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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

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**Report on activities within the
Convention on the Conservation of Migratory Species
of Wild Animals
which are directly related to the Bern Convention**

Report by the UNEP/CMS Secretariat

*Document prepared by
The Directorate of Culture and of Cultural and Natural Heritage*



Convention on the Conservation of Migratory Species of Wild Animals (CMS)

Secretariat provided by the United Nations Environment Programme (UNEP)

Report of the UNEP/CMS Secretariat on activities within the Convention on the Conservation of Migratory Species of Wild Animals which are directly related to the Bern Convention

The CMS Secretariat appreciates the opportunity to be represented at the Meeting of the Standing Committee to the Bern Convention in Strasbourg, 1-5 December 2003, and takes the opportunity to provide a brief report in areas of common interest, further to its progress report until November 2002, submitted to the Bern Convention Standing Committee at its meeting from 2-5 December 2002.

Development of the Convention

The following important developments have occurred in the year 2003:

CMS now has 84 Parties, with an increase of four in 2003 (Belarus, Bolivia, Côte d'Ivoire and Syrian Arab Republic). 37 European countries are Parties.

Most efforts of the Convention in 2003 were devoted to follow up on the resolutions and recommendations of the Seventh Meeting of the Conference of the Parties (COP7) that took place in Bonn in September 2002, hosted by the German Government.

Progress on CMS Agreements geographically covering part or the whole of Europe

Set out below are reports of progress for those Agreements and Memoranda of Understanding which relate directly to the Bern Convention area:

Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS)

The Agreement has at present 13 Parties. For some other countries, the accession procedures are well advanced. In conformity with the decisions of the First Meeting of the Parties (MOP1) and on the basis of the proposals of the Scientific Committee, a number of activities have been started aimed at implementing the Conservation Plan of the Agreement. The most significant of these activities, currently in different stages of implementation, are listed hereunder by category.

A) *Adoption and reinforcement of national legislations*: (i) Publication of guidelines on whales watching; (ii) Publication of guidelines for the establishment of national networks for the monitoring of cetaceans strandings; (iii) Preparation of National Action Plans for Cetacean Conservation in Bulgaria, Tunisia and Romania.

B) *Assessment and management of human-cetacean interaction*: (i) Active participation in the drafting of the management plan of the French, Italian, Monegasque sanctuary for marine mammals in the Mediterranean.

C) *Research and monitoring*: (i) Preparation of a series of Conservation Plans for a/ Black Sea Cetaceans, b/ the Mediterranean Common dolphin (*Delphinus delphis*) (being prepared by the Tethys Research Institute with collaborative support from the Whale and Dolphin Conservation Society (WDCS) and the Swiss Working Group For the Protection of Marine Mammals (ASMS), c/ the Mediterranean Bottlenose dolphin (*Tursiops truncatus*); (ii) Pilot study on Sperm whale (*Physeter catodon*) in the Ionian Sea in collaboration with the International Fund For Animal Welfare (IFAW).

D) *Capacity Building, training and education*: (i) Training of junior scientists from Mediterranean and Black Sea riparian countries in a/ cetacean monitoring (in collaboration with the Sociedad Espanola de Cetaceos (SEC) and IFAW), b/ photo-identification methods (In collaboration with the Tethys Research Institute); (ii) Preparation of a teaching kit on cetology; (iii) Preparation of a strategy on capacity building.

E) *Collection and dissemination of information*: (i) Preparation of web-based databases on a/ whale watching activities and b/research activities in the ACCOBAMS area; (ii) Publication of guidelines for the collection and preservation of tissue samples from stranded cetaceans; (iii) Publication of pedagogic sheets on cetacean for the general public (in collaboration with the Swiss Cetacean Society (SCS)).

The Scientific Committee of the Agreement will hold its 2nd meeting in Istanbul, Turkey, from 20 to 22 November 2003.

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Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (UNEP/ASCOBANS)

Another important year is drawing to a close for UNEP/ASCOBANS. Two decisive meetings, the 10th Meeting of the Advisory Committee (Bonn, Germany, 9-11 April, AC10) and the 4th Meetings of the Parties (Esbjerg, Denmark, 19 - 22 August, MOP4) took place in 2003, charting the course of the Agreement for the new triennium (2004 - 2006).

The issue of bycatch, which continues to be the most immediate threat to cetaceans in the Agreement area, remained high on the ASCOBANS agenda in 2002/2003. AC10 adopted terms of reference for the report on bycatch in the Agreement Area, which was submitted to and reviewed by MOP4.

At AC10, delegates and observers from eight Parties, two Non-Party Range States and a number of regional intergovernmental and non-governmental organizations and scientific institutions laid the groundwork for MOP4. One of the major issues on the agenda was the ASCOBANS Recovery Plan for Baltic Harbour Porpoises (Jastarnia Plan). This plan, will hopefully contribute substantially to improving the conservation status of Baltic harbour porpoises. The importance of the plan is underscored by the fact that even prior to MOP4 ASCOBANS and its Parties took steps to implement it. At MOP4, Parties expressed their strong support for the recovery plan. While the problems of porpoise conservation are not entirely identical in the Baltic Sea and the North Sea, the experience gained in the elaboration of the Jastarnia Plan should also prove valuable in drafting a recovery plan for the North Sea, as called for by the 5th North Sea Conference of Ministers, held in Bergen, Norway, in 2002. At AC10, Parties once again stressed that ASCOBANS should play a major part in developing a North Sea recovery plan. MOP4 followed up on this by agreeing to begin the process of elaborating a recovery plan for harbour porpoises in the North Sea.

The Agreement also continues to address other threats facing cetaceans in the Agreement Area, including acoustic disturbance and marine pollution. In close cooperation with other international organizations, ASCOBANS is working to reduce the level of hazardous substances in the marine environment. The Agreement Secretariat continues to monitor information on high-speed ferries, which may have adverse effects on whales and dolphins. Annual compilations of information submitted by ASCOBANS Parties concerning high-speed ferries are produced by the Secretariat. Moreover, a report on the effects of shipping as a whole on cetaceans, requested by the Third Meeting of the Parties, was submitted to MOP4. The effects of seismic disturbance and military sonar are also

under examination by ASCOBANS. Valuable input for the discussion of the latter issue was provided to AC10 by Mr Walter Zimmer of the NATO SACLANT Undersea Research Center (La Spezia, Italy), who made an extensive presentation on the military use of sonar. ASCOBANS hopes to maintain the newly established dialogue with NATO SACLANT on this issue.

As in the past, ASCOBANS makes its contribution to much needed research on cetaceans in the Agreement area. A number of research activities are being undertaken within the framework of, in cooperation with or with the support of ASCOBANS. In addition to the various studies mentioned above, preparations for a new, large-scale abundance survey of small cetaceans in the ASCOBANS area and contiguous areas, SCANS II, are progressing with the participation and support of ASCOBANS and its Parties.

Considerable efforts were made in this field of public awareness in 2002/2003. To name one example: The ASCOBANS Secretariat and Hel Marine Station have joined forces in producing a music CD entitled "Project C". Launched at MOP4, the CD comprises nine original compositions by Anna Nacher and Marek Styczyński, combining traditional instruments from around the Baltic region with cetacean vocalizations. For NGOs, the CD is obtainable from the Secretariat at below cost price. Organizations wishing to purchase the CD for resale for non-profit purposes are invited to contact the Secretariat.

ASCOBANS currently has eight Parties. The accession of two further Range States is expected shortly. The United Kingdom is in the process of ratifying the Agreement on behalf of Jersey. All Non-Party Range States cooperate with the Agreement to some extent, the majority is regularly represented at ASCOBANS meetings and participates actively in ASCOBANS activities.

ASCOBANS continues to build, maintain and enhance links with other relevant International Organizations in the Agreement Area. A recent example is the renewed and improved coordination of reporting on harbour porpoise-related matters with HELCOM.

At MOP4, there was consensus on extending the Agreement to also cover parts of the North Atlantic and to incorporate waters adjacent to Ireland, Portugal and Spain into the Agreement area. A resolution to this effect was adopted. This will, when ratified, close the gap between the Agreement areas of ASCOBANS and its sister agreement, the Agreement on the Conservation of Cetaceans of the Black and Mediterranean Seas and contiguous Atlantic Area (ACCOBAMS).

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Agreement on the Conservation of Populations of European Bats (UNEP/EUROBATS)

At the invitation of the Government of Bulgaria, the 4th Session of the Meeting of Parties to EUROBATS was convened in Sofia from 22 – 24 September 2003.

The Session adopted a record number of Resolutions, taking substantial decisions to further strengthen and develop the Agreement. One of the key Resolutions deals with "Bat Conservation and sustainable Forest Management", which at the same time is the contribution of EUROBATS to the CBD/CMS Joint Work Programme. In a further Resolution the Parties instructed the Advisory Committee to develop proposals for contributions to the future CBD/CMS Joint Work Programme on important topics such as indicator species and agriculture.

In a number of other Resolutions the Session adopted guidelines "for the Protection and Management of important Underground Habitats", "for the Use of remedial Timber Treatment" and "for the Issue of Permits for the Capture and Study of captured wild Bats". One of the Resolutions addresses the important issue of "Wind Turbines and Bat Populations".

A Resolution recognising the “important role of NGOs in Bat Conservation” and encouraging closer international co-operation deserves special mentioning.

The Meeting welcomed Belgium and Latvia as new Parties to the Agreement. A number of further countries are expected in the near future.

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Agreement on the Conservation of African-Eurasian Waterbirds (UNEP/AEWA)

In 2003 six States joined the Agreement as Contracting Parties. The total number has grown to 43. The new parties are: France, Luxembourg, Hungary, Ireland, Slovenia and Syria. The Secretariat is aware that the Parliament of Portugal has ratified the Agreement and that in due course the instrument of accession will be deposited at the Depositary, the Ministry of Foreign Affairs of the Netherlands. The fast growing numbers of Contracting Parties is seen as an indicator of the appreciation of AEWA, which has found its own niche among the Multilateral Environmental Agreements.

This year Wetlands International has put a lot of effort in finalising the full size project brief of the African-Eurasian GEF. Meanwhile the project brief has been submitted to the GEF Secretariat and will be tabled for approval at the upcoming meeting of the GEF Council, which will take place from 19-21 November 2003 in Washington DC, USA. The AEWA Secretariat will participate in this meeting as an observer also on behalf of the CMS secretariat. The approval of the project would constitute a huge step forwards in the implementation of AEWA, as well as of the Ramsar Convention on Wetlands.

In July 2003 the Secretariat participated in a meeting of the International Advisory Group on the Northern Bald Ibis. During this meeting the conservation of wild populations and reintroduction of Northern Bald Ibis was discussed. The Agreement Secretariat urged the participants to consider the elaboration of an International Species Action Plan as a tool to ensure concerted actions, and offered support for the development of such a plan. The meeting endorsed the development of an Action Plan. As follow up the Secretariat contracted out to SEO (BirdLife Partner in Spain) (i) the organisation of a workshop on the development of the International Species Action Plan, scheduled to take place in January 2004 in Madrid, and (ii) organisation of an expedition to Somaliland, this latter activity on the ground of unconfirmed information that some colonies of the species might still exist in Somalia.

Another issue that has been addressed by the Agreement's Secretariat is the problem caused by the use of lead shots for hunting in wetlands. In 2003 a second workshop on this issue was scheduled to take place in Italy, with focus on southern Europe. Unfortunately due to some organisational problems the workshop had to be postponed to 2004. Considering the interest shown by some African countries in this issue, the *Office National de la Chasse et de la Faune Sauvage* of France developed the idea to hold a workshop on sustainable hunting in western Africa. An agreement has been reached with ONCFS on the convening of this workshop in 2004 in Senegal under the umbrella of AEWA.

Different organizations/consultants are carrying out several other AEWA projects, including inter alia: 1) review of the use of agrochemicals in Africa and their impacts on migratory Waterbirds; 2) pilot study/ review of potential from Waterbird ringing recovery analyses for the Agreement Area; 3) publication of the Wader Atlas; 4) study on the potential impacts of marine fisheries on migratory Waterbirds; 5) exchange of know-how on traditional approaches to wetland and Waterbird management in Africa; 6) rehabilitation of important sites for migratory Waterbirds, which have been degraded by invasive aquatic weeds, etc.

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Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew (*Numenius tenuirostris*)

Eighteen of the 30 recognized Range States/REIO are currently MoU signatories. In 1997, the CMS Scientific Council established a Slender-billed curlew Working Group, with the aim to support the implementation of the MoU. BirdLife International – European Division is providing Secretariat functions with financial support from CMS, reporting to the CMS Standing Committee and Scientific Council through the CMS Secretariat. As part of its mandate, the Working Group has finalized a new version of an Action Plan for the species, incorporating most recent information on the species and the results of the last Meeting of the Group (Kiev, 2001). The CMS Secretariat is in contact with BLI on next steps with regard to the consolidated Action Plan's circulation.

Memorandum of Understanding on Conservation Measures concerning the middle-European population of the Great Bustard (*Otis tarda*)

The MoU became effective on 1 June 2001. The total number of signatory states is currently 12.

The MoU calls for action by, and cooperation among national authorities to improve the conservation of the Great Bustard. It includes an Action Plan with two sections - one of general applicability and a second listing specific activities appropriate for each Range State. A meeting of the signatory states, originally scheduled for October 2003, was postponed and the CMS Secretariat is currently consulting on the possibilities of rescheduling the meeting for 2004.

Memorandum of Understanding concerning conservation Measures for the Aquatic Warbler

An international meeting was held in Minsk, Belarus, from 29 to 30 April 2003, to negotiate and adopt a "Memorandum of Understanding and Action Plan Concerning Conservation Measures for the Aquatic Warbler" under the auspices of the Convention on Migratory Species. Conservationists see this as a milestone in the protection of this globally threatened bird and its habitat. The two-day meeting was hosted and chaired by the Belarussian Minister of Natural Resources and Environmental Protection, Leonty I. Khoruzhik, in cooperation with the CMS Secretariat, BirdLife International, Achnova Ptushak Belarusi (the BirdLife International Partner in Belarus), the Royal Society for the Protection of Birds (UK) and the United Nations Development Programme. The meeting finalised a formal Memorandum of Understanding (MoU), which was signed by delegates from 10 of the 13 Range States on 30 April, was subsequently signed by Ukraine on 21 May 2003.

The MoU expresses countries' intentions to identify, protect and manage sites where Aquatic Warblers breed (central Europe and Western Siberia), rest on migration (western Europe) or spend the winter (central west Africa). Annexed to the Memorandum is a detailed Action Plan that summarises the distribution, biology and threat status of the Aquatic Warbler, and describes precise actions to be taken by relevant countries. The Action Plan was adapted from the International Action Plan for the Aquatic Warbler in Europe compiled by the Aquatic Warbler Conservation Team on behalf of BirdLife International and endorsed by the European Commission and adopted by the Council of Europe.

Work under CMS on other species

Ferruginous duck

The species has been designated for Concerted Action under the Convention by the 6th Meeting of the Conference of the Parties (Cape Town, Nov. 1999). CMS and AEWA are sponsoring a project aimed at (i) undertaking a survey for the species in Bulgaria, (ii) drafting a comprehensive status report on

the species through its range, and (iii) preparing an updated and extended version of the existing European Action Plan, covering also the non-European range of the species. The project is coordinated by BirdLife International – European Division and is undertaken in collaboration with The Wildfowl & Wetlands Trust and the Bulgarian Society for the Protection of Birds. Main activities in 2003 within the project have been (i) the publication of the Proceedings of the International workshop “Ferruginous duck: from Research to Conservation”, held in Sofia, Bulgaria, 11-14 Oct. 2002; (ii) the design and launching of the Ferruginous Duck conservation Team web site <http://bspb.org/nyroca>; (iii) progress in the preparation of an International Action Plan on the Ferruginous Duck, whose first draft is expected in early 2004.

Lesser White-fronted Goose

The species is listed in both Appendix I and II of CMS, and has been designated for Concerted Actions under the Convention. CMS is supporting a project aimed at identifying the main staging and wintering sites of Lesser white-fronted geese migrating along the Western Palaearctic flyway, as a crucial element in the design of a comprehensive conservation strategy for the species. The migration route is relatively well known as far south as to Kazakhstan, while the route further south of Kazakhstan is virtually unknown. The specific objective of this project is to discover the unknown parts of the migration route through Kazakhstan. To achieve this aim, the project provides for the capture of geese in the main known staging area in Kazakhstan (Lake Kulykol), and for equipping them with satellite transmitters to track their further southward migration. The project is part of a wider initiative aimed at the conservation of the species in the wild by significantly reducing hunting pressure and establishing a network of protected areas to conserve the most critical habitats. The project is co-ordinated by the Norwegian Ornithological Society (NOF-BirdLife-Norway), and is implemented with the participation of WWF-Finland and the Kazakh NGO Naurzum as well the support of regional and local management authorities in Northern Kazakhstan.

Final Remarks

The Secretariat would like to seize this opportunity to invite Bern Convention Parties which have not yet done so to accede to CMS as well as those regional Agreements which are geographically relevant, thereby following various appeals by the UNEP Governing Council and the obligation given by Article 5 of the Convention on Biological Diversity.

CMS has developed in the last few years institutional and collaborative linkages with several relevant inter-governmental treaties and international organizations. These linkages have in some cases been formalized with the conclusion of Memoranda of Cooperation and joint work programmes. Due to limited capacity however the development of such tools have been pursued until now only with a limited number of treaties/organizations of global geographic scope, the most recent of which having been concluded with UNCCD and IUCN. While CMS enjoys already excellent relations with the Bern Convention and its Secretariat, it is willing to further develop this collaboration within a more formal institutional framework such as a Memorandum of Cooperation between the Secretariats, possibly accompanied by a joint work programme. In this regard, the capacity of the CMS Secretariat to develop and follow the implementation of such tools is expected to be substantially increased with the creation of a new professional post for inter-agency liaison, approved by COP7 and effective from beginning 2004. In the meantime, the CMS Secretariat would welcome any relevant proposal from the Bern Convention.

Finally, the CMS Secretariat would like to point out that 2004 will be a special year for CMS because the Convention will be celebrating its 25th anniversary. The Convention has come a long way in this time, with a number of regional Agreements drawn up under its auspices delivering practical conservation for marine, avian and terrestrial species. The occasion will be commemorated throughout the year.

The UNEP/CMS Secretariat can be reached at the address below. News about CMS activities is regularly updated on the CMS website (address also below).

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The UNEP/CMS Secretariat and the Secretariat of all associated agreements wish the Parties to the Bern Convention and its Secretariat a productive and successful meeting.