



**CONVENTION ON
MIGRATORY
SPECIES**

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Agenda Item 28

**THE PREVENTION OF ILLEGAL KILLING, TAKING AND
TRADE OF MIGRATORY BIRDS**

(Prepared by the Secretariat)

Summary:

This document reports on the progress to implement [Resolution 11.16 \(Rev.COP13\) *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds \(IKB\)*](#), Decisions 13.27-13.31 *Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT)* and [Decisions 13.32-13.33 *Illegal Hunting, Taking and Trade of Migratory Birds in East Asian-Australasian Flyway*](#). It also contains draft amendments to Resolution 11.16 (Rev.COP13) and draft Decisions.

Rev.1 makes consistent the language in decisions directed to the Scientific Council.

THE PREVENTION OF ILLEGAL KILLING, TAKING AND TRADE OF MIGRATORY BIRDS

Background

1. The Conference of the Parties, at its 13th meeting (COP13, 2020), adopted Resolution 11.16 (Rev.COP13) [The Prevention of Illegal Killing, Taking and Trade of Migratory Birds \(IKB\)](#)
2. COP13 also adopted Decisions that relate to two distinct Task Forces focusing on two different geographical areas: Decisions 13.27-13.31 linked to the [Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean \(MIKT\)](#); and Decisions 13.32-13.33 linked to the Task Force on [Illegal Hunting, Taking and Trade of Migratory Birds in East Asian- Australasian Flyway](#).

Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT)

3. COP13 adopted Decisions 13.27 to 13.31 which read as follows:

13.27 Decision directed to: Parties

Parties that are members of the MIKT are invited to:

- a) *periodically use the Scoreboard in Annex 1 of Resolution 11.16 (Rev.COP13) Illegal Killing, Taking and Trade of Migratory Birds as a national tool to self-assess progress in addressing the illegal killing of wild birds;*
- b) *provide voluntarily and to the extent of availability and relevance of information for the indicators the Secretariat with the information identified in the Scoreboard, for the purposes of discussion within the MIKT, and to facilitate information sharing and best practice.*

13.28 Decision directed to: Parties, IGOs & NGOs, Others

- a) *Parties, intergovernmental and non-governmental organizations are encouraged to implement the Programme of Work of MIKT 2016- 2020;*
- b) *Parties, non-Parties, intergovernmental and non-governmental organizations that are members and observers to the MIKT are encouraged to finalize and adopt a strategic framework for the MIKT on eradicating illegal killing, taking and trade in migratory birds in the Mediterranean region, with a view to be implemented as a scientifically sound and robust tool for the period 2020-2030.*

13.31 Decision directed to: Secretariat

The Secretariat shall:

- a) *compile, in the intersessional period between the 13th and the 14th meeting of the Conference of the Parties, the information duly provided by the Parties under Decision 13.27;*
- b) *share that information with MIKT members for the purposes outlined in Decision 13.27 in the intersessional period between the 13th and 14th meeting of the Conference of the Parties.*

Activities to implement Resolution 11.16 (Rev.COP13) and Decisions 13.27-13.28 and 13.31

Background

4. The Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) was established in 2014, after COP11. As of March 2023, 21 CMS Parties and the European Union, represented by the European Commission, are members of MIKT. Three other Parties and one non-Party have been participating as observers. Eleven multilateral environmental agreements and networks, and nine international non-governmental organizations are also observers.
5. The MIKT has been funded under the Global Public Goods and Challenges (GPGC) Programme Cooperation Agreements. Phase I of the Programme lasted from 2018 until 2021 and was extended to 2022. Phase II of the programme will last until the end of 2025. Phase III of the project was approved in April 2023 and will support the work of MIKT through to the end of 2028. The European Union was recognized as a Champion Plus for its generous support and commitment towards addressing illegal killing, taking and trade of migratory birds in the Mediterranean for the period 2018-2023.
6. MIKT regularly relies on the advice of the Consultative Group, see [MIKT Modus Operandi](#).¹ The Consultative Group meets via teleconference as and when needed. It met three times in 2021 and once in 2022.
7. Coordination of MIKT and implementation of its workplan is supported by a Coordinator, contracted by the Secretariat. The Coordinator also promotes efforts to establish dedicated task forces in other regions, in line with the mandate set out in Resolution 11.16 (Rev. COP13).

Activities of MIKT

Meetings of the MIKT

8. Following earlier meetings of MIKT ([MIKT1](#), [MIKT2](#) and [MIKT3](#)) and since COP13, two meetings have been convened jointly with the Bern Convention Secretariat:
 - [MIKT4](#) (the 3rd Joint meeting with the Bern Convention Network of Special Focal Points (SFPs) on Eradication of Illegal Killing, Trapping and Trade in Wild Birds), held online from 9 to 11 June 2021; and
 - [MIKT5](#) (the 4th Joint meeting with the Bern Convention Network of SFPs), a hybrid meeting held from 7 to 9 June 2022 in Valencia, Spain.

Workplan and Strategic Framework 2020-2030

9. The [MIKT Programme of Work 2016-2020](#), which supported implementation of the Bern Convention Tunis Action Plan (TAP) in the MIKT range, expired in 2020. At MIKT3, in May 2019 in Rome, MIKT members and Bern Convention SFPs worked jointly to develop a Strategic Framework for 2020 onwards. The [Rome Strategic Plan 2020-2030: Eradicating Illegal Killing, Taking and Trade in Wild Birds in Europe and the Mediterranean region](#) was adopted by the 39th meeting of the Bern Convention Standing Committee in December 2019. The MIKT members adopted the Rome Strategic Plan (RSP) following email consultations in 2020, with the clear understanding that a detailed and ambitious workplan would be developed for specific actions to be implemented by MIKT members and observers in the Mediterranean.

¹ https://www.cms.int/sites/default/files/document/unep-cms_mikt3_inf.10_modus-operandi_e.pdf

10. The overarching long-term goal of the RSP is the eradication of illegal killing, taking and trade (IKB) of wild birds within the geographic scope of the Bern Convention and MIKT, with the goal of a 50 per cent reduction in the scale and scope of IKB by 2030, compared to a 2020 baseline. The Plan is structured around one process-oriented objective (National IKB Action Plans) and five result-oriented objectives, which are:

Objective 1: To understand the scope, scale and motivations behind illegal killing, taking and trade of birds;

Objective 2: To establish an active prevention of the illegal killing, taking and trade of birds;

Objective 3: To ensure that the illegal killing of birds is addressed effectively and efficiently in national legislation;

Objective 4: To ensure that effective and efficient enforcement of relevant legislation is undertaken;

Objective 5: To ensure effective and efficient justice for IKB-related offences.

11. At MIKT4, a draft MIKT workplan for the period 2021-2025 was presented. Following consultations after the meeting, the [MIKT Workplan 2021-2025](#) was adopted in late 2021.

Deliverables and training materials

12. Since COP13, MIKT has endorsed various papers and guidance documents produced or commissioned by the Secretariat, or by MIKT partners, contributing towards the implementation of the MIKT Workplan 2021-2025 and the RSP. Specifically, the members endorsed:
- I. [Guidance for the development and implementation of National Action Plans \(NAPs\) against the illegal killing, taking and trade of migratory birds \(IKB\)](#), in 2022, to support the overarching goal of the RSP and action a) under the Objective on National IKB Plans in the MIKT Workplan.
 - II. [A Paper on Baseline and Methodology for Assessing Progress toward Achieving the Rome Strategic Plan 2020- 2030](#), in late 2021, delivering on Objective 1 of the RSP and Action 1.1 of the MIKT Workplan.
 - III. [Legislative Guidance Materials Relating to the Illegal Killing, Taking and Trade of Wild Birds \(Legislative Guidance\)](#), in 2022, delivering on Objective 3 of the RSP and Action 3.1b of the MIKT Workplan.
 - IV. [Model Law provisions on Illegal Killing, Taking and Trade of Wild Birds \(IKB\)](#), in 2022, delivering on Objective 3 of the RSP and Action 3.1b of the MIKT Workplan.
 - V. Suggested Methodology and Guidance for Conducting Socio-Economic Research into the Motivations behind IKB. The draft document was circulated for comment after MIKT5. A revised version has been sent to MIKT members for final endorsement.

Scoreboard

13. The Scoreboard was adopted as Annex 1 of Resolution 11.16 (Rev. COP12) in 2017. It is a self-assessment tool used by countries to assess progress towards eradicating IKB. The Scoreboard is used both by MIKT members and Bern Convention SFPs.
14. The second Scoreboard exercise was run during 2020. Fifty-four countries were invited to complete the exercise. Twenty-four countries completed the exercise in 2020. Fifteen out of 21 MIKT members (the EU does not complete the Scoreboard, only countries do) completed the Scoreboard in 2020. The analysis of [the results of the second Scoreboard exercise](#) in 2020, including comparisons between 2018 and 2020, showed slight

improvements in monitoring IKB and enforcement response. The 2023 Scoreboard exercise is planned to run from April to June 2023.

15. Following the development of the RSP based on CMS Decision 13.28, and its endorsement by MIKT members in 2020, MIKT developed and endorsed further guidance for countries in the narrative component of the Scoreboard in order to improve its alignment with the RSP, in line with paragraph 6 of Resolution 11.16 (Rev. COP13). The amended narrative, which does substantively affect the scoring mechanism or questionnaire, was endorsed at the MIKT5 meeting in 2022. (Document UNEP/CMS/COP14/Inf.28.1)
16. Following the request of NGOs to publicize the answers submitted by countries to the Scoreboard in 2018 and 2020, the CMS and Bern Convention Secretariats reached out to all countries that had completed the Scoreboard to obtain their permission to upload their answers online. Of the 35 countries that have completed the Scoreboard in 2018 and 2020, 24 have given permission so far and their [Scoreboard answers are available online](#).

Workshops and training

17. The following workshops and training-related activities were coordinated and completed by the Secretariat and MIKT Coordinator:
 - An online workshop [on monitoring IKB](#) of migratory birds on 19 September 2022, outlining examples of different approaches to monitoring IKB in order to deliver on Objective 1 of the RSP and Action 1.1 of the MIKT Workplan;
 - A training package, developed based on a workshop for government prosecutors and law enforcement officers relating to IKB in the region, organized jointly by the European Network of Prosecutors for the Environment (ENPE) and the CMS Secretariat in May 2018 in Segovia, Spain. This was translated from English into five additional languages (Arabic, French, Greek, Italian and Spanish) and distributed to MIKT members for use at the national level in July 2021. [Two introductory presentations](#) are available to the public on the MIKT website in six languages. Two further presentations comprising the training package were exclusively shared with MIKT members.
 - An [online training workshop](#) for MIKT members and Bern Convention SFPs on the Scoreboard exercise was organised on 19 April 2023.

MIKT Website

18. In an effort to compile useful materials developed by MIKT members and observers on various aspects of the strategy to combat IKB, the Secretariat launched a new section of the [MIKT Website dedicated to the Rome Strategic Plan](#) and its six objectives. Under each objective, guidance documents are listed according to the different themes. MIKT members have shared National Action Plans or National Reports, which are now easily accessible.

Other meetings

19. The MIKT Coordinator represented the Task Force at the following meetings:
 - A BirdLife International meeting on National Action Plans held online from 8 to 9 March 2021;
 - An in-person meeting organized by BirdLife International in Jordan, between 25 and 29 October 2021 (see section on *South-West Asia*, below). The MIKT Coordinator presented the work of MIKT and contributed to the development of an Action Plan for the region;

- The 4th Adriatic Flyway Conference, *Reducing threats for Migratory Birds in the Mediterranean* (Zadar, Croatia, from 25 to 29 April 2022), where the Secretariat delivered a talk about the role and work of MIKT and held discussions with various MIKT members and observers on the ongoing work on eradicating IKB in the Balkans.

Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force (new proposed name of Intergovernmental Task Force on Illegal Hunting, Taking and Trade of Migratory Birds in East Asian-Australasian Flyway (ITTEA))

Activities to implement Resolution 11.16 (Rev.COP13) and Decisions 13.32-13.33

20. COP13 adopted Decisions 13.32 to 13.33 *Illegal Hunting, Taking and Trade of Migratory Birds in East Asian-Australasian Flyway*, which read as follows:

13.32 Decision directed to: Parties, IGOs & NGOs, Others

- a) *Parties, intergovernmental and non-governmental organizations are encouraged to support financially the operations and coordination of the Intergovernmental Task Force to Address Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway (ITTEA);*
- b) *Urges Parties and encourages non-Parties, subject to the availability of resources, to engage with the Intergovernmental Task Force on Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian Australasian Flyway (ITTEA).*

13.33 Decision directed to the Secretariat

The Secretariat shall, subject to the availability of external resources convene ITTEA in line with the terms of reference contained in Annex 2 of Resolution 11.16 (Rev.COP13) Illegal Killing, Taking and Trade of Migratory Birds.

Operationalization of the Task Force

21. The establishment of the ITTEA (now proposed as the Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force) is mandated through Resolution 11.16 (Rev. COP13) *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds* and the annexed Terms of Reference,² as initially adopted by the 12th meeting of the Conference of the Parties (COP12, 2018). Through this Resolution, COP also welcomed the establishment of the East Asian-Australasian Flyway Partnership (EAAFP) Task Force on Illegal Hunting, Taking and Trade of Migratory Waterbirds³ at the 10th meeting of the EAAFP (MOP10), held in Changjiang City, Hainan Island, China, December 2018.
22. Towards implementing Decision 13.33, the Secretariats of CMS and the EAAFP sent joint invitation letters to all EAAFP member countries (including CMS Parties and non-Party Range States) in March 2022, requesting them to nominate a representative member to the ITTEA. So far, of a total of 22 countries in the region, four countries (Australia, Bangladesh, Cambodia and Thailand) have nominated representatives and three more countries are currently determining their nominees (Malaysia, the Philippines Viet Nam). Five observer organizations or expert advisory groups have also joined the Task Force (BirdLife International, Education for Nature Vietnam, Philippines Biodiversity Conservation Foundation Inc., Spoon-billed Sandpiper in China, TRAFFIC), with others expressing an interest.

² <https://www.cms.int/en/document/terms-reference-intergovernmental-task-force-address-illegal-hunting-taking-and-trade-0>

³ <https://www.eaaflyway.net/task-force-on-illegal-hunting-taking-and-trade-of-migratory-waterbirds/>

23. Thanks to the support of the Australian Government, the Secretariat has recruited a consultant as the ITTEA Task Force Coordinator for the period October 2022 to October 2023.

Activities of the Task Force

24. The inaugural meeting of the ITTEA took place on 12 March 2023 in Brisbane, Australia, preceding EAAFP MOP11. The meeting was hosted jointly with the EAAFP Task Force on Illegal Take of Waterbirds, with whom the ITTEA will coordinate activities to create synergies and multiply the impact within the varied membership of each Task Force. At the meeting, a Chair was elected (Australia), a [*modus operandi*](#) adopted, and a [draft Programme of Work](#) was structured according to the objectives of the Task Force, and outlined a road map of future activities to:
- 1) understand the scope, scale and motivations behind the taking and trade of migratory birds in the flyway through a situation analysis;
 - 2) develop national legislative frameworks on illegal taking of birds that are appropriate, effective and efficient; and guidance to fill in legislative, enforcement and sentencing gaps;
 - 3) establish active in situ prevention, by stakeholders, of the illegal taking and trade of wild birds;
 - 4) establish a sustainable funding base for countries' and stakeholder's actions to address illegal take of birds.
25. The meeting was an opportunity for participants to become more familiar with mechanisms and similar activities being conducted under the auspices of CMS in other regions. A situation report on illegal taking of birds was delivered by BirdLife International, and participants shared experiences from their countries in order to create a common understanding of the issue on a regional level.

Deliverables

26. The Programme of Work was discussed at the first meeting of the ITTEA and the participants agreed to adapt it, with minor revisions. Following the request of the participants, the Coordinator is responsible for collecting examples of activities that would fit with the POW's targets for previous successful initiatives, along with cost estimates. This will be compiled into a resource that members can use for planning budgets or determining the feasibility of activities in their respective government agencies.

Workshops and Training

27. Some workshops, currently planned for later in 2023, will be held online to increase their accessibility for members from a broad geographic range:
- At CMS COP14, the ITTEA members and coordinator plan to cooperate with BirdLife International to promote the official publication of BirdLife's situation report and to support dissemination of the results. The report includes ten countries from South and Southeast Asia.
 - A workshop in cooperation with BirdLife International on market surveys, which are foundational to understand the scope, scale and motivations behind illegal taking of migratory birds (see draft work programme), is envisaged for July 2023.
 - FAO has expressed interest in co-hosting a webinar with ITTEA on sustainable rice farming in relation to crane and ibis conservation.
 - To support the targets of Objective 2, the ITTEA will work with the ASEAN Working Group on CITES and Wildlife Enforcement to deliver a workshop on best practices

and key innovations on legislative enhancements to improve enforcement capabilities and how these could apply to illegal taking of migratory birds.

Activities to implement Resolution 11.16 (Rev.COP13) *Illegal Taking of Migratory Birds in other parts of the World*

South-West Asia

28. In October 2021, the Secretariat, alongside BirdLife International, supported a high-level workshop in Jordan with a view to developing a road map to tackle IKB in South-West Asia. The workshop addressed all countries in the region, with a particular focus on launching a process for the development of an action plan for the following ones: Bahrain, Iran (Islamic Republic of), Iraq, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates and Yemen. The meeting concluded that an action plan to eradicate illegal taking and trade was necessary for the region.
29. The Action Plan process responds to the instruction of the COP13 to the Secretariat through Resolution 11.16 (Rev.COP13) “*to support efforts to address IKB elsewhere in the world, including through the organization of workshops*”, in collaboration with Parties and relevant international organizations, subject to the availability of funds, and building on the experience in the Mediterranean. It calls on Parties and invites non-Parties and stakeholders, with the support of the Secretariat, to strengthen national and local capacity for addressing illegal killing, taking and trade of migratory birds, inter alia, by developing training courses, disseminating relevant materials and implementing other best practice examples and activities.
30. A concept note and fundraising brief were developed to outline the steps and necessary financial support needed to establish a mechanism for the delivery of the Action Plan for the region. The concept foresees the development of a new *South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force*, the hiring of a coordinator and the production of a programme of work. The Secretariat is currently discussing with Parties in the region the options for setting up this new Task Force.

Activities to implement Decisions 13.29-13.30

Activities to implement Decision 13.29

13.29 Decision directed to: Scientific Council

Funds permitting, in liaison with the CMS Secretariat, and in conjunction with i) the Aquatic Wild Meat Working Group in line with Decision 13.64 Aquatic Wild Meat; ii) the Terrestrial Working Group in line with Decision 13.109 Addressing Unsustainable Use of Terrestrial and Avian Wild Meat of Migratory Species of Wild Animals; undertake a scientific review on the scope and scale of illegal killing and taking of birds, as well as illegal trade of birds across Sub-Saharan Africa and Central Asia to enable Parties, policy instruments and NGOs to set appropriate priorities to address the issue.

31. Activities linked to this Decision are reported in Document [UNEP/CMS/COP14/Doc.30.1.3 Addressing Unsustainable Use of Terrestrial and Avian Wild Meat of Migratory Species of Wild Animals](#), which reports on the implementation of Decisions 13.109 to 13.112.

Activities to implement Decision 13.30

13.30 Decision directed to: Scientific Council, Secretariat

In order to prevent illegal trapping of birds and with funds permitting, and working with the Secretariats of other relevant multilateral environmental agreements, contribute as appropriate to a global situation analysis on production, sale, use and regulation of use of mist nets, and other sorts of nets used for bird trapping, which may include:

- a) *identifying where mist nets are produced and sold, including by building on information from existing ringing schemes such as EURING;*
 - b) *producing an overview of national legislation regulating production, sale, possession and use of mist nets and other sorts of nets used for bird trapping;*
 - c) *compiling data on the global scale of the use of nets for killing, taking and trade of birds to support an assessment of the illegal component and impact on CMS listed species.*
32. In response to Decision 13.30, the 1st meeting of the Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force (the new proposed name of the ITTEA – see above) discussed the relevance of this threat to migratory birds in the East Asian-Australasian Flyway, specifically in mudflats and rice fields, and agreed to ensure this threat is addressed through the Task Force’s Programme of Work.

Discussion and analysis

33. Despite good progress registered by CMS Parties and Stakeholders in some regions, the illegal killing and taking of birds continues to be a major threat to all migratory species.
34. The MIKT model has proven to be effective in addressing this threat, as well as in ensuring there is adequate coordination amongst CMS Parties, Observers and other Stakeholders. The recent launch of the ITTEA shows that this model can also be replicated in other regions, if tailored Programmes of Work are defined collaboratively.
35. A number of changes are proposed to Resolution 11.16 (Rev. COP13) to include reference to the Rome Strategic Plan as the strategic framework from 2020 to 2030 and the corresponding MIKT Workplan 2021-2025. Other proposed changes include the update of references to strategic frameworks.
36. It is proposed to give the authority to the MIKT members to decide if an amendment to the Scoreboard is necessary without having to bring the issue back to COP. Since the Scoreboard was adopted as an Annex to Resolution 11.16 (Rev. COP12), any substantial changes to it would require approval by the COP. As it currently stands, resorting to a COP decision could delay needed amendments as COPs take place only every three years. It is proposed to delegate the right to MIKT members to adapt the Scoreboard as they see fit;
37. Finally, it is proposed to change the name for the Intergovernmental Task Force on Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian Australasian Flyway (ITTEA), to “Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force” following the discussions held at its first meeting, and to convene a Task Force against illegal taking of Migratory birds in South West Asia.

Recommended actions

38. The Conference of the Parties is recommended to:
- a) adopt the draft amendments to Resolution 11.16 (Rev.COP13) as contained in Annex 1;
 - b) adopt the Decisions contained in Annex 2 of this document;
 - c) delete Decisions 13.27 to 13.33

ANNEX 1

PROPOSED AMENDMENTS TO RESOLUTION 11.16 (Rev.COP13)

THE PREVENTION OF ILLEGAL KILLING, TAKING AND TRADE OF MIGRATORY BIRDS

NB: Proposed new text to the resolution is underlined. Text to be deleted is ~~crossed out~~.

Recalling Article III (5) of the Convention, which provides for Parties that are Range States to prohibit the taking of species included in Appendix I, and Article V (5) (k) on Guidelines for AGREEMENTS, which suggests, where appropriate and feasible, each Agreement should prepare for procedures for coordinating action to suppress illegal taking,

Further recalling that the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptors MOU), the Action Plan for the Conservation of African-Eurasian Migratory Landbirds (AEMLAP) as adopted through Resolution 11.17 (Rev.~~COP12~~COP13), and most other bird-related MOUs and action plans under CMS include measures related to the protection of birds,

Acknowledging the collaborative effort of the International Consortium on Combating Wildlife Crime working to bring coordinated support to national wildlife law enforcement agencies and regional networks, and the need to establish a coordination mechanism between the Consortium and CMS in relation to the mandates laid out in this Resolution on illegal killing, taking and trade of migratory birds,

Noting the *Guidelines to Prevent Poisoning of Migratory Birds* as adopted through [Resolution 11.15 \(Rev.~~COP12~~COP13\) Preventing Poisoning of Migratory Birds](#) and the AEMLAP,

Noting the definition of the illegal killing, trapping and trade of birds as agreed in the [European Conference on Illegal Killing of Birds, Larnaca, Cyprus, in 2011](#) ~~Second Conference on Illegal Killing, Trapping and Trade of Birds in Tunis 2013~~: “Activities which are illegal under national or regional law/regulations and involve the deliberate pursuit, killing, injuring or catching alive of wild birds or are aimed at illegal marketing live or dead specimens of wild birds, including their parts and derivatives. Such activities include but are not limited to: killing/trapping in closed periods, in areas with prohibitions in force, by unauthorised persons and/or protected species; use of prohibited means and substances; breach of bag limits; possession, donation, use, movement, transfer, offer for sale, advertisement, consumption, import, introduction from the sea, transit or export, of specimens.”,

Regretting that illegal killing, taking and trade of migratory birds still represent important factors against the achievement and maintenance of the favourable conservation status of bird populations in all major flyways, negatively affecting conservation actions undertaken by States and resulting in adverse impacts on the conservation, legal hunting, agriculture and tourism sectors,

Concerned that there are continued and intensified illegal killing, including poisoning via usage of poisoned carcasses and poisoning baits against carnivores, taking and trade of migratory birds in some areas, although also with significant reductions in others, and that the risk remains high that this is contributing to population declines of a number of species including some that are listed on CMS Appendix I and globally threatened with extinction (e.g., Spoon-

billed Sandpiper (*Eurynorhynchus pygmeus*), Yellow-breasted Bunting (*Emberiza aureola*) and Marsh Seedeater (*Sporophila palustris*),

Aware that subsistence uses, recreational activities and organized crime are key drivers of such illegal killing, taking and trade for, *inter alia*, supply of food, trophies, cage birds, and support of traditional practices,

Aware that there is need for full analysis of motivation and drivers of deliberate illegal killing of birds, which could be country or region specific,

Aware that actions are necessary to decrease the demand and/or to change consumer behaviour with regards to products, such as food, taxidermies, decorative and songbirds, live birds of prey, bird parts used for belief-based use, etc.,

Aware that such illegal killing, taking and trade are a cause of great national and international public concern along each flyway,

Welcoming the practical responses by several Parties and Signatories to CMS instruments to international concern about illegal killing, taking and trade of migratory birds,

Noting the Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law,

Welcoming the recent enhanced focus on tackling the illegal killing, taking and trade of migratory birds in the Mediterranean region including through:

- Recommendation No 164 (2013) of the Bern Convention Standing Committee on the implementation of the Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds;
- The *Roadmap towards eliminating illegal killing, trapping and trade of birds (12/2012)* developed in relation to Directive 2009/147/EC of the European Parliament and Council on the Conservation of Wild Birds;
- The formerly AEWA-led, multi-stakeholder *Plan of Action to address bird trapping along the Mediterranean coasts of Egypt and Libya* (UNEP/CMS/ScC18/Inf.10.12) the development of which was funded by the Government of Germany and which was integrated into the Intergovernmental Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT); and
- The BirdLife International-led reviews of the scale and extent of illegal killing and taking in the Mediterranean, Northern and Central Europe and the Caucasus, and its development of guidance for monitoring the extent of such illegal activities, updated in 2019.

Also welcoming the review of the scale and scope of illegal killing and taking in the Arabian Peninsula, Iran and Iraq led by BirdLife International and the Ornithological Society of the Middle East with cooperation with several governmental and non-governmental organizations in the region to assess the scale and scope of illegal killing of migratory birds and further welcoming the collaboration in place to develop a roadmap to address the illegal killing, taking and trade of migratory birds (IKB) in this region,

Recognizing the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) as the principal international instrument for ensuring that international trade in specimens of wild animals and plants does not threaten the species' survival,

Welcoming the Declaration of the London Conference on the Illegal Wildlife Trade which states that “*Action to tackle the illegal trade in elephants and rhinoceroses will strengthen our effectiveness in tackling the illegal trade in other endangered species*”,

Acknowledging the role of legal and sustainable hunting of birds in sustainable livelihoods and conservation of habitats and the role of the hunting community in promoting and encouraging compliance with the law and sustainable hunting practices,

Welcoming the recent synergies on actions to prevent illegal killing created between the Bern Convention, the European Union, the Convention on the Conservation of Migratory Species of Wild Animals (CMS), AEWA and the Raptors MOU and encouraging the continuation of their cooperation on the conservation of migratory birds,

Noting the Cairo Declaration supporting a zero-tolerance approach on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean Region as well as the Programme of Work (POW) of MIKT for the period 2016-2020 developed at its first meeting,

Welcoming the support from the Bern Convention Standing Committee to the organization of back-to-back and joint meetings of the Bern Special Focal Points (SFPs) Network and MIKT and acknowledging the productive cooperation established between both networks in the fight against illegal killing, taking and trade of wild birds,

Welcoming the work on the Rome Strategic Plan 2020-2030: Eradicating Illegal Killing, Taking and Trade in Wild Birds in Europe and the Mediterranean region, as a coordinated effort by the MIKT and the Bern Convention,

Acknowledging the efforts of the CMS Secretariat to build a sustainable line of cooperation with INTERPOL and EUROPOL within the framework of MIKT, towards effective law enforcement responses in the Mediterranean and serving as a basis to support other task forces established to address the illegal killing, taking and trade of migratory birds in other regions, when appropriate,

Welcoming the cooperation between the CMS Secretariat and the European Network of Prosecutors for the Environment (ENPE) to train prosecutors and investigators from countries in the Mediterranean that have responsibility for law enforcement to protect migratory birds,

Acknowledging the need to establish lines of action and co-operation on criminal matters affecting the environment in order to harmonize the national legislations,

Welcoming the support of the Criminal Justice Programme of the European Union and the efforts of European BirdLife partners to assess levels of implementation and enforcement of Directive 2008/99/EC on the Protection of the Environment through Criminal Law by EU Member States, and welcoming also the creation of a European Network of Environmental Crime as a coordination mechanism between legal and other practitioners which works to prevent and prosecute illegal bird killing and capture, facilitate information exchange, as well as builds communication channels with other networks and MEA secretariats,

Recognizing the work of the East Asian-Australasian Flyways Partnership (EAAFP) to prevent illegal hunting⁴ and unsustainable harvest of migratory waterbirds, and welcoming the establishment of the task force on illegal hunting, taking and trade of migratory waterbirds along the flyway, modelled on MIKT,

⁴ There are regional differences in the agreed terminology, in English, for the problem of the illegal removal of birds from the wild; in Europe and the Mediterranean, the agreed term is “illegal killing and taking” to avoid confusion with legitimate hunting practices whereas in Asia-Australasia, the agreed term is “illegal hunting and taking” due to cultural sensitivities

Acknowledging the interest of the Range States in developing an initiative against illegal taking of birds in South-West Asia expressed at the *BirdLife International Workshop toward a Roadmap to tackle illegal killing of birds in the Middle East* held in Jordan in October 2021,

Noting the European Commission Communication COM (2016), 710 final, Commission Work Programme 2017 “Delivering a Europe that protects, empowers and defends”, and welcoming the initiative under Priority 10 envisaging an Action Plan on Environmental Compliance Assurance to support Member States on the promotion, monitoring and compliance enforcement by duty-holders with EU environmental law,

Noting the European Commission Communication COM (2017) 198 final, “An Action Plan for nature, people the economy” and the associated Commission Staff Working Document (2017) 139 final, “Factsheet providing details of actions in the Action Plan for Nature, people and the economy and the Council Conclusions of 19 June 2017,

Noting the EU Commission communication COM (2018) 10 final “EU actions to improve environmental compliance and governance” and the associated Commission Staff WD (2018) 10 final “Environmental Compliance Assurance — scope, concept and need for EU actions”,

~~Having regard to the Kunming-Montreal Global Biodiversity Framework, approved by the Convention on Biological Diversity in 2022, and its Target 5, Strategic Plan of the Convention on Biological Diversity 2011-2020, and its Aichi targets, and welcoming the international partnership launched to support Parties to achieve Aichi Biodiversity Target 12,~~

Referring to the Strategic Plan for Migratory Species 2015-2023 (UNEP/CMS/COP11/Doc.15.2) and in particular Target 6 that “fisheries and hunting have no significant direct or indirect adverse impacts on migratory species, their habitats or their migration routes, and impacts of fisheries and hunting be within safe ecological limits”,

Having regard to the Strategic Plan of AEWA 2019-2027, especially Objective 2.1.b: “By MOP8, Parties establish and/or maintain adequate systems for making realistic estimates of all forms of waterbird harvesting, including illegal taking, at national level” and 2.2.e. “By MOP9, Parties that have not already done so implement measures to reduce, and as far as possible eliminate, illegal taking (in accordance with paragraph 4.1.6 of the AEWA Action Plan)” and the Action Plan of the Raptors MOU, especially Priority Action 4a “Protecting all species from unlawful killing, including poisoning, shooting, persecution, and exploitation”,

Acknowledging the widespread adoption of the zero-tolerance approach, as well as progress at the Party level towards the monitoring of illegal activities and the adoption of a coordinated approach covering each stage of the chain of activities related to illegal killing, taking or trade,

Taking note of the declaration and outcomes of the Global Flyways Summit in Abu Dhabi, United Arab Emirates, April 2018, related to Illegal Killing of Birds.

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Urges* Parties and invites non-Parties to commit to adopt a zero-tolerance approach to any deliberate illegal killing, trapping and trade of wild birds and to adopting a full and proactive role in fighting against these illegal activities;

2. *Calls on Parties and invites non-Parties and stakeholders to prioritize cases of illegal killing taking and trade of birds, with special attention to profit-motivated crime and organized crime, taking into account the different levels of persons involved, from individuals to organised crime groups;*
 3. *Calls on Parties, non-Parties and other stakeholders, including non-governmental organizations, to engage in immediate cooperation to address the illegal killing, taking and trade of migratory birds through support of, and collaboration with, existing international initiatives and mechanisms to address these issues, as well as establishing (as appropriate and where added value can be assured) Task Forces targeted at facilitating concerted action to eliminate illegal killing, taking and trade of shared populations of migratory birds in those areas where such problems are prevalent;*
 4. *Calls on the Secretariat to convene an Intergovernmental Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean⁵ in conjunction with the Secretariats of AEWA, the Raptors MOU, the AEMLAP and the Bern Convention, involving the Mediterranean Parties, including the European Union, other interested Parties, including from outside the region, and other stakeholders such as BirdLife International and the Federation of Associations for Hunting and Conservation of the EU (FACE), to facilitate the implementation of that existing guidelines and action plans, any necessary new guidelines and action plans relating to the Mediterranean (particularly the ~~Tunis Action Plan~~ Rome Strategic Plan 2020-2030: Eradicating Illegal Killing, Taking and Trade in Wild Birds in Europe and the Mediterranean region) and to consider whether any new guidelines, action plans or other recommendations to respond to specific problems are necessary;*
 5. *Acknowledges the work of MIKT in developing the Scoreboard to Assess the Progress in Combating Illegal Killing, Taking and Trade of Wild Birds and implementing the first Scoreboard assessment and promotes its use as a voluntary tool for Parties to assess their own progress in combating illegal killing, taking and trade of wild birds ~~included in Annex 1 to this Resolution~~;*
 6. *Notes that experience from the practical use of the Scoreboard should be gathered for its potential further development and delegates any decisions for such further development to the members of the Task Forces using the Scoreboard for self-assessment of their efforts in combating illegal taking of migratory birds;*
 7. *Decides to establish⁶, subject to the availability of resources, an Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force on Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian Australasian Flyway (ITTEA) and adopts the terms of reference included in Annex 2 to this Resolution;*
- 7.bis Decides to establish, subject to the availability of resources, a South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force;
8. *Calls also on the Secretariat to actively work with Parties and non-Party Range States and others in South and Central America and the Caribbean to conduct an assessment of Illegal Killing, Taking and Trade of Migratory Birds in that region, building upon recent assessments of illegal take of shorebirds;*

⁵ The Task Force was established after COP11.

⁶ The Asia Pacific Illegal Killing of Migratory Birds Task Force was established under the name *Intergovernmental Task Force on Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian Australasian Flyway (ITTEA)* and had its inaugural meeting on 12 March 2023 in Brisbane, Australia.

9. *Urges* Parties and encourages non-Parties, to ensure adequate national legislation to protect migratory species is in place and properly implemented and enforced, in line with CMS and its relevant associated instruments and other international instruments;
10. *Urges* Parties and invites non-Parties to promote and ensure synergies between work to implement the Guidelines to Prevent Poisoning of Migratory Birds as adopted through Resolution 11.15 (Rev.COP4~~2~~13), in particular in relation to poisoned baits, and to prevent illegal killing of birds;
11. *Requests* the Task Force~~s~~ to encourage monitoring of the trends in illegal killing, taking and trade of migratory birds using comparable methodologies internationally and to facilitate the exchange of best practice experience in combating these activities, especially between particular trouble spots around the globe, building on the experience gained in the Mediterranean;
12. *Instructs* the Secretariat, in collaboration with Parties and relevant international organizations, subject to the availability of funds, and building on the experience in the Mediterranean to support efforts to address illegal killing, taking and trade of migratory birds elsewhere in the world, including through the organization of workshops, as appropriate;
13. *Calls on* Parties and invites non-Parties and stakeholders, with the support of the Secretariat, to strengthen national and local capacity for addressing illegal killing, taking and trade of migratory birds, inter alia, by developing training courses, translating and disseminating relevant materials and examples of best practice, sharing protocols and regulations, transferring technology, and promoting the use of online tools, forensic techniques in wildlife investigations and other tools to address specific issues;
14. *Urges* Parties and invites the United Nations Environment Programme and other relevant international organizations, bilateral and multilateral donors to support financially the operations of the Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean, including through funding for its coordination, and subject to the results of monitoring mentioned in paragraph 5, the development of equivalent Task Forces at other trouble spots, including through the provision of financial assistance to developing countries for relevant capacity building;
15. *Calls on* the Secretariat to report progress, on behalf of the Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean and other similar initiatives elsewhere in the world, on implementation and, as much as possible, on assessment of the efficacy of measures taken, at each meeting of the Conference of the Parties; and
- ~~16. *Calls also on the Secretariat to support in conjunction with the Secretariats of the EAAFP and the Arctic Migratory Birds Initiative (AMBI) the completion, subject to available funding, of the situation analysis on the illegal hunting of migratory birds in South-East Asia started in 2018 by BirdLife International, using comparable methodology to the BirdLife International reviews already undertaken on this issue for the Mediterranean region, Northern and Central Europe, the Caucasus and the Middle East.*~~

ANNEX 2

DRAFT DECISIONS

**TASK FORCE ON ILLEGAL KILLING, TAKING AND TRADE OF MIGRATORY BIRDS IN
THE MEDITERRANEAN (MIKT)**

Decision directed to Parties

14.AA Parties that are members of the MIKT are invited to:

- a) periodically use the Scoreboard as a national tool to self-assess progress in addressing the illegal killing of wild birds;
- b) provide to the Secretariat, voluntarily and to the extent of availability and relevance of information for the indicators, the information requested in the Scoreboard, for the purposes of discussion within the MIKT and to facilitate the sharing of information and best practice among Parties.

Decision directed to Parties, intergovernmental and non-governmental organizations, and others

14.BB Parties, intergovernmental and non-governmental organizations, and others are encouraged to implement the Rome Strategic Plan 2020-2030: *Eradicating Illegal Killing, Taking and Trade in Wild Birds in Europe and the Mediterranean Region* and the MIKT Workplan 2021-2025;

Decision directed to the Scientific Council

14.CC The Scientific Council, subject to the availability of external resources, in liaison with the CMS Secretariat, and in conjunction with i) the Aquatic Wild Meat Working Group, in line with Decision 13.64 *Aquatic Wild Meat*; ii) the Terrestrial Working Group, in line with Decision 13.109 *Addressing Unsustainable Use of Terrestrial and Avian Wild Meat of Migratory Species of Wild Animals*, is requested to undertake a scientific review on the scope and scale of illegal killing and taking of birds, as well as illegal trade of birds across sub-Saharan Africa and Central Asia to enable Parties, policy instruments and NGOs to set appropriate priorities to address the issue.

Decision directed to the Scientific Council, Secretariat

14.DD The Scientific Council, in cooperation with the Secretariats of other relevant multilateral environmental agreements, is requested to contribute as appropriate to a global situation analysis on production, sale, use and regulation of the use of mist nets and other sorts of nets used for bird trapping, which may include:

- a) identifying where mist nets are produced and sold, including by building on information from existing ringing schemes such as EURING and similar schemes available in other regions;
- b) producing an overview of national legislation regulating production, sale, possession and use of mist nets and other sorts of nets used for bird trapping;

- c) compiling data on the global scale of the use of nets for killing, taking and trade of birds to support an assessment of the illegal component and impact on CMS-listed species.

Decision directed to the Secretariat

14.EE The Secretariat shall:

- a) compile, in the intersessional period between the 14th and the 15th meeting of the Conference of the Parties, the information duly provided by the Parties under Decision 14.AA;
- b) share that information with MIKT members for the purposes outlined in Decision 14.AA in the intersessional period between the 14th and the 15th meeting of the Conference of the Parties.

**ASIA PACIFIC ILLEGAL TAKING OF MIGRATORY BIRDS
INTERGOVERNMENTAL TASK FORCE**

Decision directed to: Parties, Non-Parties, IGOs & NGOs, Others

14.FF Parties, Non-Parties, Intergovernmental and non-governmental organizations and others are encouraged to:

- a) support the operations and the coordination of the Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force (ITTEA);
- b) contribute with relevant data and expertise on the Illegal Taking of Migratory Birds on their territories and to cooperate in the implementation of the Programme of Work of the Asia Pacific Illegal Taking of Migratory Birds Intergovernmental Task Force (ITTEA).

SOUTH-WEST ASIA ILLEGAL TAKING OF MIGRATORY BIRDS INTERGOVERNMENTAL TASK FORCE

Decision directed to: Parties and non-Parties

14.GG Parties and non-Parties are encouraged to:

- a) Investigate current levels of illegal taking of migratory birds in this region and to actively contribute to the establishment of the South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force;
- b) Set up the structures required, for example through the elaboration of national action plans against the illegal taking of migratory birds, to ensure active collaboration between stakeholders to address this threat;
- c) support the establishment, operations and coordination of the South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force;

Decision directed to: IGOs & NGOs, Others

14.HH Intergovernmental and non-governmental organizations and others are encouraged to engage, as members or observers, in the South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force and to contribute with relevant data on the illegal taking of migratory birds in the South-West Asia region.

Decision directed to Standing Committee

14.II The Standing Committee is requested to approve Terms of Reference for the South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force.

Decision directed to the Secretariat

14.JJ The Secretariat shall, subject to the availability of external resources, convene the South-West Asia Illegal Taking of Migratory Birds Intergovernmental Task Force, in line with the Terms of Reference drafted by the Secretariat and approved by the Standing Committee.