six speakers in order to take the process further.

135. The Committee of the Whole endorsed draft recommendation 8.12 for consideration and possible adoption by the Conference of the Parties.

136. At its 7th session the Conference adopted recommendation 8.12 on improving the conservation status of raptors and owls, as contained in annex VIII to the present report.

Draft recommendation 8.15

137. The representative of Australia introduced the draft recommendation on regional arrangements under the Convention for the Indian Ocean and South-East Asia to protect the dugong, which was under considerable threat, and announced that a second meeting on identifying the range of and threats to those animals was planned for the first half of 2006.

138. All five speakers on the matter expressed support for the recommendation. The representative of Bangladesh, a Range State, requested cooperation to assist in protecting the species, and the representative of the Seychelles drew particular attention to the problems it faced in East Africa. However, the dugong population of the Seychelles, though small, was not decreasing. The representative of Djibouti also requested assistance.

139. The Committee endorsed the consolidation of the recommendation with draft resolution 8.5/Rev.1.

Draft recommendation 8.16

140. The representative of Australia on behalf of cosponsors Australia, New Zealand and the Seychelles introduced the draft recommendation, on migratory sharks.

141. The draft recommendation had the support of the Scientific Council. The whale and great white shark were already listed in the Convention's Appendices, and consideration would be given to listing the basking shark also.

142. There had been little involvement so far on the part of the Convention in connection with those species, and he expressed the hope that a Convention instrument would help tie together existing unlinked efforts to conserve the species in question; he noted also that some Range States had no protection measures in place. The major threats to the species were by-catch, illegal or unregulated fishing and entanglement; some dangers did not fall within the jurisdiction of Range States, so a global instrument was required to fill in the gaps in the existing protection measures.

143. Support for the draft recommendation was general, though a number of drafting changes were suggested. One representative drew particular attention to paragraphs 93–99 of the review of article IV agreements concluded or under development (UNEP/CMS/Conf.8.10), and stressed that any Memoranda of

Understanding concerning the whale shark should run in parallel with the global instrument and should include more Range States.

144. The representative of an environmental non-governmental organization expressed the view that an action plan for the whale shark was required. He mentioned that, experts from 23 Range States had met in early 2005 in Western Australia to discuss conservation measures for the whale shark, including international cooperation, and the draft recommendation would help carry forward the process that they had begun. The representative of a Range State informed the meeting that problems were encountered with the whale shark in connection with deep-sea fishing activities; also, as the range of the species was not properly known, an assessment survey should be carried out.

145. The Committee of the Whole endorsed draft recommendation 8.16 for consideration and possible adoption by the Conference of the Parties.

146. At its 7th session the Conference adopted recommendation 8.16 on migratory sharks, as contained in annex VIII to the present report.

Draft recommendation 8.17

147. The representative of Australia, introducing the draft recommendation on marine turtles, informed the meeting that the principal threats to marine turtles were by-catch, entanglement, marine debris, and habitat degradation. He noted that within the CMS framework two Memoranda of Understanding had been concluded, one for the Indian Ocean and South-East Asia and the other further African Atlantic coast. A Memorandum of Understanding for the Pacific should also be developed, and in that connection he expressed the hope that the draft recommendation would help that process. He noted that 2006 had been designated the Year of the Turtle within the Indian Ocean and South East Asian region.

148. Support for the draft recommendation was general. In connection with the Year of the Turtle, support was expressed for expanding it to include the African Atlantic Coast Memorandum of Understanding, although some doubts were voiced as to the practicality of doing so in the light of the short lead-time available. Other speakers stressed that urgent action was required, as marine turtles were under serious threat.

149. The Committee of the Whole endorsed draft recommendation 8.17 for consideration and possible adoption by the Conference of the Parties.

150. At its 8th plenary session, the Conference of the Parties adopted recommendation 8.17 on marine turtles, as contained in annex VIII to the present report.

Draft recommendation 8.19

151. The representative of New Zealand introduced the draft recommendation on the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region, on behalf of its co-sponsors Australia, New Zealand and Samoa, giving an overview of the history of the commercial whaling, massive illegal hunting and hunting for purposes of “scientific research” which had led to the disastrous depletion of whale populations. He expressed gratitude to a number of organizations including the South Pacific Regional Environment Programme, the Marine Mammal Council, WDCS, WWF and the David and Lucile Packard Foundation for their assistance in developing the draft recommendation and for their capacity-building activities for non-invasive whale-related activities of economic benefit. He commended the draft recommendation to the meeting, expressing the view that it would raise the profile of the Convention in Oceania and encourage States in the region to accede to it. The Committee endorsed the consolidation of the recommendation with draft resolution 8.5/Rev.1.

Draft recommendation 8.25

152. The representative of Peru introduced a draft recommendation for a Memorandum of Understanding on Andean flamingos, whose Range States were Argentina, Bolivia, Chile and Peru. The three species were listed in Appendix II of the Convention and also by the World Conservation Union and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Furthermore, the Scientific Council had recommended rapid action and support for the Range States in their initiative for a Memorandum of Understanding. The Committee endorsed the consolidation of the recommendation with draft resolution 8.5/Rev.1.

Draft recommendation 8.26

153. The representative of Paraguay introduced a draft recommendation for a Memorandum of Understanding on seven species of grassland birds in South America. The Range States were currently tackling the problem of their conservation in a piecemeal fashion and coordination was therefore required. She requested Secretariat support for the development of the Memorandum which would be open for both Parties and non-Parties in the Southern Cone to sign.

154. The Committee of the Whole endorsed draft recommendation 8.26 for consideration and possible adoption by the Conference of the Parties.

155. At its 7th session the Conference adopted recommendation 8.26 on conservation of grassland bird species in southern South America, as contained in annex VIII to the present report.

Draft resolution 8.5

156. The Committee of the Whole took up the development of new and future Agreements item again at its 3rd session with consideration of draft resolution 8.5, on the implementation of existing Agreements and development of future Agreements. Mr. Glowka reminded the Committee that, at the seventh meeting of the Conference of the Parties, a practice had begun of preparing a consolidated resolution on Agreement development, which incorporated cross-references to individual Agreement-related recommendations proposed by Parties on particular species. Those Parties that had put forth individual recommendations on Agreement development were asked to consider in particular the text in the resolution relating to those recommendations.

157. One representative expressed satisfaction with the language on dugongs, but noted that he would need to consult with other Parties regarding the language on Pacific cetaceans in paragraph 2 (k). The representative of Peru said that her country agreed to the inclusion of the text on Andean flamingos, but would provide text for an additional paragraph.

158. The representative of the United Kingdom, speaking on behalf of the European Union and its member States, expressed broad support for the resolution but noted that it would be necessary to supply the missing text on the Houbara bustard and the sandgrouse in subparagraphs (a) and (b) of paragraph 2 before he could fully support it. He also argued for greater flexibility than would be provided by the use only of strategic or implementation plans linked to the Strategic Plan through a system of logical frameworks, and suggested that other mechanisms be permitted, saying he would provide text on that point. He also suggested a number of minor editorial changes.

159. Mr. Glowka indicated that he would work with Saudi Arabia, the lead country with respect to the Houbara bustard Agreement in order to draft text for the resolution on that species.

160. The representative of South Africa, a leading Range State for endangered species in the sand grouse family, reported that it would be necessary to rekindle Range State negotiations for the species. Their status remained as described in document UNEP/CMS/Conf.8.10, and he recommended that there be no paragraph on that species in the resolution.

161. With respect to the Central Asian flyway, one representative proposed changing the word “finalization” to preparation, since the flyway action plan had not yet been signed by all Range States, and also suggested inserting language encouraging Ranges States to ensure the uninterrupted flow of water to low-altitude States in order to protect habitat. By way of clarification, Mr. Glowka said that the flyway action plan had been finalized at a meeting of Range States in June 2005, but still needed to be formally adopted by the Governments of those States.

162. Asked by the Secretariat to comment, the representative of Germany, which had previously called for greater cooperation between CMS and CITES, expressed his satisfaction with the text on sturgeons. The representative of CITES proposed an additional paragraph on sturgeons, calling on all Parties to implement the CITES resolution requiring States with shared stocks of sturgeon to develop and implement joint management plans and setting forth various obligations for sturgeon-consuming States.

163. Regarding migratory sharks, the representative of Australia said that discussions were still in progress as to which Range State might act as the lead country for such an Agreement. One representative proposed adding a specific reference to cooperative actions involving whale sharks in the list of items to be considered in devising any new conservation instrument. The Chair noted that it might then be necessary to add other references to other species, and pointed out that there would be specific mention of whale sharks in resolution 8.5. The representative of Australia observed that the reference to Appendices I and II meant that whale sharks were already covered by the recommendation.

164. As far as small cetaceans in South-East Asia were concerned, Mr. Glowka suggested references in the draft resolution text on the necessity of appointments of a lead country, and requests for financial and in-kind support.

165. The representative of Australia said he had conferred with New Zealand and Samoa on the text related to cetaceans of the Pacific islands region, and suggested that subparagraph (iv) should express commitment rather than intention.

166. The representative of Spain said that the four Range States for the monk seal – Mauritania, Morocco, Portugal and Spain – were continuing to work towards signing a Memorandum of Understanding as a tool for conservation of the species.

167. Where the category of terrestrial mammals was concerned, Mr. Glowka said that the text on Sahelo-Saharan antelopes acknowledged progress towards implementation of the revised action plan adopted in Agadir in 2003, and welcomed the initiation of a large project aimed at conservation of the species.

168. He also said that consultation had taken place with regard to the Mongolian gazelle. The Secretariat would continue to advise Range States on the development of an action plan and a framework cooperative instrument, though two of the three Range States were not Parties to the Convention. He also noted that Mongolian gazelle would be part of the proposed concerted action on Eurasian arid land mammals.

169. Mr. Glowka reminded the Committee that listing proposals for some African species of bats were before the Conference, and the matter had received close attention during the thirteenth meeting of the Scientific Council. Range States were invited to form a working group in consultation with the Council, EUROBATS and CMS to consider how an Agreement on African bats could be developed.

170. The representative of the Democratic Republic of the Congo said that his country was a major Range State for gorilla species and described the continuing threats which they faced, including habitat destruction and the lucrative trade in animal parts. He strongly welcomed the concerted action for *Gorilla gorilla*.

171. The Committee of the Whole resumed discussion of the resolution on implementation of existing Agreements and development of future Agreements at its 7th session. Mr. Glowka provided a brief

overview of the changes that appeared in the latest draft of the resolution (UNEP/CMS/Res.8.5/Rev.1). He drew attention to two new insertions, which constituted cross-references from the consolidated resolution to other stand alone measures, namely the draft recommendation on grassland bird species in southern South America (UNEP/CMS/Rec.8.26/Rev.1) and the draft recommendation on migratory sharks.

172. Following discussion of certain proposed changes to the wording of the draft resolution, it was decided to refer the discussion of the issue to the plenary. Other minor changes to the draft were approved and it was agreed to recommend adoption of the resolution to the plenary, subject to the outcome of discussions on the substance of the provisions relating to the listing of *Gorilla gorilla* on CMS Appendices.

173. At the 8th session of the plenary, Dr. Galbraith outlined the opinion of the Scientific Council on the appropriateness of listing *Gorilla gorilla* on the CMS Appendices and the possibility of further Agreements aimed at protecting the species (summarized below under agenda item 22). In the light of those observations, the Conference of the Parties agreed to adjust the wording of the resolution in line with the proposal of the Chair of the Committee of the Whole.

174. The Conference of the Parties adopted resolution 8.5 on article IV Agreements, as contained in annex VIII to the present report.

1. Asian Houbara bustard Agreement

175. A special session at which Range States met for the first time to negotiate the text of the draft Agreement on the Conservation of the Asian Houbara Bustard (*Chlamydotis undulata macqueenii*) took place during the Conference of the Parties. A report of the meeting will be prepared separately by the CMS Secretariat and will be made available through the CMS website.

2. West African elephants Memorandum of Understanding

176. During the 4th plenary session, a signing ceremony was held during which representatives from the competent authorities of the following countries signed the Memorandum of Understanding on West African Populations of the African Elephant: Burkina Faso (lead country), Benin, Côte d'Ivoire, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Sierra Leone and Togo. Ghana had indicated to the Secretariat its readiness to sign but unfortunately was not in a position to sign on this occasion but planned to do so in the near future.

177. The Memorandum of Understanding was also signed on behalf of the Convention Secretariat by the Executive Secretary, who paid tribute to IUCN for its efforts in bringing it to fruition, and on behalf of the IUCN Species Survival Commission by its Chair, Dr. Holly Dublin. He noted that CMS had programmed further resources for implementation of the Memorandum, and aimed for a target of \$100,000, to be deployed towards the Memorandum of Understanding's coordination. He appealed to donor States and agencies, Range States and CMS Partners to endeavour to triple that sum to \$300,000 and hoped that corresponding pledges would be received by the end of the current meeting of the Conference of the Parties.

3. Saiga antelope Memorandum of Understanding

178. During the 5th plenary session, a ceremony was held during which representatives from one Range State, collaborating organizations, both intergovernmental and non-governmental, and one collaborating State institution signed the Memorandum of Understanding on the Saiga Antelope (*Saiga tatarica tatarica*). Prior to the ceremony, Mr. Glowka gave a short introduction in which he noted that pursuant to article IV paragraph 4 of the Convention the CMS Secretariat had begun work with the Range States on developing the Memorandum even before the saiga antelope had been listed in Appendix II, as a proactive response to the fact that the numbers of saiga antelope had dropped precipitously from the hundreds of thousands to the tens of thousands in a matter of a few years.

4. Possible signing ceremonies of other Memoranda of Understanding

179. During the 5th plenary session, a Memorandum of Understanding was signed for the aquatic warbler (*Acrocephalus paludicola*). The document was signed by the Executive Secretary and Ms. Roxane de Bilderling, acting Ambassador of Belgium, one of the Range States.

180. During that same session, a brief ceremony was held during which the representative of Liberia signed the Memorandum of Understanding on Marine Turtles of the Atlantic Coast of Africa. In a brief introduction, Mr. Hykle noted that the Memorandum had been the first on marine turtles concluded under CMS, in 1999, and had been signed by nearly all the Range States. Another ceremony was held during which the representative of Eritrea signed the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia. Mr. Hykle noted that Eritrea would be the twenty-fourth signatory to the Memorandum.

C. Other measures to promote conservation and sustainable management of Appendix II species

181. The item was taken up by the Committee of the Whole at its 3rd session. Dr. Barbieri reminded the Committee that cooperative action for Appendix II species had been established as an operational tool of CMS by the Conference of the Parties at its fifth meeting, and the Scientific Council had updated the list of species designated for cooperative action at subsequent meetings on the basis of recommendations. The latest list was that included in recommendation 7.1, which also instructed the Council to review the current list and the practice for identification of cooperative action species.

182. The review process had focused on clarification of the criteria for inclusion of species on the list for cooperative action. The Council had re-examined the original text of recommendation 5.2, and had agreed that designation of species for cooperative action was intended for those species that could not reasonably expect to become the object of an Agreement during the relevant triennium but required conservation action. Some species on the list did not, however, meet that criterion. The Council had therefore produced a new list for the consideration of the Conference, and had recommended clearer wording for recommendation 5.2 to clarify the meaning intended (draft recommendation UNEP/CMS/Rec.8.28/Rev.1).

183. Species recommended for deletion from the cooperative action list included albatrosses and petrels, as an Agreement on those species had been concluded. Similarly, a number of species for which an agreement was actively being negotiated were recommended for removal, including the whale shark, the African penguin, the dugong, and three species of grassland birds in South America.

184. Species recommended for addition to the list for cooperative action included the African populations of three species of bats, subject to approval by the Conference of their inclusion in Appendix II, and some Central Asian mammals. It was also suggested that cooperative action for African elephants be limited to the Central African populations, as an agreement had just been concluded for West African populations.

185. Mr. John O'Sullivan, appointed Councillor for birds, pointed out that not all species of albatrosses and petrels were included in the Agreement on the Conservation of Albatrosses and Petrels, and suggested that some wording be found to retain in the list for cooperative action those species not covered by the agreement or that, as an alternative, the situation could be noted in the record of the meeting for future reference.

186. The Committee of the Whole endorsed draft recommendation 8.28/Rev.1 for consideration and possible adoption by the Conference of the Parties.

187. The Conference of the Parties considered the draft recommendation on cooperative action for Appendix II species at its 7th plenary session. The Secretariat explained that the whale shark had been deleted from the cooperative action species list derived from Appendix II since preparation of a CMS instrument on migratory sharks was proposed for the next triennium and the whale shark would be included

in this. He stressed that deletion from the list did not in any way indicate a falling off of interest in the species, merely that action in its respect was being undertaken and it was therefore not necessary to list it.

188. Following that clarification, the Conference of the Parties adopted recommendation 8.28 on cooperative action for Appendix II species, as contained in annex VIII to the present report.

XIV. CMS INFORMATION MANAGEMENT PLAN (item 15)

A. Review of the Global Register on Migratory Species (GROMS)

189. The Committee of the Whole took up the item at its 1st session. Presenting the item, Dr. Rilla of the Secretariat, drew the attention of the Committee to document UNEP/CMS/Conf.8.12 and draft resolution UNEP/CMS/Res.8.9/Rev.1. He presented a review of progress in the development of GROMS and invited the Committee to consider a proposal on the continuation of the initiative. An independent evaluation of GROMS had taken place during 2005 and would serve as a base for actions and recommendations.

190. He noted the potentially important role of GROMS in achieving the objectives of the 2006–2011 Strategic Plan, and recalled the resolution of the Conference of the Parties at its seventh meeting that GROMS be reviewed in order to determine how it could be harmonized with the CMS Information Management Plan. In order for GROMS to achieve the aims for which it was undertaken, completion of the first phase was required; that would take 18 months and would cost an estimated US\$85,000. The completion process would address data quality control, the establishment of a Scientific Board for GROMS, the integration of GROMS into the CMS information management system and improvement of the GROMS website and CD-ROM user-friendliness.

191. The Committee of the Whole endorsed the draft resolution for consideration and possible adoption by the Conference of the Parties.

192. At its final plenary session, the Conference of the Parties adopted resolution 8.9 on the review of GROMS, as contained in annex VIII to the present report.

B. Implementation of the CMS Information Management Plan

193. The Committee of the Whole took up the item at its 1st session. Introducing the item, Dr. Rilla drew the attention of the Committee to a report on the implementation of the CMS information management plan (UNEP/CMS/Conf.8.13/Rev.1) and a draft resolution on implementation of the CMS information management system (UNEP/CMS/Res.8.10/Rev.1).

194. Concerning the draft resolution, Dr. Rilla outlined the benefits of the information management plan and underscored the importance to CMS of having the best scientific information available. The information management system would enable integration of a wide range of data from a large number of biodiversity-related sources, including national reports, and would constitute an important tool for monitoring and assessing activities and achievements. The concept of an e-library was fundamental to the serious functioning of the Convention.

195. Dr. Galbraith observed that the need for the Council to base its work on the best data available was of paramount importance to the work of CMS, and the development of one integrated system, with the CMS linked with a network of other data sources and biodiversity initiatives, was the way forward. The Scientific Council supported such improvements in information provision.

196. The representative of the United Kingdom, speaking on behalf of the European Union and its member States, said that the European Union had some proposed text to add to the operative paragraphs of the resolution. The Chair invited the Secretariat to prepare a revised text for the consideration of the Conference.

197. At the 5th session of the Committee of the Whole, Dr. Rilla introduced draft resolution 8.10/Rev.2, highlighting changes that had been made to resolution 8.10/Rev.1. Following the Secretariat's presentation, the Committee endorsed the resolution without amendment for consideration and possible adoption by the Conference of the Parties.

198. At its 7th plenary session, the Conference of the Parties adopted resolution 8.10 on implementation of the CMS information management system, as contained in annex VIII to the present report.

C. Format for Party reports

199. The Committee of the Whole took up the item at its 1st session. Introducing the item, Dr. Rilla drew the attention of the Committee to document UNEP/CMS/Conf.8.14. He said that some revision had been proposed to the format used for the preparation of national reports, taking into consideration the new CMS Strategic Plan. The aim was to have a single format that could be harmonized with distinct taxonomic groups and would be available online, allowing it to be updated during the entire intersessional period.

200. One representative observed that, while the online reporting format used by the IOSEA Secretariat had been extremely useful, caution was necessary as some countries had unreliable Internet access. The representative of the Secretariat said there were no immediate plans to make reporting exclusively online.

201. The representative of the United Kingdom, speaking on behalf of the European Union and its member States, suggested that the issue be revisited once the draft resolution proposed by the European Union had been circulated, as it contained relevant text. The Committee concurred with the suggestion.

202. During the 5th session of the Committee of the Whole, Dr. Rilla outlined the changes to resolution 8.24 on national reports for the eighth and ninth meetings of the Conference of the Parties, following which the Committee endorsed the resolution without amendment for consideration and possible adoption by the Conference of the Parties.

203. At its 7th plenary session, the Conference of the Parties adopted resolution 8.24 on national reports for the eighth and ninth meetings of the Conference of the Parties, as contained in annex VIII to the present report.

XV. CMS OUTREACH AND COMMUNICATIONS (item 16)

A. CMS Outreach and Communications Plan

204. The Committee of the Whole took up the item in its 4th session on the afternoon of Wednesday, 23 November 2005. Ms. Deda presented a draft resolution on the CMS Outreach and Communications Plan (UNEP/CMS/Res.8.8). She pointed out that the plan was in line with the 2006–2011 Strategic Plan. It was based on the objectives of the Strategic Plan and had the same targets. All the activities of the plan were subject to the availability of funds.

205. The Committee endorsed the resolution for consideration and possible adoption by the Conference of the Parties.

206. At its 7th plenary session, the Conference of the Parties adopted resolution 8.8 on the CMS Outreach and Communications Plan, as contained in annex VIII to the present report.

B. Cooperation with other organizations

207. Ms. Deda discussed options for enhancing cooperation amongst biodiversity-related conventions, outlining the analysis in document UNEP/CMS/Conf. 8.15. The paper had been prepared jointly by the secretariats of five conventions, namely the Convention on Biological Diversity, the Convention on Conservation of Migratory Species, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Ramsar Convention on Wetlands, and the World Heritage Convention. The document provided an overview of the work undertaken by those conventions, discussed the mandate for cooperation, and listed examples of existing cooperative activities and options for enhancing future cooperation.

208. Two resolutions were presented to the Committee of the Whole for consideration. The first, relating to cooperation with other conventions (UNEP/CMS/Res.8.11), aimed to further inter-organizational collaboration, notably through harmonization of reporting methods and the development of issue-based modules to ensure coherent implementation of the conventions. The substance of the draft resolution closely matched an instrument recently adopted by the Convention on Wetlands of International Importance especially as Waterfowl Habitat. There were no objections from Parties to the substance of the draft and the Committee agreed to endorse the draft resolution 8.11 for consideration and possible adoption by the Conference of the Parties without amendment.

209. The second draft resolution discussed focused on the integration of migratory species into both national biodiversity strategy and action plans and future Convention on Biological Diversity work programmes (UNEP/CMS/Res.8.18). Work in that area had been undertaken in pursuance of a resolution adopted at the seventh meeting of the Conference of the Parties, relating to cooperation with other bodies and processes (UNEP/CMS/Res.7.9), which called for the drafting of guidance on the integration of migratory species into CBD work. The draft resolution included a package of measures that CMS focal points in member states could use to coordinate their activities with their counterparts in the Convention on Biological Diversity. Those measures would eventually be developed into a more detailed publication, based on a desk study and various case studies.

210. A brief summary of the provisions of the draft resolution was provided by Mr. Glowka and it was further noted that the existing joint work programme between CMS and Convention on Biological Diversity Secretariats was due to expire in 2005. Paragraph 6 therefore called for endorsement of a revised work programme, which imposed requirements on both Contracting Parties and the convention bodies themselves.

211. In the course of subsequent discussion of the resolution, the representative of Eritrea noted that developing countries could face some difficulties in meeting the resolution's requirements for integration of migratory species into national biodiversity strategies, owing to lack of resources and capacity. With that in mind, efforts to support capacity building would be welcome. The Secretariat voiced sympathy for those concerns and noted that the strategies and action plans in question would evolve over coming years, meaning that migratory species could be integrated as part of future processes to review and revise national biodiversity strategies and action plans.

212. Some minor alterations to the draft resolution were proposed but in view of the fact that some Parties had yet to take a position on the text, the Committee of the Whole agreed to postpone further discussion of the issue.

213. At the 7th session of the Committee of the Whole, Parties endorsed draft resolution 8.18 for consideration and possible adoption by the Conference of the Parties.

214. At its 7th plenary session, the Conference of the Parties adopted resolution 8.11 on cooperation with other conventions, and resolution 8.18 on the integration of migratory species into national biodiversity strategy and action plans and future Convention on Biological Diversity work programmes, as contained in annex VIII to the present report.

XVI. PROPOSALS SUBMITTED BY PARTIES TO AMEND APPENDICES OF THE CONVENTION (item 17)

215. The Committee of the Whole took up considerations of the proposals to amend the appendices of the Convention at its 3rd session and continued its consideration of it at its 4th session. The Committee had before it proposals for amendment of Appendices I and II of the Convention (UNEP/CMS/Conf.8.16).

216. Introducing the item, Dr. Barbieri informed the Committee that 25 amendment proposals had been received by the 21 June 2005 deadline. The proposals had been circulated to Contracting Parties and members of the Scientific Council for comment. The Council had reviewed the proposals and had approved them all, with the exception of the proposal to include the maccoa duck in Appendix I, for which the Council had advised further consideration.

217. One representative voiced his concern at what he said was the somewhat random nature of the selection of species, which seemed to be influenced by such incidental factors as the venue of the meeting. Dr. Galbraith observed that, under the Implementation Plan approved by the Scientific Council, provision was made for systematic reviews of entire taxa, which would help obviate any randomness in selection of species.

218. Concurring with that observation, Dr. Barbieri pointed out that the addition of species to the Appendices was the prerogative of Parties and not an automatic procedure resulting from the status of the species. He also stressed the need to consider the distribution of species and the fact that some species meriting listing might occur in areas still not covered by CMS membership.

219. The Chair presented the proposals individually for discussion by the Committee. The following species were approved by the Committee for recommendation to the Conference of the Parties for inclusion in Appendix I: gorilla (*Gorilla gorilla*), short-beaked common dolphin (*Delphinus delphis*) (Mediterranean population), Bukhara deer (*Cervus elaphus bactrianus*), Henderson petrel (*Pterodroma atrata*), Balearic shearwater (*Puffinus mauretanicus*), Madagascar squacco heron (*Ardeola idae*), red knot (*Calidris canutus rufa*), Basra reed warbler (*Acrocephalus griseldis*), spotted ground thrush (*Zoothera guttata*) and Atlantic sturgeon (*Acipenser sturio*).

220. The basking shark had been proposed for inclusion in Appendix I but the representative of Norway expressed reservations about the proposed listing, noting the lack of scientific data on the species, in particular regarding its population and migration patterns. Maintaining that the population of the species was not in a state of collapse and pointing out that it was not targeted for fins, he suggested that the proposal had political rather than conservation motives, and stressed the need to adhere to the exact criteria of the Convention, namely, only to consider species that were in the endangered category. IUCN had categorized the species as vulnerable – and even that categorization was questionable, given the lack of data. He said that his delegation would not insist on a vote on the listing, but reserved its right to post a reservation against such listing as provided for under the Convention.

221. In the ensuing debate, the Chair reminded representatives of the need to view all the evidence in an objective manner. A number of representatives strongly supported the proposed listing, maintaining that the migratory nature and threatened status of the species was confirmed, at least in parts of its range. It was also recalled that the Scientific Council had supported listing of species in both Appendix I and Appendix II. The Chair of the Scientific Council conveyed his personal view that the use of catch data should not be rejected, noting that such data were used for other species as well.

222. The representative of Denmark said that, while his country supported the proposal, it wished to post a formal territorial reservation to the listing on behalf of the Home Rule Government of the Faroe Islands, which was of the view that matters regarding the conservation and management of fishery resources, including sharks, came within the purview of relevant regional fishery management organizations such as the North-East Atlantic Fisheries Commission (NEAFC), the North Atlantic Fisheries Organization and the International Commission for the Conservation of Atlantic Tunas. The Faroese Government intended to raise the issue of the status of the basking shark with NEAFC, pursuant to which

the International Council for the Exploration of the Sea would be asked to undertake a thorough scientific review of the population of the species and submit its view to NEAFC as the basis for further decisions. In the opinion of the Faroese Government, the present proposal was not based on such a thorough scientific review.

223. The representative of New Zealand agreed that there was a clear case for listing the Northern Hemisphere population of the species in Appendix I, but opposed listing the Southern Hemisphere population. That population was categorized by IUCN as vulnerable, and New Zealand would accordingly support its listing in Appendix II. He also noted that all fisheries targeting the species were situated in the Northern Hemisphere and stressed the importance of maintaining the integrity of CMS listings.

224. The representative of another Range State said that his country would need more time to gather data on the species before it could take a position on whether or not it should be listed in Appendix I.

225. The representative of the United Kingdom said that, while his delegation strongly supported listing the species, as the current representative of the European Union it would have to note the need to place a reservation on its listing in Appendix I until such time as the necessary European Community legislation was in place to ensure compliance with the provisions of article III of the Convention.

226. The representatives of the Whale and Dolphin Conservation Society and IUCN both spoke in favour of the listing, the former noting that, while it had no direct interest in the species, the issue was comparable to that of the listing of other species, particularly in respect of the need to accept fisheries data when more robust scientific data might take decades to assemble, and the latter noting the dramatic decline in catches since the early 1970s, from 18,000 tons annually to less than 500 tons, and pointing out that it was one of the most vulnerable species that was still commercially harvested. Those delegations, supported by a number of others, urged the Conference to follow the precautionary principle in the case of that species and accept the proposal.

227. The Committee of the Whole ultimately agreed that the question of listing the basking shark on Appendices I and II should be referred to the plenary.

228. The maccoa duck had been proposed for inclusion on Appendix I, but one representative pointed out that, while specific populations of the species might be endangered, it was not true of the species as a whole. It was recalled that the taxonomic group dealing with the species in the Scientific Council had concluded that it should not be included on Appendix I and that its status was only on the borderline between “near threatened” and “vulnerable”. The Committee agreed that the species should not be listed in Appendix I.

229. The following proposals for 15 species were approved by the Committee for recommendation to the Conference of the Parties for inclusion in Appendix II: Schreiber’s bent-winged bat (*Miniopterus schreibersii*) (African populations); large-eared free-tailed bat (*Otomops martiensseni*) (African populations); straw-coloured fruit bat (*Eidolon helvum*) (African populations); short-beaked common dolphin (*Delphinus delphis*) (Mediterranean populations); striped dolphin (*Strenella coeruleoalba*) (Mediterranean populations); Bukhara deer (*Cervus elaphus bactrianus*); rock pratincole (*Glareola nuchalis*); African skimmer (*Rynchops flavirostris*); strange-tailed tyrant (*Alectrurus risora*); cock-tailed tyrant (*Alectrurus tricolor*); chestnut seedeater (*Sporophila cinnamomea*); rufous-rumped seedeater (*Sporophila hypochroma*); marsh seedeater (*Sporophila palustris*); white-collared seedeater (*Sporophila zelichi*); saffron-cowled blackbird (*Agelaius flavus*).

230. One representative pointed out that one of the main threats to the vulnerable seedeaters was the taking of birds for the international pet trade, and suggested that Paraguay, the proposing State, seek cooperation with CITES on the matter. The representative of Paraguay outlined other threats to the species, including pollution and habitat destruction due to extensive farming, and requested that the Range States – Argentina, Bolivia, Paraguay and Uruguay – be given support in coordinating action leading to a Memorandum of Understanding.

XVII. SECRETARIAT MANPOWER AND ORGANIZATION (item 18)

231. The item was taken up at the 6th plenary session. Mr. El Kabiri introduced document UNEP/CMS/Conf.8.17, a note by the Executive Secretary on Secretariat manpower and organization. He briefly outlined the organization chart contained in the document and reviewed the history of and reasons for an increase in the number of professional and general services staff employed by the Secretariat. He then explained the proposal before the Conference: first, that the Conference express its support for the Executive Secretary's staffing of the Secretariat and, in support of that staffing, its support as well for budget scenario three; and second, that the Conference approve the establishment of two additional posts, one P-3 Technical Officer and one GS-7 Senior Information Assistant.

232. Mr. Hepworth outlined the progress of the resources working group, which had been created during the 3rd plenary session to develop a resolution on financial and administrative issues, and praised the Chair of the working group, Mme. Véronique Herrenschildt, for her efforts to overcome the financial difficulties facing the Convention. Negotiations within the resources group had been complicated by shortcomings in the communication between Parties and the Secretariat, which implied lessons for the future. However, progress had been achieved towards agreeing a budget and that in turn demanded that Parties give consideration to their priorities in terms of spending on specific projects. Additional funding was sought in the form of voluntary contributions by Parties to support projects, as well as assistance from UNEP. Finally, delegates were asked to continue funding of the valuable work undertaken by Mr. Hykle, in his capacity as Senior CMS Advisor in Asia.

233. The only comment from the floor came from the representative of the United Kingdom, speaking on behalf of the European Union and its member States. He affirmed that a great deal of work had been undertaken and that all involved had sought the best possible solution through both formal and informal discussions. With regard, however, to the Secretariat's staffing proposals laid out in document UNEP/CMS/Conf.8.17, the European Union and its member States regarded the creation of additional posts as inappropriate. The recruitment of new staff during the triennium 2003–2005 had been very successful, but it was now the time for consolidation.

234. Since the issue of Secretariat human resources was closely related to the continuing negotiations of the resources working group, the Conference agreed to leave the issue open for further discussion.

XVIII. BUDGET AND ADMINISTRATION (item 19)

A. Outcome of CMS budget 2003–2005

235. The item was taken up at the 3rd plenary session. In considering the item, the Conference had before it a report on the execution of the budget of CMS in the triennium 2003–2005 (UNEP/CMS/Conf.8.18). Presenting the item, the Executive Secretary of CMS said that the Standing Committee had considered a paper on the budget at its twenty-ninth meeting. It was stressed that the surplus in the CMS trust fund that had supported previous project work had been exhausted and that the financial situation remained fragile. In particular, a number of Parties had failed to meet their subscription obligations; if that situation persisted, then CMS accounts would end the triennium in deficit. With that in mind, Parties were called upon to meet any outstanding obligations to the Convention.

B. CMS budget and medium-term plan 2006–2011

236. The item was taken up at the 3rd plenary session. In considering the item, the Conference had before it a report on measures to improve the financial position of the CMS trust fund (UNEP/CMS/Conf. 8.19) and a summary of the main Secretariat tasks in relation to the budget proposal for 2006–2008 (UNEP/CMS/Conf.8.19/Add.1). Presenting the item, the representative of the Secretariat pointed out that in view of the challenges facing the Convention, which had been exacerbated by the devaluation of the dollar and the near exhaustion of the financial reserves of the Convention, the Standing Committee, at its

twenty-seventh meeting in Bonn in June 2004, had agreed to form an intersessional budget working group, which later been renamed the resource working group.

237. The mandate of the intersessional budget working group had been to draw up four indicative budget scenarios and to explain the implications of each scenario for the work programme. The four scenarios had been drawn up on the worst-case assumption that there would be no trust fund to draw on to supplement subscription payments from members, which had indeed proved to be the case.

238. In addition, the working group had been asked to examine options for reducing costs or generating income from sources other than subscriptions to help keep any increase in subscriptions to a minimum. The results of the efforts of the working group were set out in annex C to document UNEP/CMS/Conf.8.19. Mr. Hepworth subsequently highlighted options 2, 5 and 14, relating to banking costs, a reduction in the operating reserve, and efficiency targets for the Secretariat respectively, as worthy of close consideration, noting that they could free \$233,000 for use elsewhere. However, it was also noted that the list of options for reducing costs was not exhaustive. He suggested that a sessional resource working group established by the Conference would be free to consider any fresh proposals.

239. The four budget scenarios formulated by the intersessional working group for the period 2006–2008 were as follows:

- (a) No significant increase in the level of Party subscriptions from those in the 2003–2005 triennium (total budget for 2006–2008: \$5,441,289);
- (b) No increase in the total expenditure incurred in dollars during the 2003–2005 triennium (total budget for 2006–2008: \$7,019,900);
- (c) Maintenance of the outputs generated during the 2003–2005 triennium (total budget for 2006–2008: \$8,950,000);
- (d) An increase in outputs in keeping with the draft CMS Strategic Plan 2006–2011 (total budget for 2006–2008: \$10,570,000).

240. The likely consequences of each budget scenario in terms of staffing and project possibilities were set out in detail in document UNEP/CMS/Conf.8.19. It was noted, however, that the four scenarios were intended to serve as guidelines for discussion, rather than alternative options. Parties could agree on a budget falling anywhere within or outside the range of proposed scenarios.

241. Mr. Hepworth provided some further explanation of the consequences of the budget scenarios for CMS project work. Document UNEP/CMS/Conf.8.19/Add.1 listed the main tasks to be carried out in each of the five organizational units of the CMS Secretariat during the triennium 2006–2008. All the tasks were cross-referenced to objectives and targets in the draft 2006–2011 Strategic Plan.

242. It was noted that scenario 3 aimed to maintain the existing level of output. The substantial increase in subscription obligations that was associated with that option resulted from the fact that subscriptions had covered only 80 per cent of expenses during the last budget period, with the balance derived from the trust fund surplus. Scenario 4 provided for the hiring of two additional members of staff to improve media activities and undertake additional scientific work on migratory species. The Secretariat regarded a budget agreement somewhere between scenarios 3 and 4 as necessary to make further progress towards the 2010 Biodiversity Target. Continued funding for action plans and the Small Grant Programme would be vital to conservation efforts in developing countries.

243. The Secretariat had also prepared a fund-raising paper (UNEP/CMS/Conf.8.20). A non-profit-making organization had been established in Germany to aid the mobilization of funds from private sources. It was expected that it would take several years, however, before it was realistic to expect the new organisation to be able to generate major and predictable resources for CMS work.

244. It was agreed to establish a sessional resources working group with the mandate to review the budgeting issues before the conference and develop a draft resolution. Mme. Veronique Herrenschmidt (France) agreed to chair the working group.

245. The plenary resumed discussion of this item at its 8th session. The Vice Chair of the resources working group, Mr. Anderson Koyo of Kenya (deputising for the Chair of the group as Mme. Herrenschmidt had to leave before the end of the Conference), presented the report of the working group and a draft resolution 8.3 Rev.1 on financial and administrative matters and terms of reference for the administration of the Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals. He commended the members of the group for their hard work on a difficult issue.

246. In the ensuing debate, the representative of Argentina expressed concern over the increase in contributions expected from developing countries and also the denomination of subscriptions in euros rather than dollars. She said that even though the value of the dollar against the euro had been declining for some time, there was a possibility that the trend could be reversed at any time in the future. Responding to that concern, the representative of one European Union country pointed out that European Union countries paid about 80 per cent of contributions. Those countries wanted to ensure that a drop in the value of the dollar did not diminish the value of contributions.

247. The Conference of the Parties noted Argentina's concern about the increase to contributions expected from Argentina and other developing countries.

248. With regard to the right to vote at the Conference, the representative of Argentina opposed denying Parties that had not paid their contributions the right to vote and suggested that paragraph 19 of the draft resolution be deleted. Responding to that concern, one representative noted that a penalty served as an incentive to Parties to meet their obligations and that paragraph 19 should therefore be retained. The Chair added that the practice of denying voting rights in the event of failure to meet subscription obligations was common to many institutions. Furthermore, Parties that were elected to the standing committee received a financial contribution that could offset some of the expense of their own subscription payments.

249. In response, the representative of Argentina argued that the Convention did not provide for the imposition of sanctions on Parties; introduction of the use of penalties would probably require amendment to the Convention. In view of the inability to reach consensus on that point, the Chair noted that with the exception of Argentina, there was unanimity on adoption of paragraph 19 of the draft resolution. He invited Argentina to submit points for consideration on the topic to the Secretariat.

250. The representative of the United Kingdom noted that the budget was heavy and necessitated a sizeable increase in contributions. He announced that his country's Department for Environment, Food and Rural Affairs planned to make a voluntary contribution of £100,000 to finance intergovernmental meetings to push forward the raptor issue in the Eurasian and African regions. The representative of Belgium added that his Government would provide an additional €15,000 per annum over the triennium to the trust fund in voluntary contributions, under budget line 2230 on conservation projects. The Chair, speaking in his capacity as representative of Monaco, announced that his Government would give an additional €10,000 per annum. The representative of UNEP/EUROBATS also indicated that an unspecified donor had come forward to support CMS future work on the conservation of African bats.

251. The Conference of the Parties adopted resolution 8.3 on financial and administrative arrangements, as contained in annex VIII to the present report.

XIX. INSTITUTIONAL ISSUES (item 20)

A. Elections to the Scientific Council and Standing Committee

252. The item was taken up by the plenary at its final session. The Chair noted that draft resolution 8.21 provided for the appointment of three additional Scientific Council members, namely, councillors for

the issues of African fauna, fish, and by-catch. Responsibility for selecting those councillors was conferred to the Standing Committee in order to provide Parties with sufficient time to identify suitable candidates.

253. The Chair invited nominations from the floor for the Standing Committee. The following nominations were made for the five major geographical regions:

- (a) Africa: Anglophone representative, United Republic of Tanzania; alternate, Ghana; Francophone representative, Chad; alternate, Senegal
- (b) Americas and the Caribbean: representative, Peru; alternate, Bolivia
- (c) Asia: representative, Saudi Arabia; alternate, Pakistan
- (d) Europe: representative, United Kingdom; alternate, Monaco
- (e) Central and Eastern Europe: representative, Ukraine; alternate, Hungary
- (f) Oceania: representative, Australia; alternate, New Zealand.

254. Dr. Galbraith said that the following five experts were nominated by the Scientific Council for the 2006–2008 triennium with a view to providing expertise in specific areas:

- (a) Dr. Colin Limpus (Australia): marine turtles
- (b) Mr. John O’Sullivan (United Kingdom): birds
- (c) Dr. William Perrin (United States): aquatic mammals
- (d) Dr. Taej Mundkur (India): Asiatic fauna
- (e) Dr. Roberto Schlatter (Chile): Neotropical fauna.

255. He also announced the retirement of Dr. Pierre Pfeffer (France) and Dr. Noritaka Ichida (Japan), and paid tribute to their work on behalf of the Convention.

256. No objections were registered to those nominations. The Conference of the Parties therefore adopted resolution 8.21 on institutional arrangements for the Scientific Council and the Standing Committee, as contained in annex VIII to the present report.

B. Other institutional issues

257. No issues were raised under this item.

XX. REPORT OF THE CREDENTIALS COMMITTEE (item 21)

258. The plenary took up the item at its 8th session on the afternoon of Friday, 25 November 2005. The Chair of the Credentials Committee reported that 74 Parties had attended the Conference. In all, 62 credentials had been submitted. After examination, 58 had been accepted. The 12 Parties that had not submitted were Bulgaria, Democratic Republic of Congo, Djibouti, Gambia, Guinea-Bissau, Samoa, Sao Tome and Principe, Spain, Tajikistan, Togo, Uganda and Uzbekistan.

259. The Conference of the Parties adopted the report.

XXI. REPORTS OF SESSIONAL COMMITTEES (item 22)

260. Apart from the Credentials Committee, whose report is covered under item 21, there were no sessional committees established by the Conference of the Parties at its eighth meeting.

XXII. ADOPTION OF AMENDMENTS TO APPENDICES (item 23)

261. The item was taken up by the plenary at its 7th session, on the afternoon of Thursday, 24 November 2005. Listing the proposals for amendment of the CMS Appendices submitted by Parties and reviewed by the Committee of the Whole, as reflected in section XVII above, the representative of the Secretariat conveyed the Committee's recommendation to approve all proposals for listing on Appendix I and Appendix II except that pertaining to the maccoa duck.

262. Regarding *Gorilla gorilla*, Dr. Barbieri reminded the Conference that one sub-species (the mountain gorilla, *Gorilla gorilla beringei*) of the species was already listed in Appendix I; the intent of the proposal before the Conference was to widen the listing to include the entire species. Supporting that proposal, Dr. Galbraith suggested that consideration should also be given to listing the species on Appendix II, with a view to triggering action on its behalf.

263. Concerns were raised about the proposed listing of *Gorilla gorilla* in Appendix II without following the normal procedure. It was agreed that, while such listing might indeed be desirable from a scientific viewpoint, it must be dealt with in the prescribed manner, but it should be understood that non-listing in Appendix II would not impede any future activities being mounted in respect of the species. The Chair further explained that, pursuant to rule 13 of the rules of procedure, proposals raised in the course of plenary discussion could be tabled before the Conference if they were circulated to all participants for their consideration. Accordingly, he suggested that the proposal should be circulated and could then be considered at the next plenary meeting.

264. At the 8th session of the plenary, Dr. Galbraith stated that, while the current status of the species *Gorilla gorilla* fully justified inclusion of the species in Appendix II, it was felt that it would be inappropriate to use the mechanism provided for in rule 13 of the rules of procedure to expedite a listing on Appendix II. Having reviewed the scientific information on the matter, it was preferable that the Scientific Council reviews the merits of an Appendix II listing and presents its findings to the Conference of the Parties at its next meeting. It was stressed that this course of action should not entail any delay in conservation work by CMS aimed at protecting the species, while supporting the Scientific Council's review work, which was fundamental to implementation of the Convention.

265. The representative of Norway voiced full support for the approach outlined by the Chair of the Scientific Council. It was imperative to subject any proposal to scientific review and to clarify the position of delegates' political superiors. Resolution 8.5 provided an excellent opportunity to undertake further action, since *Gorilla gorilla* would become a concerted action species.

266. Regarding the listing of the basking shark, the representatives of Denmark, Norway and the United Kingdom, speaking on behalf of the European Union and its member States, reiterated the reservations that they had made regarding the listing during consideration of the proposal in the Committee of the Whole, and the representative of Portugal also conveyed her country's wish to post a reservation against the listing. With those reservations duly noted, the plenary approved the proposal for the listing of the species in Appendices I and II.

267. During discussion on the Appendix II species, it was noted that the western Mediterranean populations of the short-beaked common dolphin *Delphinus delphis* and the striped dolphin *Stenella coeruleoalba* were already listed in Appendix II.

268. The lists of new species added to Appendices I and II are contained in annex IX to the present report.

XXIII. ADOPTION OF RESOLUTIONS AND RECOMMENDATIONS (item 24)

269. At its eighth meeting, the Conference of the Parties adopted 18 resolutions and 6 recommendations, which are contained in annex VIII to the present report. The record of the deliberations of the Committee of the Whole and the plenary on the resolutions and recommendations can be found under the respective agenda items of the present report, where appropriate.

XXIV. DATE AND VENUE OF THE NINTH MEETING OF THE CONFERENCE OF THE PARTIES (2008) (item25)

270. The item was taken up by the plenary at its final session on the afternoon of 25 November 2005. The Conference had before it a draft resolution on the date, venue and funding of future meetings of the Conference of the Parties (UNEP/CMS/Res.8.20). The Chair noted that the document contained minor alterations from those adopted at previous meetings. The Scientific Council would be free to schedule its meetings so that it had more time to consider issues and translate documents prior to a meeting of the Conference of the Parties. That would be supplemented by the introduction of a deadline for the receipt of proposals for resolutions and recommendations that would ensure that the Secretariat and Scientific Council had ample time to consider the issues.

271. The Conference of the Parties adopted resolution 8.20 on the date, venue and funding of future meetings, as contained in annex VIII to the present report.

XXV. ANY OTHER BUSINESS (item 26)

272. A representative of Argentina made a statement asserting her country's claim to sovereignty over the Falkland (Malvinas), South Georgia and South Sandwich Islands and their surrounding maritime areas. She affirmed that no aspect of participation in the Conference amounted to a renunciation of Argentina's claimed rights over the territory. She further requested that various CMS documents be amended to reflect the existence of the territorial dispute.

273. In response, a representative of the United Kingdom affirmed that his Government was in no doubt as to its sovereignty over the territories under discussion. He said that the issue had no place in discussions regarding migratory species and no CMS documents had ever made mention of the claims made by Argentina.

XXVI. ADOPTION OF REPORT OF THE MEETING (item 27)

274. At the final plenary session, on 25 November, the Conference of the Parties adopted its report on the basis of the drafts that had been circulated during the meeting (UNEP/CMS/Conf.8/L.1 and Add.1) and on the understanding that, in keeping with past practice, finalization of the report would be entrusted to the Secretariat, working in consultation with the chairs of the plenary and the Committee of the Whole.

XXVII. CLOSURE OF THE MEETING (item28)

275. Mr. Shafqat Kakakhel, Deputy Executive Director of UNEP, gave a closing address, highlighting the role that CMS could play in ensuring that the 2010 Biodiversity Targets were met. He noted the financial and other challenges facing the Convention and praised the efforts of all participants at the eighth meeting of the Conference of the Parties, which had served to produce a highly successful outcome. UNEP was proud of its involvement with CMS and was determined to continue to provide support for individual projects, as well as financial backing.

276. Following that statement and after the customary exchange of courtesies, the meeting closed at 5:30 p.m. on Friday, 25 November 2005.