



# CONVENTION ON MIGRATORY SPECIES

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MEETING TO CONCLUDE THE MEMORANDUM OF  
UNDERSTANDING ON THE CONSERVATION OF  
MIGRATORY BIRDS OF PREY UNDER THE  
CONVENTION ON MIGRATORY SPECIES  
Abu Dhabi, United Arab Emirates, 20-22 October 2008

## REPORT OF THE MEETING

### INTRODUCTION

1. The meeting to conclude the Memorandum of Understanding (MoU) on the Conservation of Migratory Birds of Prey in Africa and Eurasia under the Convention on Migratory Species (CMS) was held at the Beach Rotana Hotel, Abu Dhabi, United Arab Emirates from 20 - 22 October 2008. It was co-hosted by the Governments of the United Arab Emirates (UAE) and of the United Kingdom (UK).
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 42 potential Signatories were represented: Angola, Armenia, Burundi, Chad, Croatia, Czech Republic, Democratic Republic of Congo, Djibouti, Equatorial Guinea, European Commission, Finland, France, Gambia, Germany, Ghana, Guinea, Hungary, Iraq, Kenya, Liberia, Madagascar, Mali, Mongolia, Morocco, Nepal, Netherlands, Norway, Pakistan, Portugal, Saudi Arabia, Senegal, South Africa, Sudan, Sweden, Switzerland, Togo, Turkey, Turkmenistan, Republic of Congo, United Arab Emirates, United Kingdom, Yemen. A list of Participants is attached as Annex 1 to this report.
3. In addition, the following international and national organisations were represented: Armenian Society for the Protection of Birds (ASPB/ BirdLife Armenia), Azerbaijan Ornithological Society, BirdLife International, Federation of Associations for Hunting & Conservation of the EU (FACE), Falcon Foundation International – Pakistan, International Fund for Animal Welfare, International Wildlife Consultants (UK) Ltd, Environment and Future NGO (Mongolia), Russian Bird Conservation Union (Saratov branch), International Association for Falconry and Conservation of Birds of Prey, University of Palermo, Wildlife Science and Conservation Center of Mongolia.

### **Agenda Item 1: Welcoming remarks**

4. The meeting commenced at 1000 hours on Monday 20 October 2008 with the National Anthem of the United Arab Emirates, followed by a recitation from the Holy Quran. Opening remarks were made by His Excellency Dr. Rashid Ahmad Bin Fahad, Minister of Environment and Water, UAE. The Minister welcomed the delegates, as did Mr. Robert Hepworth, Executive Secretary, UNEP/CMS and Mr John Clorley on behalf of the Department for Environment, Food and Rural Affairs of the United Kingdom.

### **Agenda Item 2: Adoption of the agenda and meeting schedule**

5. The Provisional Agenda was adopted without amendment and is attached as Annex 2 to this report. The final list of documents is attached as Annex 3 to this report.

6. The meeting agreed to revise Rules 3(1) and 3(2) of the Rules of Procedure, and these were adopted by consensus with those amendments.

### **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 (Financial Working Group) and the other concerning technical issues (Technical Issues Working Group). The meeting agreed to this proposal.

9. Mr. John Clorley (UK) was elected chair of the Financial Working Group and Mr. Issa Sylla (Expert, ex-WI Africa in Senegal) was elected chair of the Technical Issues Working Group.

### **Agenda Item 4: Establishment of credentials committee**

10. Mali, Morocco, Norway, Pakistan, and the UK agreed to serve on the Credentials Committee and to report periodically to the meeting on credentials accepted and outstanding.

### **Agenda Item 5: Meeting overview and objectives**

11. The Chair provided details of the background to the MoU and Action Plan.

12. France, on behalf of the European Community and its Member States, noted that they were pleased to see the MoU moving towards finalisation and welcomed the present meeting. They noted that it had been three years since the need for an international treaty for the conservation of migratory birds of prey had first been raised and that there was an urgent need for the international community to be more decisive in its efforts. Plans for the conservation of migratory birds of prey should be implemented at an international level. France also expressed its thanks to the Government and Authorities of the United Arab Emirates for convening and organising the meeting.

13. Mali noted the need to resolve a range of issues with respect to the Action Plan, and indicated an intention to raise these issues in the Technical Issues Working Group.

**Agenda Item 6: General overview of the CMS Secretariat on the final Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia (MOU) and its related Action Plan (AP)**

14. The CMS Secretariat outlined the key aims and objectives of the meeting, as set out in document UNEP/CMS/ABOP/2/4. The CMS Secretariat also informed the meeting that it is working closely with the United Arab Emirates with regard to the creation of a regional hub for CMS, which they hoped would service the Memoranda of Understanding on dugongs, Indian Ocean turtles, and if agreed at this meeting, migratory birds of prey.

**Agenda Item 7: Preliminary in-country reports on the conservation status of migratory birds of prey in the African-Eurasian Region**

15. A comprehensive report on the status of birds of prey in UAE was given by Dr. Salim Javed, supported by Dr. Andrew Dixon (International Wildlife Consultants – UK), as well as by Dr. Abdulrab Al Hemeri (Federal Environment Agency – UAE) with respect to issues regarding CITES and falcon registration.

16. Dr. Guy Duke (Co-editor of the *Ambio* Special Issue) gave a presentation on work to develop international environmental monitoring programmes for raptors in Europe. He outlined several major studies that had been presented at a workshop in Italy in October 2006. These had subsequently been published in a special edition of the journal *Ambio* (Vol. 37(6), 2008) which was distributed to delegates.

17. Dr Duke also noted the development of a major new project proposal (EURAPMON) for the period 2010-2015 and amounting to €650,000 over five years. He noted the potential links of this project to the implementation of significant elements of the Action Plan. He strongly urged national delegations to contact their national members of the European Science Foundation who would determine whether or not the project was funded (in March/April 2009).

18. Mali noted important opportunities that would accrue from the development of raptor monitoring networks in Africa.

**Agenda Item 8: Presentation and adoption of the report of the Intersessional Working Group in Administrative and Financial Matters**

19. Mr John Clorley (UK) presented the report of the Intersessional Working Group in Administrative and Financial Matters (UNEP/CMS/AEBOP/2/8Rev.1), which is attached as Annex 4 to this report.

### *Report of the Financial Working Group*

20. The Financial Working Group met on the afternoon of Monday 20 October and the morning of Tuesday 21 October.

21. At the Working Group meeting, the United Arab Emirates presented details of its proposal for the creation of a regional hub for CMS in Abu Dhabi outlined in document CMS/stC33/2. The Financial Working Group considered this proposal that would establish an Interim Co-ordinating Unit and further funding options for the measures outlined in the Action Plan. A copy of the Financial Working Group's report at Annex 5 was presented to the meeting on Wednesday 22 October.

22. The Financial Working Group noted that the text of the MoU, which had been prepared before the offer of UAE would need to be modified with respect to the anticipated establishment of the Interim Co-ordinating Unit. It accordingly developed text to this effect. The proposed amendments to the MoU text were presented to, and adopted by, the plenary session.

23. France, on behalf of the European Community and its Member States, indicated that synergies are needed to optimise bird of prey conservation and for financial reasons, particularly with the African-Eurasian Waterbird Agreement (AEWA). The CMS Secretariat and the Interim Co-ordinating Unit should work closely with the AEWA Secretariat in the areas of meeting organisation, organising back-to-back meetings wherever possible and appropriate; common capacity building workshops; common work and initiatives on issues such as the reduction of biodiversity loss, climate change, energy production and its impact on habitats, hunting and trade, and lead shot poisoning and avian influenza. In addition, it was noted that it would be advantageous if the AEWA Secretariat were to attend the First Meeting of the Signatories to the MoU as an observer.

24. Switzerland supported this proposal and also suggested that the Interim Co-ordinating Unit should work with other relevant international organisations and initiatives to maximise funding opportunities. The Netherlands supported this proposal and suggested that this could include seeking funding from businesses and drew attention to the CMS initiative on this subject.

25. Norway thanked the Working Group for its report but requested further details of the proposed agreement between the CMS Secretariat and the United Arab Emirates which would provide the regional hub for CMS in which the Interim Co-ordinating Unit would be based.

### *Report of the Technical Issues Working Group*

26. The Working Group on Technical Issues met on the afternoon of Monday 20 October and the morning of Tuesday 21 October. The Working Group discussed the Action Plan and made a small number of amendments to the text.

27. The Working Group clarified that species do not need to be listed in Appendix II of the Convention in order to be included in the scope of an agreement under Article IV.4 of CMS.

28. It was agreed that the species status listings in Table 1 should be in conformity with the most recently published IUCN Red List. This had the implication of moving Sooty Falcon *Falco concolor* from Category 3 to Category 1 in the light of its recent classification as Near Threatened.

29. It was noted that Table 2 will be fully revised according to a timetable established in the Action Plan. It was also noted that the format for progress reports referred to in Section 7 would be determined in due course by the CMS Secretariat (or the Interim Co-ordinating Unit).

#### *Report of the Credentials Committee*

30. The Chair of the Credentials Committee Mr Abdellah El Mastour (Morocco) reported that out of a potential of 42 credentials (41 States represented at the Meeting and the European Community) 39 credentials had been submitted to the Committee.

31. Of the credentials examined, 35 were deemed to be acceptable in light of the amended Rules of Procedure. In 4 cases (Liberia, Croatia, Czech Republic, Ghana), the credentials were not deemed to be sufficient for the purpose of signing the MoU, either because they were conditional (Liberia, Croatia); they were not properly authenticated (Czech Republic); or had not been signed by those having sufficient authority (Ghana). The latter two cases were, in addition, not deemed to be sufficient for the purposes of participating in the meeting. Three States (South Africa, Turkey, and Turkmenistan) did not submit any credentials and were so unable to participate in any formal decision making. The CMS Secretariat reported that it had been contacted by the Embassy of Senegal in Abu Dhabi which confirmed that original credentials are available and would be sent to the Secretariat. Whilst "Full powers" signed by the Minister of Foreign Affairs of Senegal have been faxed at the Meeting, which allowed Mr Demba Mamadou Ba, Technical Advisor, Ministry of Environment, to sign the MoU on behalf of his country, as referred to in paragraph 39 of the report. At the time this report is finalised, the CMS Secretariat received the Original of Credentials.

#### *Adoption of the Text of the MoU and Action Plan*

32. On the afternoon of Tuesday 21 October the meeting reviewed the final texts of the MoU and its Action Plan.

33. The text of the MoU was amended to reflect the generous offer of UAE for the creation of an Interim Co-ordinating Unit. In addition, a minor amendment was made to paragraph 14 to clarify the point in time at which three-quarters of the Signatories should be counted for the purpose of timing of the First Meeting of the Signatories.

34. In addition, amendments were made to the map set out in Annex 2 to the MoU to remove the outer boundary delimiting the MoU (as this was already defined by the limits of the territories of its Range States); to remove national boundaries as agreed at the first negotiating meeting at Loch Lomond; and to remove indication of major inland freshwater bodies.

35. The text of the Action Plan was amended to reflect the outcome of the discussions in the Technical Issues Working Group.

36. The amended MoU and Action Plan were adopted by consensus.

37. The meeting agreed that the text of the MoU and its Action Plan that would be formally signed on 22 October would be an English language original. This agreed English text would then be subsequently translated into authentic French, Russian and Arabic versions.

38. France (supported by other francophone countries) welcomed this proposal, which would avoid the need for hasty and thus potentially inaccurate translation of these detailed and important texts.

39. The Chair asked for an indication of which States would be in a position to sign the MoU on 22 October. 28 States indicated their intention to do so, including at least two each from Europe, Asia and Africa, which would be sufficient for the MoU to become effective. The list of Signatories is in Annex 6.