

No. 27496

**JAPAN
and
UNION OF SOVIET
SOCIALIST REPUBLICS**

**Convention concerning the conservation of migratory and
endangered species of birds and their habitat (with ap-
pendix). Signed at Moscow on 10 October 1973**

Authentic texts: Japanese and Russian.

Registered by Japan on 10 August 1990.

**JAPON
et
UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES**

**Convention concernant la protection des oiseaux migrateurs
et des espèces d'oiseaux en danger d'extinction et de leur
environnement (avec appendice). Signée à Moscou le
10 octobre 1973**

Textes authentiques : japonais et russe.

Enregistrée par le Japon le 10 août 1990.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING THE CONSERVATION OF MIGRATORY AND ENDANGERED SPECIES OF BIRDS AND THEIR HABITAT

The Government of Japan and the Government of the Union of Soviet Socialist Republics,

Considering that birds are an important element in the natural environment, that they play a substantial role in its enrichment, and that this role can be enhanced under proper management,

Taking into account the fact that many species of birds migrate between the two countries and have seasonal habitats in both countries, and that among those birds there are endangered species,

Desiring to cooperate in the implementation of measures to regulate, conserve and prevent the extinction of certain species of birds and to regulate and preserve their environment,

Have agreed as follows:

Article I

1. In this Convention, the term “migratory birds” means:

(a) Species of birds for which there is evidence of migration between the two countries derived as a result of banding or the application of other marking techniques, and

(b) Species of birds having subspecies that are common to both countries, and, in the absence of subspecies, species of birds that are common to both countries (excluding birds known to biologists to be non-migratory). Identification of these species and subspecies shall be based on museum specimens, photographs or other reliable evidence.

2. (a) Lists of species of birds determined to be migratory in accordance with paragraph 1 of this article are contained in an appendix to this Convention.

(b) The competent authorities of the Contracting Parties shall from time to time review the appendix and, if necessary, make recommendations for amendments thereto.

(c) The appendix shall be considered amended three months after the date of the exchange of diplomatic notes confirming agreement with respect to the aforementioned recommendations.

¹ Came into force on 20 December 1988 by the exchange of the instruments of ratification, which took place at Tokyo, in accordance with article IX(1).

Article II

1. The taking of migratory birds and the collection of their eggs shall be prohibited. Also, any sale, purchase or exchange of these birds or their eggs, taken or collected illegally, whether dead or alive, and any sale, purchase or exchange of their products or parts, shall be prohibited. Exception to these prohibitions may be made on the basis of the laws or regulations of each Contracting Party in the following cases:

(a) For scientific, educational or propagative purposes, or other specific purposes not inconsistent with the purposes of this Convention;

(b) For the purpose of protecting human life and property;

(c) During hunting seasons established in accordance with paragraph 2 of this article;

(d) In respect of hunting preserves in which birds bred in artificial conditions are hunted;

2. Each Contracting Party may establish domestic hunting seasons in its country with a view to conserving the normal reproduction of migratory birds throughout the year-long migratory cycle.

Article III

1. The Contracting Parties agree that special protective measures are desirable for the conservation of species and subspecies of birds which are in danger of extinction.

2. If one of the Contracting Parties determines that certain species or subspecies of birds are endangered and establishes special measures to protect them, that Contracting Party shall notify the other Contracting Party of that decision and of any subsequent cancellation thereof.

3. Each Contracting Party shall control the export and import of the species or subspecies of birds specified in paragraph 2 of this article, and of their products.

Article IV

1. The Contracting Parties shall exchange information and publications relating to the study of migratory and endangered species of birds.

2. The Contracting Parties shall promote the drawing up of coordinated programmes of research on migratory and endangered species of birds and their conservation.

Article V

Each Contracting Party shall undertake to establish preserves and other facilities for the purpose of monitoring and conserving migratory and endangered species of birds and their habitat.

Article VI

Each Contracting Party shall undertake appropriate measures for the conservation of birds protected under articles II and III, and their habitat. In particular, each Contracting Party shall:

(a) Seek out ways and means of preventing the loss of these birds and their habitat;

(b) Undertake the measures necessary for the control of the import of animals and plants which have been acknowledged to be detrimental to the conservation of these birds;

(c) Undertake the measures necessary for the control of the introduction into areas, including islands, which have a unique environment of animals and plants which could destroy the ecological balance in those areas.

Article VII

Each Contracting Party agrees to take the measures necessary to achieve the purposes of this Convention.

Article VIII

The Contracting Parties shall, at the request of either Contracting Party, consult regarding the implementation of this Convention.

Article IX

1. This Convention shall be subject to ratification and the exchange of the instruments of ratification shall take place in Tokyo at the earliest possible date.

This Convention shall enter into force on the date of the exchange of the instruments of ratification and shall remain in force for a period of 15 years.

2. In the event that neither Contracting Party notifies the other, one year prior to the expiration of the aforementioned fifteen-year period, of its intention to terminate this Convention, it shall remain in force until one year after one of the Contracting Parties notifies the other of its intention to terminate it.

IN WITNESS WHEREOF, the representatives of the two Governments have signed this Convention.

DONE at Moscow, on 10 October 1973, in duplicate, in the Japanese and Russian languages, both texts being equally authentic.

For the Government
of Japan:

MASAYOSHI OHIRA

For the Government
of the Union of Soviet
Socialist Republics:

A. GROMYKO

APPENDIX

1. Red-throated Diver	(<i>Gavia stellata</i>)
2. Black-throated Diver	(<i>Gavia arctica</i>)
3. White-billed Diver	(<i>Gavia adamsii</i>)
4. Little Grebe	(<i>Podiceps ruficollis</i>)
5. Black-necked Grebe	(<i>Podiceps nigricollis</i>)
6. Horned Grebe	(<i>Podiceps auritus</i>)
7. Red-necked Grebe	(<i>Podiceps grisegena</i>)
8. Great Crested Grebe	(<i>Podiceps cristatus</i>)
9. Short-tailed Albatross	(<i>Diomedea albatrus</i>)
10. Laysan Albatross	(<i>Diomedea immutabilis</i>)
11. Black-footed Albatross	(<i>Diomedea nigripes</i>)
12. Northern Fulmar	(<i>Fulmarus glacialis</i>)
13. White-winged Petrel	(<i>Pterodroma leucoptera</i>)
14. Streaked Shearwater	(<i>Calonectris leucomelas</i>)
15. Sooty Shearwater	(<i>Puffinus griseus</i>)
16. Short-tailed Shearwater	(<i>Puffinus tenuirostris</i>)
17. Fork-tailed Storm Petrel	(<i>Oceanodroma furcata</i>)
18. Leach's Storm Petrel	(<i>Oceanodroma leucorhoa</i>)
19. Swinhoe's Storm Petrel	(<i>Oceanodroma monorhis</i>)
20. Japanese or Temminck's Cormorant	(<i>Phalacrocorax filamentosus</i>)
21. Pelagic Cormorant	(<i>Phalacrocorax pelagicus</i>)
22. Red-faced Cormorant	(<i>Phalacrocorax urile</i>)
23. Great Bittern	(<i>Botaurus stellaris</i>)
24. Yellow Bittern	(<i>Ixobrychus sinensis</i>)
25. Schrenk's Bittern	(<i>Ixobrychus eurhythmus</i>)
26. Striated Heron	(<i>Butorides striatus</i>)
27. Great Egret	(<i>Egretta alba</i>)
28. Intermediate Egret	(<i>Egretta intermedia</i>)
29. Grey Heron	(<i>Ardea cinerea</i>)
30. Purple Heron	(<i>Ardea purpurea</i>)
31. White Stork	(<i>Ciconia ciconia</i>)
32. Black Stork	(<i>Ciconia nigra</i>)
33. White Spoonbill	(<i>Platalea leucorodia</i>)
34. Canada Goose	(<i>Branta canadensis</i>)
35. Brent Goose	(<i>Branta bernicla</i>)
36. Greylag Goose	(<i>Anser anser</i>)
37. Greater White-fronted Goose	(<i>Anser albifrons</i>)
38. Lesser White-fronted Goose	(<i>Anser erythropus</i>)
39. Bean Goose	(<i>Anser fabalis</i>)
40. Snow Goose	(<i>Anser caerulescens</i>)
41. Emperor Goose	(<i>Anser canagicus</i>)
42. Swan Goose	(<i>Anser cygnoides</i>)
43. Whooper Swan	(<i>Cygnus cygnus</i>)
44. Whistling Swan, Bewick's Swan	(<i>Cygnus columbianus</i> , including <i>C. bewickii</i>)
45. Ruddy Shelduck	(<i>Tadorna ferruginea</i>)
46. Common Shelduck	(<i>Tadorna tadorna</i>)
47. Mandarin Duck	(<i>Aix galericulata</i>)
48. Mallard	(<i>Anas platyrhynchos</i>)
49. Spot-billed Duck	(<i>Anas poecilorhyncha</i>)
50. Common Teal	(<i>Anas crecca</i>)
51. Baikal Teal	(<i>Anas formosa</i>)
52. Falcated Teal	(<i>Anas falcata</i>)
53. Gadwall	(<i>Anas strepera</i>)
54. Eurasian Wigeon	(<i>Anas penelope</i>)