

Ο περί της Συμφωνίας για τη Διατήρηση της Αφρικο–Ευρωασιατικής Υδρόβιας Πτηνοπανίδας (Κυρωτικός) Νόμος του 2008 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 5(ΙΙΙ) του 2008

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΦΩΝΙΑ ΓΙΑ ΤΗ ΔΙΑΤΗΡΗΣΗ ΤΗΣ ΑΦΡΙΚΟ-ΕΥΡΩΑΣΙΑΤΙΚΗΣ ΥΔΡΟΒΙΑΣ ΠΤΗΝΟΠΑΝΙΔΑΣ (ΑΕΩΑ)

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

Συνοπτικός
τίτλος.

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Συμφωνίας για τη Διατήρηση της Αφρικο–Ευρωασιατικής Υδρόβιας Πτηνοπανίδας (Κυρωτικός) Νόμος του 2008.

Ερμηνεία.

2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια–

«Συμφωνία» σημαίνει τη Συμφωνία για τη Διατήρηση της Αφρικο-Ευρωασιατικής Υδρόβιας Πτηνοπανίδας, η οποία υπογράφηκε την 16ην Ιουνίου 1995 στη Χάγη.

Κύρωση της
Συμφωνίας.

3. Με τον παρόντα Νόμο κυρώνεται η Συμφωνία της οποίας η προσχώρηση εγκρίθηκε με την Απόφαση του Υπουργικού Συμβουλίου με Αριθμό 62.263 και ημερομηνία 22.6.2005, της οποίας το αυθεντικό κείμενο στην Αγγλική γλώσσα εκτίθεται στο Μέρος Ι του Πίνακα και η μετάφραση στην Ελληνική γλώσσα εκτίθεται στο Μέρος ΙΙ του Πίνακα.

Πίνακας,
Μέρος Ι
Μέρος ΙΙ.

Αρμόδια
Αρχή.

4. Για σκοπούς εφαρμογής της Συμφωνίας, ως αρμόδια αρχή ορίζεται ο Υπουργός Εσωτερικών ή οποιοδήποτε πρόσωπο εξουσιοδοτημένο απ' αυτόν.

Εκδοση
Κανονισμών.

5. Το Υπουργικό Συμβούλιο δύναται να εκδίδει Κανονισμούς για την καλύτερη εφαρμογή της Συμφωνίας και του παρόντος Νόμου καθώς και για καθορισμό οποιουδήποτε θέματος το οποίο χρήζει ή είναι δεκτικό καθορισμού.

B. TEKST¹⁾

Agreement on the conservation of African-Eurasian migratory waterbirds

The Contracting Parties,

Recalling that the Convention on the Conservation of Migratory Species of Wild Animals, 1979, encourages international cooperative action to conserve migratory species;

Recalling further that the first meeting of the Conference of the Parties to the Convention, held in Bonn in October 1985, instructed the Secretariat of the Convention to take appropriate measures to develop an Agreement on Western Palearctic Anatidae;

Considering that migratory waterbirds constitute an important part of the global biological diversity which, in keeping with the spirit of the Convention on Biological Diversity, 1992, and Agenda 21 should be conserved for the benefit of present and future generations;

Aware of the economic, social, cultural and recreational benefits accruing from the taking of certain species of migratory waterbirds and of the environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic values of waterbirds in general;

Convinced that any taking of migratory waterbirds must be conducted on a sustainable basis, taking into account the conservation status of the species concerned over their entire range as well as their biological characteristics;

Conscious that migratory waterbirds are particularly vulnerable because they migrate over long distances and are dependent on networks of wetlands that are decreasing in extent and becoming degraded through non-sustainable human activities, as is expressed in the Convention on Wetlands of International Importance, especially as Waterfowl Habitat, 1971;

Recognizing the need to take immediate action to stop the decline of migratory waterbird species and their habitats in the geographic area of the African-Eurasian waterbird migration systems;

¹⁾ De Arabische en de Russische tekst zijn niet afgedrukt.

Convinced that the conclusion of a multilateral Agreement and its implementation through coordinated or concerted action will contribute significantly to the conservation of migratory waterbirds and their habitats in the most efficient manner, and will have ancillary benefits for many other species of animals and plants: and

Acknowledging that effective implementation of such an Agreement will require assistance to be provided to some Range States for research, training and monitoring of migratory waterbird species and their habitats, for the management of those habitats as well as for the establishment or improvement of scientific and administrative institutions for the implementation of this Agreement,

Have agreed as follows:

Article I

Scope, Definitions and Interpretation

1. The geographic scope of this Agreement is the area of the migration systems of African-Eurasian waterbirds, as defined in Annex 1 to this Agreement, hereafter referred to as the "Agreement Area".

2. For the purpose of this Agreement:

a) "Convention" means the Convention on the Conservation of Migratory Species of Wild Animals, 1979;

b) "Convention Secretariat" means the body established under Article IX of the Convention;

c) "Waterbirds" means those species of birds that are ecologically dependent on wetlands for at least part of their annual cycle, have a range which lies entirely or partly within the Agreement Area and are listed in Annex 2 to this Agreement;

d) "Agreement secretariat" means the body established under Article VI, paragraph 7, subparagraph b), of this Agreement;

e) "Parties" means, unless the context otherwise indicates, Parties to this Agreement; and

f) "Parties present and voting" means the Parties present and casting an affirmative or negative vote; those abstaining from voting shall not be counted amongst the Parties present and voting.

In addition, the terms defined in Article I, subparagraphs 1(a) to (k), of the Convention shall have the same meaning, *mutatis mutandis*, in this Agreement.

3. This Agreement is an AGREEMENT within the meaning of Article IV, paragraph 3, of the Convention.

4. The annexes to this Agreement form an integral part thereof. Any reference to the Agreement includes a reference to its annexes.

Article II

Fundamental Principles

1. Parties shall take co-ordinated measures to maintain migratory waterbird species in a favourable conservation status or to restore them to such a status. To this end, they shall apply within the limits of their national jurisdiction the measures prescribed in Article III, together with the specific actions determined in the Action Plan provided for in Article IV. of this Agreement.

2. In implementing the measures prescribed in paragraph 1 above, Parties should take into account the precautionary principle.

Article III

General Conservation Measures

1. The Parties shall take measures to conserve migratory waterbirds, giving special attention to endangered species as well as to those with an unfavourable conservation status.

2. To this end, the Parties shall:

a) accord the same strict protection for endangered migratory waterbird species in the Agreement Area as is provided for under Article III, paragraphs 4 and 5, of the Convention;

b) ensure that any use of migratory waterbirds is based on an assessment of the best available knowledge of their ecology and is sustainable for the species as well as for the ecological systems that support them;

c) identify sites and habitats for migratory waterbirds occurring within their territory and encourage the protection, management, rehabilitation and restoration of these sites, in liaison with those bodies listed in Article IX, paragraphs (a) and (b) of this Agreement, concerned with habitat conservation;

d) coordinate their efforts to ensure that a network of suitable habitats is maintained or, where appropriate, re-established throughout the entire range of each migratory waterbird species concerned, in particular where wetlands extend over the area of more than one Party to this Agreement;

e) investigate problems that are posed or are likely to be posed by human activities and endeavour to implement remedial measures, including habitat rehabilitation and restoration, and compensatory measures for loss of habitat;

f) cooperate in emergency situations requiring international concerted action and in identifying the species of migratory waterbirds

which are the most vulnerable to these situations as well as cooperate in developing appropriate emergency procedures to provide increased protection to these species in such situations and in the preparation of guidelines to assist individual Parties in tackling these situations;

g) prohibit the deliberate introduction of non-native waterbird species into the environment and take all appropriate measures to prevent the unintentional release of such species if this introduction or release would prejudice the conservation status of wild flora and fauna; when non-native waterbird species have already been introduced, the Parties shall take all appropriate measures to prevent these species from becoming a potential threat to indigenous species;

h) initiate or support research into the biology and ecology of migratory waterbirds including the harmonization of research and monitoring methods and, where appropriate, the establishment of joint or cooperative research and monitoring programmes;

i) analyze their training requirements for, *inter alia*, migratory waterbird surveys, monitoring, ringing and wetland management to identify priority topics and areas for training and cooperate in the development and provision of appropriate training programmes;

j) develop and maintain programmes to raise awareness and understanding of migratory waterbird conservation issues in general and of the particular objectives and provisions of this Agreement;

k) exchange information and results from research, monitoring, conservation and education programmes; and

l) cooperate with a view to assisting each other to implement this Agreement, particularly in the areas of research and monitoring.

Article IV

Action Plan and Conservation Guidelines

1. An Action Plan is appended as Annex 3 to this Agreement. It specifies actions which the Parties shall undertake in relation to priority species and issues, under the following headings, consistent with the general conservation measures specified in Article III of this Agreement:

- a) species conservation;
- b) habitat conservation;
- c) management of human activities;
- d) research and monitoring;