



CMS Flyway Working Group Meeting

20-21 February 2011, Edinburgh, Scotland



1. Introduction

1. Mr Borja Heredia (Scientific and Technical Officer, UNEP/CMS Secretariat) opened the meeting and presented the apologies of CMS Executive Secretary, Ms Elizabeth Mrema and CMS Deputy Executive Secretary, Mr Bert Lenten, neither of whom could attend because of other pressing commitments.

2. Mr Heredia explained that the CMS Flyways Working Group had been established at the Rome Conference of the Parties in 2008. The Working Group had so far produced two reports (on conservation instruments in force, and an analysis of gaps in scientific knowledge), while the third, presenting policy options, was close to completion. The meeting was urged to express its views on the current draft of the third report.

3. Mr Taej Mundkur (Wetlands International and CMS Scientific Councillor for Asiatic Fauna), as Chair of the Working Group, added his welcome to the participants, and stressed the importance of the Group's work in formulating the future policies of the Convention and its contribution to the wider "Future Shape" process. A number of members of the Flyways Working Group, notably Mr Olivier Biber (Switzerland), Mr Samuel Kasiki (Kenya) and Ms Nopasika Malta Qwathekana (South Africa) also served on the Future Shape Working Group. After thanking the Governments of Germany and Switzerland for their voluntary contributions and Scottish Natural Heritage for hosting a reception, Mr Mundkur presented a revised agenda and schedule, both of which were accepted by the meeting.

4. Mr Mundkur cited Resolution 9.02 which set out the Working Group's mandate and explained that its membership was open. Efforts had been made to include experts from outside the normal CMS channels to maximize inputs from regions where the Convention was underrepresented in terms of Parties and active instruments. The Americas Waterbird Conservation Council, the Western Hemisphere Shorebird Reserve Network, (WHSRN), the Western Hemisphere Migratory Species Initiative (WHMSI), the Ramsar Convention, BirdLife International, Wetlands International, the Federation of Associations for Hunting and Conservation of the EU (FACE) and individuals, such as Africa expert, Joost Brouwer had all been involved.

Migratory Birds

5. According to the CMS definition of migratory species¹, 2,274 species of birds were migratory (23 per cent of all avian species) and of these 35 per cent were covered by the CMS Appendices. The Americas and Asia each accounted for over 1,000 different species, Africa over 650, Europe, Central Asia and Middle East each accounted for over 450, and Australasia over 300. Boere and Stroud had defined "flyway"² and various maps plotted the flyways such as Stroud (2002) and Wohl (2006) for shore birds and according to BirdLife International eight distinct flyways had been identified.

¹ 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;

² "A flyway is the entire range of a migratory bird species (or groups of related species or distinct populations of a single species) through which it moves on an annual basis from the breeding grounds to non-breeding areas, including intermediate resting and feeding places as well as the area within which the birds migrate."

6. The Working Group's mandate required it to undertake three reviews and report back to the CMS COP in November 2011, where a draft Resolution could be tabled. The Working Group would also have to consider whether it believed that it had completed its mandate or whether it should continue to advise the Convention and the Scientific Council.

Future Shape Process

7. Mr Biber (Chair, Intersessional Working Group on the Future Shape of CMS) gave an overview of the process and its remaining work in the run-up to COP10. The Future Shape process and the Flyways Working Group were institutionally linked and both stemmed from COP9. The Future Shape process comprised three phases, the first being an assessment of the status quo of CMS and its family of instruments; the second to propose options for the better conduct of the Convention; and the third to devise three options for consideration at COP10. The Future Shape Working Group was to take account of the deliberations of the Flyways Working Group as well as the results of two taxonomic reviews for terrestrial mammals and marine turtles.

8. At its third meeting, the Future Shape Working Group had started to elaborate the three options to be presented to the COP. The first proposed changes deemed essential for greater efficiency in service delivery; the second added desirable activities that could be achieved within existing institutional and legal structures and the third option included the possibility of longer term reforms that might necessitate the renegotiation of the Convention and its instruments. Mr Nick Davidson (Ramsar) warned that the Parties to his Convention had twice amended its text, but the process of ratification was extremely slow and he advised against entering such an institutional limbo if it could be avoided.

Tour de table

9. Mr Mundkur invited all present to introduce themselves. A list of the participants and the organizations they represented appears at Annex I.

2. Progress in Finalizing Reviews 1 and 2

10. Mr Leon Bennun (BirdLife International) presented a synopsis of the "Review of Current Knowledge of Bird Flyways, Principal Knowledge Gaps and Conservation Priorities".

11. The review had found that there were approximately 1,600 species of land birds which tended to migrate across a broad front and depended on a large area of habitat. Waterbirds, covering 550 species, tended to follow regular flyways using a chain of sites. Soaring birds, such as raptors and storks numbered 160 species and many of their flyways had bottlenecks.

12. Approximately 14 per cent of all species were threatened by extinction and the situation was deteriorating. Listing on the appendices of CMS had not improved the status of the birds in the short term (although their conservation status might well have been worse without listing). For land birds 10 per cent or so of species were endangered in all regions. Waterbirds were faring worst in Asia and 30 per cent of seabirds were threatened.

13. The threats including expansion of agriculture and aquaculture, hunting, disease, drought and desertification, forest fragmentation, bycatch, unsustainable use, and badly designed or placed infrastructure. The worst threats were those associated with land-use changes and bycatch, which accounted for 100,000s of deaths each year. Climate change exacerbated old problems and caused new pressures, for example the loss of habitat for species such as the Dunlin *Calidris alpina*. An evaluation found that over half of the 8,400 IBAs identified for migratory birds had less than 10 per cent of their area formally protected. It was vital to maintain a network of sites for migratory species and the Critical Site Network tool (CSN) developed under the WOW project in the African-Eurasian Migratory Waterbird Agreement (AEWA) region could have wider application.

14. The main recommendations of the second review were: to enhance implementation of existing instruments; to increase species coverage; to increase the number of flyways covered; to address the wide issue of habitat loss (reduced wetlands, intensive agriculture, deforestation, desertification); to protect key sites; to address species-specific issues such as sustainable harvesting; poisoning (e.g. lead and pesticides) and barriers to migration; and to increase international collaboration with MEAs, regional bodies such as the Abidjan Convention and through the use of the CSN tool.

15. Mr Mundkur presented the “Review of CMS and non-CMS existing administrative and management instruments for migratory birds globally”, which had identified over thirty different instruments in operation based on flyways and many others dealing with individual species. Many of these arrangements were led by NGO partnerships with no legal basis. In addition, other international forums, such as UNCLOS, dealt indirectly with issues relating to habitat and bird conservation. There was a degree of competition and duplication of effort, and all the instruments had their specific inherent strengths and weaknesses. Some adopted a species approach, while others dealt with flyways or issues.

16. In terms of CMS instruments, the Africa-Eurasian region was best represented while increasing activity was evident in South America. The weakest areas were North America, the oceans, the Pacific and Asia. The Central Asian Flyway initiative for waterbirds had lost momentum after a Range State meeting in 2005 and the launch of an Action Plan shortly thereafter, but there were potential benefits to be had by linking it to AEWA. The species best covered by CMS were Anatidae, Scolopacidae, divers, grebes, cranes and raptors, while the least protected taxa were the inter- and intra-tropical migrants, passerines (other than those covered by the Grassland Birds MOU), land birds (other than the exceptions covered by bilateral agreements) and seabirds (other than albatrosses and petrels under the Agreement on the Conservation of Albatrosses and Petrels (ACAP)).

17. The challenges being faced included the need to address the problems of developing countries, where economic and social considerations often outweighed conservation and the harsh economic climate which meant that resources were likely to remain scarce. There was a danger that conservation would be sidelined. Successes had been achieved through building effective, well coordinated coalitions of partners, and establishing clear mechanisms for policy making. CMS had a clear global mandate and collaborated with other MEAs such as CBD and the Ramsar Convention. Successful instruments such as AEWA and the Siberian Crane MOU had been created under the auspices of the Convention. Instruments developed under CMS were flexible and were open to all countries, not just CMS Parties. The Convention however had not succeeded in recruiting certain key countries, which for a variety of reasons had not yet acceded.

18. Outside the CMS Family, the main instruments were the Ramsar Convention, whose mandate did not cover all birds, but only species occurring in wetlands, and a series of bilateral agreements and partnerships. The partnerships allowed all participants to enjoy equal status and were more attractive to civil society and private sector sponsors. They tended to be more flexible and dynamic but were not legally binding, a factor that might reduce their effectiveness.

19. In the ensuing discussion arising from the presentation of the review, several participants raised the question of how the Convention could assess the effectiveness of the measures it promoted. Mr Davidson (Ramsar) said that his Convention has developed a set of indicators which showed that while the targeted habitats and species had still declined, the situation would have been far worse without the Convention, and those Parties that implemented the Convention’s provisions best, had the most promising results. Mr John O’Sullivan (CMS Scientific Council) said that Ramsar had the advantage of protecting defined physical sites, whereas measuring mobile populations of hundreds of species was more difficult. Key sites had to be protected at key stages of the migration cycle, and policy should react to scientific findings. Ms Qwathekana (South Africa) stressed the importance of the MEAs working in step with each other and ensuring that conservation remained in the mainstream of policy development, as it was possible to combat poverty and conserve nature simultaneously. CMS would have to promote its agenda in Intergovernmental Platform on Biodiversity and Ecosystem Services as soon as that body was established. Mr Fernando Spina (Italy) felt that an opportunity was

being missed by not building on the vast amount of data available on how birds used the flyways collected during bird ringing. He feared that some researchers found such studies unexciting, but the basic data they could provide were absolutely essential in understanding migration. Mr Kasiki (Kenya) stressed the need to use local knowledge and to adapt policies to local circumstances.

3. Input to Finalize Review No 3

20. Mr Mundkur called upon Professor Colin Galbraith (United Kingdom, Vice Chair of the Scientific Council) to present the third review, "Management of Migratory Birds Globally Flyways: Developing an Agenda for the Future". The deadline for comments from the Working Group was the end of February 2011. This would enable the final review to be sent to the Future Shape Working Group in time to advice on priorities for migratory birds in future policy options.

21. Professor Galbraith expressed his thanks to all who had commented on earlier drafts. The third review drew on the findings of the first two, and considered ways of extending the Convention's coverage both geographically and taxonomically. A thorough re-evaluation of the species coverage of the CMS Appendices might be necessary, but any such review should also propose concrete actions to improve the species' conservation status. The review presented an opportunity to step back and assess current practice but it was also a chance to take a radical and idealistic stance. Despite the unfavourable financial situation, Professor Galbraith believed that with a convincing case, resources could be found for implementation. One priority was to recruit the key countries not yet party to the Convention, to fill the membership gaps in regions such as North America and South-East Asia.

22. CMS should continue to address the main recurrent threats including habitat loss, bycatch and unsustainable use, climate change, diseases and alien species. The COP had passed Resolutions on many of these issues, but the problems kept evolving and rarely disappeared.

23. In setting regional priorities, CMS should develop partnerships with the networks already active in North America, and should conduct scoping exercises in the Pacific and East and Southeast Asia. The almost dormant Central Asian Flyway initiative for migratory waterbirds should be reactivated and possible linkages to AEWAs explored as a priority. The marine environment was facing a number of pressures that needed to be addressed. CMS's presence in terms of bird conservation was delivered mainly by ACAP, which still had a remit limited to certain species at present. CMS was though dealing with other marine species.

24. Professor Galbraith advocated that a series of regional workshops be held to consider the details of the new approaches to be developed to counteract declining bird populations. In many cases, current actions were effective but could be improved.

25. The third review had identified three options; to carry on in the same vein; to streamline operations and seek worldwide coordination of effort with a range of partners; and to scale back in recognition of the fact that resources were not available and bird conservation was less of a priority to governments.

26. The first Option would probably lead to some sporadic and organic growth on top of the existing two Agreements (AEWA and ACAP) and the MOUs. The second option would be characterized by on proactive growth, simple new mechanisms, targeted activities to fill the gaps in the coverage by CMS and action plans for specific interventions under a global overview. The third option would see the development of MOUs frozen and existing mechanisms integrated so resources could be focussed on known threats.

27. The Working Group preferred the second option and initial responses to the proposed directions outlined in the draft paper were encouraging. This would require a simple over-arching framework structure for each major flyway region, through agreements or flexible partnerships and targeted Action Plans with NGO and other stakeholder involvement. These entailed: closer linkage

with other government initiatives, integrating conservation policy with other sectors; developing clear indicators and working in partnerships with MEAs, NGOs and other stakeholders (see actions 6.4.1, 6.4.2. and 6.4.3 of the third review). It was recognized that CMS could not act alone and had finite resources, so partners needed to be identified. The key species and regions needed to be targeted, the principal threats addressed and the most appropriate forum for action found, taking account of geopolitical considerations.

28. One advantage was that this approach would be based on existing structures so the current momentum would be retained. There were inherent dangers though. Less formal structures were not binding, the partners might pursue their own rather than the common agenda, they would involve a degree of administration and Range States might not commit themselves. The Group also felt that it should continue to operate with a fresh mandate from the COP.

29. Professor Galbraith reminded the meeting that it had taken CMS over 25 years to set up its current institutional structures. It should not take another 25 years to double the Convention's global and species coverage.

Timeframes

30. Professor Galbraith wanted to complete the third review by the end of February 2011, in order to meet the deadline of the Future Shape process. It would be important to identify any major legal and institutional impediments and provide an estimate of the costs and timing of any changes as part of the next stage of the Future Shape process. The Working Group should devise an outline of its continuing work over the next triennium and seek a fresh mandate. Mr Biber stressed that the Resolution emanating from the Flyways Working Group had to be consistent with the proposals arising from the Future Shape process, and that the recommendations from both Groups would have a considerable effect on the next Strategic Plan. Mr Davidson suggested that it would be advisable to have a pilot project for the introduction of a regional framework agreement. Professor Galbraith thought that the approach could be phased in, perhaps with one region being handled each triennium.

31. Several delegates sought an explanation of terms such as "generic regional agreements" and "overarching". Mr Gerard Boere (Chair, Wings Over Wetlands) did not think that the framework agreements needed to be legal treaties along the same lines as AEWA or ACAP, but saw the possibility of extending AEWA to cover other taxonomic groups, such as passerines. It would be worthwhile to explore the feasibility of such options. Mr David Stroud (Ramsar STRP) said that focussed Action Plans were more likely to attract corporate sponsorship, and he also suggested the addition of bodies such as the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) to the list of potential partners. Mr Joost Brouwer (Expert) pointed to the effects of growing human populations and the associated pressures, citing the example of Niger, the number of inhabitants of which had risen five-fold to 16 million since 1950. The conservation case had to be made to the Ministries of Economics, Development, Forestry and Agriculture, and enlisting the support of Food and Agriculture Organization (FAO) would be invaluable.

32. Mr Ian Bainbridge (Scottish Natural Heritage) agreed that a more flexible approach would be more fruitful and conducive to catalysing conservation work on the ground. With regard to seabirds, he was convinced that the conservation effort was too terrestrial and a new approach was needed toward the oceans. He also voiced a note of warning with regard to pollution, which was perceived in the West as a problem solved (with the exception of the occasional major catastrophe such as the Gulf of Mexico oil spill). There were indications that the old problem persisted in certain regions, such as in and around the Yellow Sea.

33. Mr Heredia pointed out that the theme of the forthcoming CMS COP was networking for migratory species. With regard to the form of framework agreements and action plans, the concept of single species action plans should be retained for species facing severe threats with tailored policies to address them. Other Working Groups of the Scientific Council were developing Resolutions on

specific issues (e.g. by-catch or climate change) so the Flyways Working Group could concentrate on its core subjects.

34. Mr Sergey Dereliev (AEWA) sought clarification of the proposal for a “framework agreement” for the region covered by AEWA. He agreed with others who had suggested that each region might require a different approach. He also asked what status was being envisaged for the Action Plans, which in the case of AEWA were legally binding. He concurred with Mr Brouwer that the pressures of human population were having considerable effects on conservation issues. With regard to Flyway coverage, he said that the most important factor was how to divide the globe and deal with the overlaps. The proposals seemed to indicate three terrestrial flyways (the Americas; Africa-Eurasia & Central & South Asia; and East & Southeast Asia, Australasia & the Pacific) and a single global marine one.

35. Mr Biber suggested that a “bottom up” approach, starting from an Action Plan and then moving to the institutional framework would be more appropriate, as the focus would be on conservation action rather than legal documents. Lessons could be learned from the experience with the Raptors MOU, where a donor country’s contribution had funded an office but little conservation benefit had been seen so far.

Waterbird Conservation Council of the Americas

36. Ms Rosa Montáñez (Chair, Americas Waterbird Conservation Council) gave a presentation on the work of the Council, which was made up of 22 partners and had been set up in 2002. Its four main goals were conservation of species populations, protecting habitats, education and public awareness raising and enhancing inter-agency collaboration. The Council had met annually since 2002 and saw the creation of more practical partnerships as a better way ahead than negotiating agreements.

37. The Council had encountered difficulties in promoting conservation in the face of development pressures, and the economic case for conservation always had to be made.

38. At its recent meeting in Santa Marta, Colombia, the Council had examined the draft Review 3. The need for a flyway initiative in the Americas was recognized and existing structures should be used as the foundation, although their reliance on voluntary workers rather than dedicated staff was a limitation.

39. Ms Cristina Morales Palarea (Paraguay) said that existing networks such as WHMSI were assisting in the implementation of CMS initiatives such as the Grassland Birds MOU through the development of the associated Action Plan; the Plan was approved during a technical meeting held in Asunción (Paraguay) in December 2010. She asked how the proposed “framework agreement” concept would affect the Americas where the non-binding MOU approach had proved successful. Mr O’Sullivan recognized the complexity of the current structures in operation in the Americas, and thought this region was atypical. A low-key clearing house mechanism might well be all that was needed to keep abreast of all the actions taking place. A different approach would be needed in other regions. Mr Stroud warned against trying to interfere in arrangements that were clearly working and in his experience coalitions made up of natural partners with in mutual interest in working towards the common goal were usually more successful than artificial constructs. CMS could bring added value, but only if it understood what it was adding to.

40. Mr Mundkur and Mr Davidson spoke about the aims behind the proposed Workshop on global waterbird flyways aimed at sharing experiences between different flyway approaches. It was noted that all of the north-south flyways operated in isolation and all had developed differently. The workshop would seek to identify which model worked best in which circumstances and how experiences and information could be better shared. It was hoped that the Workshop could take place in September 2011 in the Republic of Korea, which would allow its findings to be available at the CMS COP.

41. Ms Nicola Crockford (RSPB and BLI) conveyed the views of the BirdLife partners and said that the Working Group had a choice. It could either set its aim high and then develop comprehensive practical policies, or it could focus on the most urgent current cases. Developing a comprehensive programme might have short term costs. She was also unsure how the Secretariat with its limited resources could establish and manage the full set of framework agreements. The Working Group contained a number of people who had been involved in AEWA since its inception and their experience would be invaluable. Mr Boere, an architect of AEWA, said he had in his archive papers relating to the abortive attempt to set up an instrument in the Americas/Pacific region. It had failed mainly because of its “top down” approach.

4. Development of Resolution(s) for COP10 on the Flyway Working Group

42. Mr Biber said that it was important for the Future Shape Working Group to have a clear idea of what elements of the proposals made by the Flyways Working Group were essential or desirable and those that would entail major institutional change. The proposed “framework agreements” might fall into the last category. The absolute deadline for input into the Future Shape process was 20 March, but it was for the Standing Committee and ultimately the COP to make the final decisions. Professor Galbraith stressed that any radical proposals from the Flyways Working Group could be implemented in phases, suggesting that the pilot scheme could perhaps be put in place for the East and Southeast Asian region where the conservation status of birds was most perilous.

43. There was a general discussion about the mechanism for tabling a Resolution to COP. It was agreed that the Scientific Council could take the lead, but there were tactical advantages in having as many endorsements from Parties as possible. It was stressed that Parties would still be free to propose changes to the text during COP. Any Party tabling a Resolution could reasonably be expected however to open the debate.

44. Mr Bennun sought clarification of a number of elements in the Working Group’s preferred option, especially concerning the role of the “framework agreements”. He was skeptical about the usefulness of creating more institutional structures that provided little or no conservation benefit. He also warned against a “one size fits all” solution, given the different circumstances in the African-Eurasia, Central Asian and American regions. There was little scope for an intervention by CMS to bring any benefit beyond better coordination in the Americas where an active network existed. On the other hand, CMS could provide considerable impetus to the conservation of land birds in Asia, where the institutional infrastructure was poor. BirdLife believed that CMS should play to its strengths, enhance what already existed and not overreach itself, and certainly not at the expense of current activities.

45. There followed a discussion on the appropriate action for CMS in different regions. The idea of attaching the Central Asia Flyway Action Plan to AEWA was raised again. The existing networks in the Americas were working well, so CMS’s role could be limited. In the Pacific, there were few CMS Parties and none at all from East Asia, although several non-Parties were involved in the IOSEA turtle MOU. Another complication was the vagueness of the regional boundaries, with South-East Asia encompassing Myanmar to the West, Australia and Papua New Guinea to the South-East and East Asia to the North.

46. Mr Mundkur pointed out that the Association of Southeast Asian Nations (ASEAN) was developing an environmental programme but had no specific actions for migratory species. As CMS allowed Regional Economic International Organizations (REIOs) to become Parties, ASEAN’s accession to the Convention was a possibility. In regions with low membership the Convention would have to act through partnerships. Mr Brouwer suggested that it would be useful to do an analysis of the countries in the regions, the species for which they were Range States and their current involvement in CMS.

5. Discussion on practicalities and mapping the way ahead – development of priority proposals for migratory waterbird species and habitats (linked to major flyways)

Review 3 – Draft Action Points

47. The Meeting examined in detail the action points on pages 34-35 of the draft third review.

- 2.1: Consideration was given to whether further key countries for recruitment in addition to Brazil, China, Russia and the USA should be identified.
- 2.3 and 2.4: Ms Morales suggested deleting Action 2.3 (on Central and South America) and revising Action 2.4 to cover all the Americas, emphasizing the need to develop partnerships with the non-CMS initiatives operating there. Ms Crockford suggested that a starting point for the Americas would be an overarching Action Plan involving all actors with CMS playing a coordinating role and focusing on habitat loss.
- 2.6: CMS was already closely involved with the East Asian-Australasian Flyway Partnership (EAAFP) and was leading on the single species action plans such as that for the Spoon-billed sandpiper *Eurynorhynchus pygmeus*. It was hoped that the informal arrangements might lead to something more permanent in the fullness of time.
- 2.7: CMS had not been taking any action regarding birds in the Pacific, although a number of key migratory species were found there. The countries of the region lacked capacity, a problem that impinged on all MEAs. CMS had built relations with South Pacific Regional Environment Programme (SPREP) and Mr Davidson mentioned that CMS and Ramsar were going to share an officer in SPREP, which was an excellent example of cooperation between Conventions.
- 2.8: Mr Dereliev asked the meeting for their comments on how to progress the Central Asian Flyway. Efforts had stalled after the Delhi meeting of Range States, which had not made a definitive decision but had indicated a preference for linking with AEWA. The Action Plan had however been finalized and needed to be activated.

48. In terms of Range States, the CAF covered 30 countries, 16 of which were also within the AEWA Agreement Area, but relatively few were Parties. Given the time that had elapsed since the meeting in Delhi, Range States would have to be consulted and the lead would clearly rest with CMS. It was unlikely that the Secretariat would have the time to arrange the necessary meeting as it was preoccupied with the COP, and doubts were expressed about the efficacy of negotiations by correspondence. There was a CMS Secretariat mission to India planned in June 2011, and the matter could be raised there.

49. A further open question was the extension of the taxonomic scope, but it was pointed out that changes to the existing AEWA text would be time-consuming, and lawyers should be asked to devise an easier approach which would not risk losing the momentum of existing Agreements. The deadline for species amendments to the AEWA MOP5 was 14 December 2011.

50. The options with regard to AEWA were:

- The status quo: AEWA dealing with waterbirds in the African-Eurasian flyway with binding action plans.
- CAF extension: extend the geographic scope of AEWA to cover the Central Asian Flyway
- Taxonomic extension: AEWA's coverage to include species other than waterbirds
- Geographic and species extension: AEWA to be the core of a wider framework birds agreement

51. These options were not mutually exclusive, as the second and fourth approaches could be followed in parallel, the former as a short-term interim solution while the latter, which was legally more complex, was being ratified. The question remained whether future action plans would retain the same legal status of those under AEWA. As some of the terminology being used was complicated, it was suggested that a glossary be drawn up, explaining the implications.

52. The question of the political reaction to merging the Raptors MOU with AEWA was discussed. The negotiations had been led by the United Kingdom and the United Arab Emirates (UAE) and the Secretariat had been established in Abu Dhabi through a donation by the UAE. The Convention should however put conservation concerns to the fore and mergers should be considered where they led to greater rationalization and efficiency. The merger of CAF with AEWA would also have cost implications, particularly for the main contributors to AEWA who would have to bear much of the financial burden. The benefit would be a more effective conservation instrument. Professor Galbraith however pointed out that during the Raptor MOU negotiations there had been some resistance to having it as a binding agreement, on both institutional and financial grounds.

- 2.9: Mr Stroud was wary of extending AEWA too far into the marine environment given the different set of conditions and protagonists. He felt ACAP was probably better placed to deal with these issues. However, Mr Heredia pointed out that there was reluctance within ACAP to extend its species coverage further too quickly. Adding shearwaters and smaller petrels and then cormorants and other seabirds from AEWA's lists could be achieved in phases. The issue could be raised at the next ACAP Technical Committee meeting in August 2011.
- 2.10: there was unanimous support for continuing the Flyways Working Group into the next triennium with a renewed mandate.

Listing Species on the CMS Appendices

53. Mr O'Sullivan explained briefly how the CMS Appendices were amended. Each COP presented Parties with the opportunity of adding (or removing) species or populations of species to the two Appendices. Appendix I contained species considered endangered (normally following the IUCN categories or vulnerable or worse) and Appendix II listed species that would benefit from cooperative action. The sponsoring Party had to table its proposal 150 days before the COP to allow for consultation with other Parties and the Scientific Council, to avoid diplomatic or scientific embarrassments in plenary. This meant that the deadline for listing proposals was 23 June 2011. The Party proposing the amendment had to be a Range State of the species concerned. Proposals were in the pipeline for the addition at COP10 of the Saker falcon *Falco cherrug* (a carry-over from COP9), three waders (Great knot *Calidris tenuirostris*, Far Eastern curlew *Numenius madagascariensis* and the Bristle-thighed curlew *Numenius tahitiensis*), Monteiro's storm petrel *Oceanodroma monteiroi* and the Black harrier *Circus maurus* to Appendix I and the Bobolink *Dolichonyx oryzivorus* to Appendix II.

54. Ms Jelena Kralj (Croatia) said that the Saker falcon was still considered vulnerable and therefore was eligible for listing under CMS. Reports compiled in the Asian part of the species' range had been compiled and sent in English and Russian to BirdLife International. These reports contained new data on populations and population trends. Professor Galbraith urged that the data be distributed widely as soon as possible, so as to avoid the difficult situation that had arisen at COP9, when the listing of the Saker falcon was almost put to the vote, contrary to the Convention's normal practice of working by consensus.

55. Ms Crockford stated that BirdLife International would be willing to undertake a desk study to assess how well the CMS Appendices reflected current conservation status of bird species. This offer was welcomed by Professor Galbraith, who thought that this information would be useful to both the Scientific Council and the COP.

Draft Resolution

56. The following points were raised during the discussion of the draft resolution prepared by the Secretariat.

- It was important to use language understandable to other stakeholders.
- The references to other draft Resolutions would have to be elaborated as it became clear what other business the COP would be discussing.
- A reference to The Hague Statement from the AEWA 15th Anniversary symposium should be added. It should also be made clear that flyways were considered to be ecological networks, given the absence of physical links between the component parts. Mr Boere said that this point had caused difficulties in the past since some donor organizations did not consider flyways as ecological networks and he mentioned in particular the Dutch Development Agency.
- The “existing instruments” referred to in the first operative paragraph should be listed in the resolution (a list appeared in the first review). The word “demands” should be replaced with “urges” or “requests”. It should also be made more explicit to whom “among them” referred (Parties and/or Secretariats).
- The threats faced by migratory birds should be set out. Ms Crockford suggested listing them as follows: pollution and human population growth; habitat loss, fragmentation and quality loss; climate change; problems related to the energy industry and infrastructure; bycatch and unsustainable use; lead shot and poisoning; alien species; disease; information and knowledge gaps; and other underlying processes.
- It was however important to find common ground with other bodies whose prime interests were not related directly to conservation (e.g. Regional Fisheries Management Organizations (RFMOs) and the UN Convention on the Law of the Sea (UNCLOS).
- The third paragraph needed to address its call to specific entities, and further thought needed to be given to the number and venue of the proposed regional workshops. The workshops should have a more concrete task than simply to discuss problems; they should identify best practice and propose policy options.
- The Agreements within the CMS Family had to be involved, so their governing and advisory bodies should be invited to consider the findings of the Working Group. Their support at COP would be a considerable boost to the prospects of having the proposal adopted.

6. Further discussion on priorities for a Flyways Working Group post COP10

57. It was agreed that there was a role for the Working Group to play in the next triennium and a small Working Group was established to develop new terms of reference for it and continue working on the resolution. This was composed of Mr Taej Mundkur, Mr John O’ Sullivan, Mr Olivier Biber and the CMS Secretariat. Mr. Heredia offered to lead updating of the draft resolution.

Closure

58. After the customary expression of thanks to all who had contributed to the successful organization and execution of the meeting, the Chair declared the meeting closed at 14:38.



CMS Flyway Working Group Meeting

20-21 February 2011, Edinburgh, Scotland



Provisional List of Participants

Scientific Council Members

COP Appointed Councilor for Birds

Mr. John O'Sullivan

Vice Chair, CMS Flyway Working Group
14 East Hatley, Sandy
Bedfordshire
SG19 3JA
United Kingdom
Tel: +44 (0)1767 650688
Email: johnosullivan@tiscali.co.uk

Paraguay

Ms. Maria Cristina Morales Palarea

Species Program's Coordinator
Asociación Guyra Paraguay, Gaetano Martino 215
C/TTE. Ross, Asunción
Paraguay C.C.1132
Telefax: 595-21-223567
E-mail: cristinam@guyra.org.py

COP Appointed Councilor for Asiatic Fauna

Dr. Taej Mundkur

Chair, CMS Flyway Working Group
Programme Manager - Flyways
Wetlands International
P.O Box 471
6700 AL, Wageningen
The Netherlands
Tel: +31 318- 660 910 fax +31 318- 660 940
E-mail: taej.mundkur@wetlands.org

India

Ms. Prakriti Srivastava

Deputy Inspector General of Forests (WL)
Ministry of Environment & Forests
514, Paryavaran Bhawan,
CGO Complex, Lodi Road
New Delhi
India
Telefax: +91-11-24360704
E-mail: digwl-mef@nic.in

Kenya

Dr. Samuel M. Kasiki

Deputy Director Biodiversity Research &
Monitoring
Kenya Wildlife Service
P.O.Box 40241
00100 Nairobi
Kenya
Tel: +254 721446729 fax: +254 20 603 792
E-mail: skasiki@kws.go.ke

Italy

Dr. Fernando Spina

Senior Scientist
Italian National Ringing Centre
Istituto Superiore per la Protezione e la Ricerca
Ambientale (ISPRA), Sede amministrativa ex-INFS
via Ca' Fornacetta 9
I - 40064 OZZANO EMILIA, Bologna, Italy
Tel: +39 051 6512214, fax +39 051 796 628
E-mail: fernando.spina@isprambiente.it

Switzerland

Dr. Olivier Biber

Head International Biodiversity Matters Unit
Federal Office for the Environment (FOEN)
3003 Berne
Switzerland
Tel: +41 31- 323 0663
Fax: +41 31- 324 7579
E-mail: olivier.biber@bafu.admin.ch

South Africa

Ms. Malta Qwathekana

Senior Policy Advisor: International Biodiversity
and Heritage Cooperation
Department of Environmental Affairs
Private Bag X447
Pretoria 0001
South Africa
Tel: 0123103067
Fax: 0123201714
E-mail: mqwathekana@environment.gov.za

CMS Scientific Council

Prof. Colin A. Galbraith

Vice Chair, CMS Scientific Council
45 Mounthooly Loan
Edinburgh
Scotland
EH10 7JD
United Kingdom
Tel: +44 (0) 7766144 700
E-mail: colin@cgalbraith.freeserve.co.uk

Representatives of other Organizations/Bodies

Americas Waterbird Conservation Council

Ms. Rosa Montañez

Chair Americas Waterbird Conservation Council
83-0152 Panama
Tel: +507-67807941 fax:+507-264 8977
E-mail: rosamontanez@hotmail.com

BirdLife International

Ms Nicola J. Crockford

International Species Policy Officer
Royal Society for the Protection of Birds
UK Headquarters, The Lodge, Sandy,
Bedfordshire SG19 2DL
United Kingdom
Tel: +44 (0)1767 693072
Fax: +44 (0)1767 683211
E-mail: nicola.crockford@rspb.org.uk

Ramsar Secretariat

Prof. Nick Davidson

Deputy Secretary General
Ramsar Convention on Wetlands
Rue de Mauverney 28
CH-1196 Gland
Switzerland
Tel: +41 22- 999 0171
Fax: +41 22- 999 0169
E-mail: davidson@ramsar.org

Wetlands International

Dr. Szabolcs Nagy

Head of Biodiversity and Ecological Networks
Wetlands International
P.O Box 471
6700 AL, Wageningen
The Netherlands
Tel: +31 318- 660 910
Fax: +31 318- 660 940
E-mail: Szabolcs.nagy@wetlands.org

Wings Over Wetlands Project

Dr. Gerard C. Boere

Chair Steering Committee, Wings Over Wetlands
Project
Dorrewold 22
7213 TG
Gorssel
The Netherlands
Tel: +31 (0) 575 - 49 36 44
E-mail: gcboere@planet.nl

UNEP/AEWA Secretariat

Mr. Sergey Dereliev

AEWA Technical Officer
Hermann-Ehlers-Str.10
53113 Bonn
Germany
Tel: +49 228 – 815 2415
Fax: +49 (228) 815-2450
Email: sdereliev@unep.de

CMS Secretariat

Dr. Borja Heredia

CMS Scientific and Technical Officer
Hermann-Ehlers-Str.10
53113 Bonn
Germany
Tel: +49 228 – 825 2422
Fax: +49 228 – 8152 449
Email: bheredia@cms.int

Invited Experts

Author of CMS Flyway Brochure

Dr. Joost Brouwer

Brouwer Envir. & Agric. Consultancy
Wildekamp 32
6721 JD Bennekom
The Netherlands
Tel: +31-318 - 413 468
Fax:
Email: BrouwerEAC@orange.nl

BirdLife International

Dr. Leon Bennun

Director of Science and Policy
BirdLife International
Wellbrook Court, Girton Rd.
Cambridge
CB3 0NA
United Kingdom
Tel: +44 1223 – 277 318
Fax: +44 1223 – 277 200
Email: Leon.Bennun@birdlife.org

Croatia

Dr. Jelena Kralj

Chairman of the AEWA Technical Committee
Scientific Assistant
Institute for Ornithology
Croatian Academy of Science and Art
Gunduliceva 24, 10000 Zagreb
Croatia
Tel: +385 -1- 4825 392
E-mail : zso@hazu.hr

Ramsar STRP

Mr. David A. Stroud

Senior Ornithologist
UK Joint Nature Conservation Committee
Monkstone House, City Road
Peterborough PE1 1JY
United Kingdom
Tel: +44 (0) 1733 866810
Fax: +44 (0) 1733 555948
E-mail: David.Stroud@jncc.gov.uk

Scottish Government

Dr Ian Bainbridge

Head of Science
Scottish Natural Heritage
Silvan House, 3rd Floor East
231 Corstorphine Road
Edinburgh EH12 7AT
United Kingdom
Tel: + 44 (0) 131 316 2676
Fax: + 44 (0) 131 316 2690
Email: ian.Bainbridge@snh.gov.uk

CMS Secretariat

Mr. Robert Vagg

CMS Consultant – Report writer
Hermann-Ehlers-Str.10
53113 Bonn
Germany
Tel: +49 228 815 2476
Fax: +49 228 815 2449
Email: rvagg@cms.int

FAO

Dr. Sergei Khomenko

Disease Ecology and Wildlife Specialist
Wildlife Unit – EMPRES, Animal Health Service
Animal Production and Health Service
Food & Agriculture Organization of the United Nations
Viale delle Terme di Caracalla 1,
Rome, 00153, Italy
Tel: +39-06-5705 6493
Fax: +39-06-5705 3025
Email: Sergei.Khomenko@fao.org

Scottish Government

Professor Des B.A. Thompson

Principal Adviser-Biodiversity
Scottish Natural Heritage
Silvan House, 3rd Floor East
231 Corstorphine Road
Edinburgh EH12 7AT
United Kingdom
Tel: + 44 (0) 131 316 2630
Fax: + 44 (0) 131 316 2696
Email: Des.Thompson@snh.gov.uk

UNEP/AEWA Secretariat

Florian Keil

AEWA Information Officer
Hermann-Ehlers-Str.10
53113 Bonn
Germany
Tel: +49 228 815 2451
Fax: +49 228 815 2450
Email: fkeil@unep.de