



CONVENTION ON MIGRATORY SPECIES

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MEETING TO IDENTIFY AND ELABORATE AN
OPTION FOR INTERNATIONAL COOPERATION
ON AFRICAN-EURASIAN MIGRATORY RAPTORS
UNDER THE CONVENTION ON MIGRATORY SPECIES
Loch Lomond, Scotland, United Kingdom, 22-25 October 2007

REPORT OF THE MEETING

INTRODUCTION

1. A meeting to identify and elaborate an option for international co-operation on African-Migratory Raptors under the Convention on Migratory Species (CMS) was held at the Cameron House Hotel, Loch Lomond, Scotland from 22 - 25 October 2007. It was co-hosted by the Governments of the United Kingdom (UK) and the United Arab Emirates (UAE).

2. Range States of African-Eurasian migratory birds of prey were invited to send two representatives to the meeting: an official and an ornithologist to provide technical assistance. The following 44 potential Signatories were represented: Armenia, Azerbaijan, Chad, China, Croatia, Cyprus, Czech Republic, Djibouti, Estonia, Ethiopia, European Community, Finland, France, Georgia, Germany, Ghana, Guinea, India, Italy, Iraq, Israel, Kazakhstan, Kenya, Lebanon, Libya, Lithuania, Macedonia, Malta, Morocco, Netherlands, Nigeria, Norway, Pakistan, Portugal, Saudi Arabia, Senegal, South Africa, Sudan, Sweden, Switzerland, Turkey, United Arab Emirates, United Kingdom, Yemen. List of Participants is attached as Annex 8 to this report.

3. In addition, the following international and national organisations were represented: African-Eurasian Waterbird Agreement (AEWA), BirdLife International, Dachverband Deutscher Avifaunisten e.V, Federation of Associations for Hunting & Conservation of the EU (FACE), Hawk Mountain Sanctuary, International Association for Falconry and Conservation of Birds of Prey, IUCN (Sustainable Use Specialist Group), International Wildlife Consultants Ltd, Scottish Raptor Study Groups, SOVON, The Peregrine Fund-Kenya Project.

Agenda Item 1: Welcoming remarks

4. The meeting commenced at 0930 hours on Monday 22 October 2007. Mr. Robert Hepworth, Executive Secretary, UNEP/CMS welcomed the delegates and invited H.E. Mr. Michael Russell, Scottish Minister for Environment formally to open the meeting. The Minister opened the meeting and then welcomed the delegates, as did Mr. Majid Al Mansouri of the UAE Environment Agency, Abu Dhabi.

Agenda Item 2: Adoption of the agenda and meeting schedule

5. The Rules of Procedure based on those used for the Convention on Migratory Species were adopted without amendment.

6. The Provisional Agenda was adopted without amendment and is attached as Annex 1 to this report. The final list of documents is attached as Annex 2 to this report.

Agenda Item 3: Election of officers

7. Professor Colin Galbraith, Scottish Natural Heritage, UK was elected as Chairman for the meeting. Mr Abdul Nasser Al Shamsi, Environment Agency Abu Dhabi, UAE was elected as Vice-Chairman for the meeting.

8. The Chairman proposed the establishment of two Working Groups, one relating to administration and financial matters (Administrators' Working Group) and the other concerning scientific issues (Scientists' Working Group). The meeting agreed to this proposal.

9. Mr. Gerard Boere (The Netherlands) was elected chair of the Administrators' Working Group and Mr. Issa Sylla (Senegal) was elected chair of the Scientists' Working Group.

Agenda Item 4: Establishment of Credentials Committee

10. Chad, Germany, Libya, Pakistan, Saudi Arabia and the UK agreed to serve on the Credentials Committees and to report periodically to the meeting on credentials accepted and outstanding.

Agenda Item 5: Meeting overview

11. The CMS Secretariat outlined the key aims and objectives of the meeting, as follows:

- To agree the CMS instrument type and develop its contents;
- To agree the geographic boundary of the instrument;
- To agree the list of species to be covered by the instrument;
- To develop the contents of the proposed Action Plan;
- To consider options for institutional bodies and financing considerations; and
- To agree next steps to take forward the development of the CMS instrument.

12. Mr. Salim Javed, UAE Environment Agency, Abu Dhabi gave a short presentation entitled the 'conception and incubation' of the CMS Raptors initiative, which outlined the sequence of events that had led to the meeting.

13. Norway referred to the papers of the meeting which set out a number of options to finance the CMS Raptors initiative and sought a more detailed breakdown of the costs associated with specific items within those options.

14. The UK highlighted that the UAE had been a strong advocate for the CMS Raptors initiative, particularly in the western Asian region, and had contributed significantly to the work of the committee established to prepare for this meeting. UK took the opportunity to formally thank the UAE for becoming a lead partner for the initiative.

15. The Executive Secretary of the African-Eurasian Waterbird Agreement (AEWA) mentioned that the option of including some wetland birds of prey into that agreement had been raised in 1999. He asked that the possibility of linking the CMS Raptors initiative with AEWA be explored during the meeting.

16. Senegal expressed support for the proposed geographic coverage area for the CMS instrument but also requested for more information about the potential sources of funding to be used.

17. India highlighted the large birds of prey migration that occurs through the Himalayas and pointed to the need for any CMS instrument aimed at migrating birds of prey to include a strategy for conserving stop-over sites.

Agenda Item 6: Conservation status of migratory raptors in the African-Eurasian region

18. Mr. John O’Sullivan, CMS Councillor for Birds, gave a presentation outlining the conservation status of migratory birds of prey in the African-Eurasian region, the threats they face and the conservation benefits that would flow from international cooperation, such as integrated research, enhanced capacity building, innovative funding mechanisms and improved public awareness.

19. A discussion followed which highlighted the following key issues of concern to delegates:

- Ecosystems and habitats
- Bottlenecks and flyways
- Data gaps - species status and threats
- Illegal hunting and persecution
- Pesticide use and misuse
- Capacity building and raising public awareness
- Link back to traditional practices

Agenda Item 7: Options for international co-operation under CMS

20. The CMS Secretariat gave a presentation setting out options for international co-operation and highlighted the three main options for an instrument covering migratory African-Eurasian birds of prey; (1) a formal Agreement and Action Plan; (2) an MoU and Action Plan; and (3) a partnership arrangement.

21. These items were subsequently considered in the relevant Working Group.

Agenda Item 8: Elaboration of an option for international cooperation under CMS

22. Before the issue was referred to the Administrators’ Working Group, the Chairman identified three questions: (a) type of instrument; (b) how it should be run; and (c) how much will it cost, that it needed to consider and invited views from the floor.

23. A discussion took place which stressed the following issues:

- Need to move swiftly and with flexibility
- Need for a lean instrument with minimal bureaucracy
- Focus on a costed Action Plan, informed by specialist knowledge
- Need to consider short-term and long-term views
- Finances
- Action Plan

24. The overwhelming response from delegates was to agree that an agreement would bring about a conservation benefit to migratory birds of prey and that a non-legally binding agreement should be developed. A Memorandum of Understanding was the preference expressed by the majority of delegates. Some delegates felt that in the longer term there was merit in exploring the possibility of linking all the CMS daughter agreements dealing with birds. Some delegates also expressed a preference for a stand-alone action plan.

25. The Chairman asked the Administrators' Working Group to determine the type of agreement and develop an appropriate text building on the draft MoU text in meeting document UNEP/CMS/AERAP-IGM1/7. He also asked the group to consider how the agreement should be run and the financial issues associated with it.

26. The Chairman then identified the three main issues for the Scientists' Working Group to consider: (a) geographic scope; (b) species to be listed and (c) priority actions. Before formally tasking the group the following views were received from the floor:

- Importance of ecosystems including food supply and sustainable use
- Need to move forward on available science
- Habitat conservation
- Poisoning and persecution
- Potential changes in migratory behaviour due to climate change
- The proposed Action Plan will require some supporting guidance
- Some dialogue will be required between the two Working Groups

First report from Administrators' Working Group (Annex 6)

27. Mr. Gerard Boere reported that the Working Group had agreed the text of the MoU as a whole, incorporating some key changes. The intention had been to ensure consistency with other key CMS instruments and to avoid text that would be legally-binding.

28. The preamble had been re-drafted to include a new reference to awareness-raising. But certain other elements had not been included (e.g. references to sectors such as agriculture and tourism) for consideration by the other Working Group for inclusion into the Action Plan. Likewise, advice was needed from the scientists on certain taxonomic references.

29. Agreement had been reached on a new definition of Signatories to clarify the difference between the status of Range States and other supporting organisations. References to the CMS Secretariat were distinguished from the functions of the potential co-ordinating body.

30. Another important change had been the decision to adopt two working languages for the initiative, namely English and French.

First report of the Scientists' Working Group (Annex 7)

31. Mr. Issa Sylla reported that good consensus was achieved on a number of key topics and about eighty per cent of the work had been completed. The group had agreed the contents of the Action Plan but there were two issues outstanding, one relating to the absence of targets for agreed activities and secondly although some activities had been agreed in principle the details had not been finalised.

32. The Chairman thanked the Working Groups for their efforts and asked both to re-convene to allow the Scientists' Working Group to conclude its work and requested the Administrators' Group to consider the type of agreement, financial issues and geographic range.

Agenda Item 8: Elaboration of an option for international co-operation under CMS - second session (continued)

33. Following the work of the Administrators' Working Group a new draft text of an MoU had been developed. The Chairman sought further comments from delegates on whether this type of agreement reflected the views of all delegates.

34. South Africa re-stated an earlier view that whilst they recognised that the majority of delegates supported an MoU and Action Plan, and that they wouldn't stand in the way of that option, their preference was for a stand-alone Action Plan and that in the longer term they would like the MoU reviewed, including the operational and institutional arrangements for implementation with view to exploring other options.

35. Switzerland stated that as neither of the Swiss delegation's interventions in plenary on the first and second days of this meeting had been duly reflected in the report, the Swiss delegate asked that his intervention was now fully recorded in the record of the meeting.

36. It reads as follows: *The Swiss delegation came to this meeting with the objectives of identifying and elaborating the option that would best serve the conservation and sustainable management of migratory birds of prey and owls in the African-Eurasian region in the sense of a shared responsibility.*

Switzerland's main objective was and still is an acceptable and widely accepted Action Plan that can be implemented as quickly as possible. I believe that we have elaborated a good Action Plan.

Although there was no consensus for an MoU the Meeting headed towards the elaboration of such an MoU without going into a discussion of any other options. Switzerland acknowledges the fact that amongst the delegations that expressed their views there was a majority in favour of an MoU. Switzerland also acknowledges that the meeting had, before it, good documentation on the evaluation of different options. At that stage, I would like to, on behalf of the Swiss Government and personally express my warm thanks to the initiator and organisers of the very productive and fruitful meeting.

Switzerland will join the general consensus on the choice of an MoU and is satisfied with the draft text of this MoU. Nevertheless, considering that some questions remain open for deliberation, in particular the financial issues, and also depending on the progress achieved in bringing the MoU into the operative phase, and thus start the implementation of the Action Plan, it is the view of the Swiss delegation that it might be wise, at a later stage, to envisage and explore possible links to existing instruments under the CMS, amongst them the AEWA'.

37. Lebanon supported the development of an MoU but expressed a wish that its implementation be reviewed with the possibility of elevating it to a formal legally-binding agreement.

38. Portugal, on behalf of the European Union, confirmed a preference for an MoU and Action Plan and said that possible links with other agreements was a matter for the future.

39. Germany and the Netherlands underlined a growing concern in relation to the increasing number of instruments for the protection of Afro-Eurasian birds. In order to achieve more work and time efficiencies in the long-term, solutions such as changing the AEWa agreement covering waterbirds into an Afro-Eurasian Bird Agreement should be considered. However, in the short term Germany and the Netherlands hold the view that there is a need for a faster solution and in this spirit they support the creation of an MoU and Action Plan for birds of prey as a transitory measure.

40. Saudi Arabia expressed its preference for an MoU but requested that it be translated into Arabic to enable them to consider it more fully and asked the CMS Secretariat to undertake a review of MoUs under CMS.

41. The Chairman summarised the comments and it was agreed that an MoU and Action Plan be developed at this stage with the expectation that in the longer term other options be explored.

42. The meeting then proceeded to review the text of the draft MoU and agreed to the text contained in Annex 3 to this report, with a request from the Chairman that the concern over taxonomy of the Common Buzzard, as raised by Lebanon, be noted. On Annex 2 to the draft MoU, questions were raised concerning the status of the map and the Chairman reminded delegates that the map was indicative only, at this stage.

43. The meeting subsequently re-examined the draft Action Plan and agreed to the text contained in Annex 4 to this report.

Agenda Item 9 and 10: Next Steps and Conclusion from the Chair

Chairman report and next steps

44. Professor Galbraith summarised the initial steps that had led to the consideration of a potential agreement for migratory birds of prey. He pointed out that these birds are indicators of our environment as they are positioned at the top of the food chain and sensitive to changes in prey and pollutants. He added that over 50% of species within the region have a poor conservation status.

45. He mentioned that there were 106 participants at the meeting and that they agreed to a non legally-binding Memorandum of Understanding (Annex 3) with an Action Plan (Annex 4). They also agreed to the list of species and the geographical scope.

Agenda Item 11: Any other business

46. Financial issues were referred to an Inter-sessional Group, the agreed Terms of Reference which are attached as Annex 5 to this report.

47. Documents from the meeting will be circulated by the CMS Secretariat and a concluding meeting will be held in the UAE in 2008 with the outcome of the process reported to the 9th CMS Conference of the Parties in December 2008.

Report of the Credentials Committee

48. The meeting received a report from Mr. Joylon Thompson, UK, Chairman of the Credentials Committee, who advised that of the 44 Range States and REIOs attending the meeting, original credentials had been received from 28. A number of Range States had provided only copies of credentials and were requested to provide originals to the CMS Secretariat by no later than 8th November 2007 in order to be treated as having submitted full credentials. The Chairman further reported that three Range States (Azerbaijan, Kazakhstan and Malta) had submitted original credentials but that these had not been signed by those having sufficient authority and those Range States were also asked to submit revised originals by the same deadline. The Chairman indicated that the committee agreed that there was no need for Yemen to submit credentials since attendance by its Minister of Environment in person was sufficient evidence of the necessary authority to participate. Finally, four Range States (China, Estonia, Italy and Turkey) had not produced any credentials for the meeting, and so were unable to participate in any formal decision-making.

Next meeting

49. The UAE generously offered to host the meeting to conclude the agreement in Abu Dhabi in 2008.

Agenda Item 12: Closure of the meeting

50. The Chairman thanked the participants and meeting organisers and then closed the meeting.