



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 3513 της 13ης ΙΟΥΛΙΟΥ 2001
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Σύμβασης για τη Διατήρηση των Αποδημητικών Ειδών που Ανήκουν στην Άγρια Πανίδα (Κυρωτικός) Νόμος του 2001 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 17(III) του 2001

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΒΑΣΗ ΓΙΑ ΤΗ ΔΙΑΤΗΡΗΣΗ ΤΩΝ
ΑΠΟΔΗΜΗΤΙΚΩΝ ΕΙΔΩΝ ΠΟΥ ΑΝΗΚΟΥΝ ΣΤΗΝ ΑΓΡΙΑ ΠΑΝΙΔΑ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Σύμβασης για τη Διατήρηση των Αποδημητικών Ειδών που Ανήκουν στην Άγρια Πανίδα (Κυρωτικός) Νόμος του 2001. Συνοπτικός
τίτλος.

2. Η Σύμβαση για τη Διατήρηση των Αποδημητικών Ειδών που Ανήκουν στην Άγρια Πανίδα, η οποία συνομολογήθηκε στη Βόννη, στις 23 Ιουνίου 1979, με θεματοφύλακα την Κυβέρνηση της Ομόσπονδης Δημοκρατίας της Γερμανίας και της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος I του Πίνακα και σε ελληνική μετάφραση στο Μέρος II του Πίνακα, κυρώνεται με τον παρόντα Νόμο. Κύρωση
της Σύμβασης.

Πίνακας,
Μέρος I.
Πίνακας,
Μέρος II.

3. Σε περίπτωση που διαπιστώνεται αντίφαση μεταξύ των κειμένων του Μέρους I και του Μέρους II του Πίνακα, υπερισχύει το κείμενο του Μέρους I. Αντίφαση
μεταξύ
κειμένων.

ΠΙΝΑΚΑΣ
(άρθρο 2)
ΜΕΡΟΣ Ι

CONVENTION ON THE CONSERVATION
OF MIGRATORY SPECIES OF WILD ANIMALS (1979)
WITH APPENDICES AS AMENDED
AT THE CONFERENCES OF THE PARTIES WHICH TOOK PLACE IN
BONN (OCTOBER 1985), GENEVA (OCTOBER 1988), GENEVA
(SEPTEMBER 1991), NAIROBI (JUNE 1994), GENEVA (APRIL 1997) AND
CAPE TOWN (NOVEMBER 1999)

The Contracting Parties,

Recognizing that wild animals in their innumerable forms are an irreplaceable part of the earth's natural system which must be conserved for the good of mankind;

Aware that each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely;

Conscious of the ever-growing value of wild animals from environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view;

Concerned particularly with those species of wild animals that migrate across or outside national jurisdictional boundaries;

Recognizing that the States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries;

Convinced that conservation and effective management of migratory species of wild animals require the concerted action of all States within the national jurisdictional boundaries of which such species spend any part of their life cycle;

Recalling Recommendation 32 of the Action Plan adopted by the United Nations Conference on the Human Environment (Stockholm, 1972) and noted with satisfaction at the Twenty-seventh Session of the General Assembly of the United Nations,

Have agreed as follows:

Article I

Interpretation

1. For the purpose of this Convention:

a) "migratory species" means the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries;

b) "conservation status of a migratory species" means the sum of the influences acting on the migratory species that may affect its long-term distribution and abundance;

c) "conservation status" will be taken as "favourable" when:

(1) population dynamics data indicate that the migratory species is maintaining itself on a long-term basis as a viable component of its ecosystems;

(2) the range of the migratory species is neither currently being reduced, nor is likely to be reduced, on a long-term basis;

(3) there is, and will be in the foreseeable future sufficient habitat to maintain the population of the migratory species on a long-term basis; and

(4) the distribution and abundance of the migratory species approach historic coverage and levels to the extent that potentially suitable ecosystems exist and to the extent consistent with wise wildlife management;

d) "conservation status" will be taken as "unfavourable" if any of the conditions set out in sub-paragraph (c) of this paragraph is not met;

e) "endangered" in relation to a particular migratory species means that the migratory species is in danger of extinction throughout all or a significant portion of its range;

f) "range" means all the areas of land or water that a migratory species inhabits, stays in temporarily, crosses or overlies at any time on its normal migration route;

g) "habitat" means any area in the range of a migratory species which contains suitable living conditions for that species;

h) "Range State" in relation to a particular migratory species means any State (and where appropriate any other Party referred to under subparagraph (k) of this paragraph) that exercises jurisdiction over any part of the range of that migratory species, or a State, flag vessels of which are engaged outside national jurisdictional limits in taking that migratory species;

i) "taking" means taking, hunting, fishing capturing, harassing, deliberate killing, or attempting to engage in any such conduct;

j) "Agreement" means an international agreement relating to the conservation of one or more migratory species as provided for in Articles IV and V of this Convention; and

k) "Party" means a State or any regional economic integration organization constituted by sovereign States which has competence in respect of the negotiation, conclusion and application of international Agreements in matters covered by this Convention for which this Convention is in force.

2. In matters within their competence, the regional economic integration organizations which are Parties to this Convention shall in their own name exercise the rights and fulfil the responsibilities which this Convention attributes to their member States. In such cases the member States of these organizations shall not be entitled to exercise such rights individually.

3. Where this Convention provides for a decision to be taken by either a two-thirds majority or a unanimous decision of "the Parties present and voting" this shall mean "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 determining the majority.

Article II

Fundamental Principles

1. The Parties acknowledge the importance of migratory species being conserved and of Range States agreeing to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in co-operation appropriate and necessary steps to conserve such species and their habitat.

2. The Parties acknowledge the need to take action to avoid any migratory species becoming endangered.

3. In particular, the Parties:

- a) should promote, co-operate in and support research relating to migratory species;
- b) shall endeavour to provide immediate protection for migratory species included in Appendix I; and
- c) shall endeavour to conclude Agreements covering the conservation and management of migratory species included in Appendix II.

Article III

Endangered Migratory Species: Appendix I

1. Appendix I shall list migratory species which are endangered.
2. A migratory species may be listed in Appendix I provided that reliable evidence, including the best scientific evidence available, indicates that the species is endangered.
3. A migratory species may be removed from Appendix I when the Conference of the Parties determines that:
 - a) reliable evidence, including the best scientific evidence available, indicates that the species is no longer endangered, and
 - b) the species is not likely to become endangered again because of loss of protection due to its removal from Appendix I.
4. Parties that are Range States of a migratory species listed in Appendix I shall endeavour:
 - a) to conserve and, where feasible and appropriate, restore those habitats of the species which are of importance in removing the species from danger of extinction;
 - b) to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species; and
 - c) to the extent feasible and appropriate, to prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of, or controlling or eliminating, already introduced exotic species.
5. Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such