



CONVENTION ON MIGRATORY SPECIES

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MEETING TO IDENTIFY AND ELABORATE AN
OPTION FOR INTERNATIONAL COOPERATION
ON AFRICAN-EURASIAN MIGRATORY RAPTORS
UNDER THE CONVENTION ON MIGRATORY SPECIES
Loch Lomond, Scotland, United Kingdom, 22-25 October 2007
Agenda Item 8.0

TOWARDS A CMS INSTRUMENT ON MIGRATORY AFRICAN-EURASIAN RAPTORS: POSSIBLE TEXT FOR CONSIDERATION

**Excerpt (Attachment) from the Report:
Assessment of the Merits of a CMS Instrument Covering Migratory Raptors
in Africa and Eurasia**

MEMORANDUM OF UNDERSTANDING ON THE CONSERVATION OF MIGRATORY RAPTORS IN AFRICA AND EURASIA

[Regional Agreement on the Protection of Raptors – RAPTOR]

The signatories

RECALLING that the Convention on the Conservation of Migratory Species of Wild Animals, signed at Bonn on 23 June 1979, calls for international co-operative action to conserve migratory species and that Article IV.4 of that convention encourages Signatories to conclude Agreements – including non-binding administrative agreements such as this one – in respect of any populations of migratory species;

NOTING that several species of Falconiformes are listed in Appendix I and all the rest of the Falconiformes in Appendix II of that Convention;

CONSIDERING that as predators, raptors serve as high-level indicators of ecosystem health across their range;

RECOGNIZING that many populations of raptors migrate between and within Africa and Eurasia, crossing the territory of different countries;

CONCERNED by the considerable number of African-Eurasian migratory species of raptors that presently have an unfavourable conservation status at a regional and/or global level and the lack of knowledge of the status of migratory raptors in Africa, Asia and the Middle East;

AWARE that among the factors which contribute to the continuous decline of African-Eurasian raptors are the loss, degradation or fragmentation of suitable habitats, direct human persecution by shooting and taking for falconry, collateral mortality or reduced breeding success caused by human economic activities (including pollution, collisions with powerlines and wind turbines, and disturbance), and that climate change will very likely add further stress on raptor populations;

MINDFUL that a range of existing multi-lateral environmental agreements can or do contribute to the conservation of migratory raptors but lack a unifying international plan of action;

CONVINCED of the need for immediate and concerted international actions to conserve African-Eurasian migratory species of raptors and restore them in general to favourable conservation status;

DESIROUS to implement Resolution No. 3 adopted by the VI World Conference on Birds of Prey and Owls held in Budapest, Hungary, 18-23 May 2003, and UNEP/CMS Recommendation 8.12 on Improving the Conservation Status of Raptors and Owls in Africa and Eurasia;

REALISING the importance of involving all range states in the region as well as relevant inter-governmental, non-governmental and private sector organisations in cooperative conservation for migratory raptors and their habitats;

ACKNOWLEDGING that effective implementation and enforcement of such actions will require assistance to be provided, in a spirit of solidarity, to some Range States for research and training, to monitor migratory raptors and their habitats, to manage them and their habitats and to establish or improve scientific and administrative institutions;

HAVE AGREED as follows:

Scope and Definitions

1. For the purpose of this Memorandum of Understanding
 - a) “Raptor” means migratory populations of Accipitriformes, Falconiformes and Strigiformes occurring in Africa and Eurasia, listed in Appendix 1;
 - b) “Africa and Eurasia” means the whole or parts of the territories of the range states contained within the boundary marked on the map provided in Appendix 2;
 - c) “Conservation” means the protection and management, including sustainable utilisation, of raptors and their habitats, in accordance with the objectives and principles of this Memorandum of Understanding;
 - d) “Convention” means the Convention on the Conservation of Migratory Species of Wild Animals, signed at Bonn on 23 June 1979;
 - e) “Signatory” means a Signatory to this Memorandum of Understanding;
 - f) “Secretariat” means the Secretariat of the Convention.
 - g) “Action Plan” means the Action Plan for the Conservation of African-Eurasian Migratory Raptors.

In addition, the terms defined in Article I, subparagraphs 1 (a) to (i), of the Convention shall have the same meaning, *mutatis mutandis*, in this Agreement.

2. This Memorandum of Understanding is an agreement under Article IV, paragraph 4, as defined by Resolution 2.6 adopted at the Second Conference of the Signatories (Geneva, 11-14 October 1988).
3. The interpretation of any term or provision of this Memorandum of Understanding shall be made in accordance with the Convention and/or relevant Resolutions adopted by its Conference of the Signatories, unless such a term or provision is defined or interpreted differently in this Memorandum of Understanding.
4. The Action Plan (Appendix 3) annexed to this Memorandum of Understanding is an integral part thereof.

Fundamental Principles

5. Signatories aim to take co-ordinated measures to prevent the extinction of raptors and to achieve and maintain their favourable conservation status throughout their range. To this end, they will pursue, within the limits of their jurisdiction and in accordance with their international obligations, the measures prescribed in Paragraphs 7 and 8, together with the specific actions laid down in the Action Plan.
6. In implementing the measures prescribed in Paragraph 5 above, Signatories will seek to apply the precautionary principle.

General Conservation Measures

7. Signatories strive to adopt, implement and enforce such legal, regulatory and administrative measures as may be necessary to conserve raptors and their habitat.

8. To this end, Signatories endeavour to:
- a) identify important habitats for raptors occurring within their territory and encourage their protection, conservation, rehabilitation and restoration;
 - b) coordinate their efforts to ensure that a network of suitable habitats is maintained or, where appropriate, established in Africa and Eurasia, in particular where such habitats extend over the territory of more than one Signatory to this Memorandum of Understanding;
 - c) investigate problems that are posed or are likely to be posed by human activities and endeavour to implement remedial measures, including habitat rehabilitation and restoration, and compensatory measures for loss of habitat;
 - d) cooperate in emergency situations requiring concerted international action, in developing appropriate emergency procedures to provide increased protection to vulnerable raptor populations and in preparing guidelines to assist individual Signatories in addressing such situations;
 - e) ensure that any utilisation of raptors (in particular taking for falconry and post-hunting release) is based on an assessment of the best available knowledge of their ecology and is sustainable for the species as well as for the ecological systems that support them;
 - f) prohibit the deliberate introduction of non-native species into Africa and Eurasia and take all appropriate measures to prevent the unintentional release of such species if this introduction or release would prejudice the conservation status of raptors. When non-native species have already been introduced, the Signatories will take all appropriate measures to prevent these species from becoming a potential threat to raptors;
 - g) initiate or support research into the biology and ecology of raptors, including the harmonization of research and monitoring methods and, where appropriate, the establishment of joint or cooperative research and monitoring programmes;
 - h) analyse their training requirements for, *inter alia*, surveys, monitoring, marking and habitat management to identify priority topics and areas for training and to cooperate in the development and provision of appropriate training programmes;
 - i) develop and maintain programmes to raise awareness and understanding of conservation issues relating to raptors and their habitat as well as the objectives and provisions of this Memorandum of Understanding;
 - j) exchange information and the results from research, monitoring, conservation and education programmes; and
 - k) cooperate with a view to assisting each other to implement this Memorandum of Understanding, particularly in the areas of research and monitoring.
9. With a view to promoting the conservation status of raptors, Signatories may encourage other Range States to sign this Memorandum of Understanding.

Implementation and Reporting

10. Each Signatory will:
- a) designate an authority or an authorized scientist as a national contact point for all matters relating to the implementation of this Memorandum of Understanding; and
 - b) communicate the name and address of that authority or scientist to the Secretariat.
11. Within two years of this Memorandum of Understanding coming into force, Signatories will prepare and submit to the Secretariat a national plan of action for conservation of raptors aimed at implementing this Memorandum of Understanding and accompanying Action Plan. The format, contents and period of the national plan of action will be developed by the Secretariat taking account of the Action Plan and the CMS Strategic

- Plan. The Secretariat will communicate to all Signatories and all other Range States all national plans of action received from the Signatories.
12. The Meeting of the Signatories is the decision-making body of this Memorandum of Understanding. The Secretariat will convene a meeting of the Signatories upon request of at least half of the States which are Signatories to this Memorandum of Understanding, subject to the availability of funds. The meeting will elect a Chairman and consider for adoption the rules of procedure recommended by the Secretariat. Meetings will be arranged wherever possible to coincide with other appropriate gatherings where the relevant experts would be present. Any agency or body technically qualified in such matters may be represented at sessions of the Meeting of the Signatories by observers, unless at least one third of the Signatories present object. Participation will be subject to the rules of procedure.
 13. The first Meeting of Signatories will be convened as soon as possible after at least three quarters of the Signatories have submitted their national plans of action. At the first meeting, the Secretariat will present an overview report compiled on the basis of all information at its disposal pertaining to raptors, and present proposals for an international plan of action (aiming to complement and reinforce the national plans of action) that can be considered for adoption by the Signatories. The first meeting will also adopt a format for and schedule of regular progress reports on implementing the national and international plans of action, a procedure for amending Table 1 of the Action Plan, and make such arrangements as may be necessary for convening subsequent meetings of Signatories.
 14. The Secretariat will compile the regular national and international progress reports and circulate them to all Signatories and Range States.
 15. Signatories to this Memorandum of Understanding which are also Signatories to the Convention will in their national report to the Conference of the Parties make specific reference to activities undertaken in relation to this Memorandum of Understanding.
 16. The Signatories endeavour to exchange expeditiously the scientific, technical and legal information needed to co-ordinate conservation measures and cooperate with other Range States, appropriate international organizations and recognized scientists with a view to developing co-operative research and facilitating the implementation of this Memorandum of Understanding and its Action Plan.
 17. Signatories endeavour to finance from national sources the implementation on their territory of the measures necessary for the conservation of raptors. In addition, they endeavour to assist each other in the implementation and financing of key points of the Action Plan, and seek assistance from other sources for the financing and implementation of their national work programmes.

Final Provisions

18. This Memorandum of Understanding is concluded for an indefinite period.
19. This Memorandum of Understanding, including the Action Plan which is appended to it, may be amended at any meeting of the Signatories. Any amendment will be adopted by consensus at a meeting of the Signatories and will become effective on the date of its adoption by the meeting. The Secretariat will communicate the text of any amendment so adopted to all Signatories and to all other Range States.
20. The geographical range of the Memorandum of Understanding may be extended.

21. Nothing in this Memorandum of Understanding shall prevent any of the Signatories adopting stricter measures for the conservation of raptors on its territory.
22. Nothing in this Memorandum of Understanding shall bind any of the Signatories either jointly or severally.
23. This Memorandum of Understanding shall be open for signature indefinitely, at the seat of the Secretariat, for all Range States of African-Eurasian raptors and for the United Nations, its Specialized Agencies, any regional economic integration organization, any secretariat of relevant international agreements, and any competent international organizations which are especially involved in the conservation and management of raptors.
24. This Memorandum of Understanding shall become effective on the first day of the month following the date of signature of the eighth Range State, provided that at least one of the Signatories is a member of the European Union, at least one Signatory is a non-EU member situated in Eurasia, at least one signatory is situated in the Middle East, at least one Signatory is situated in Southern Asia, and at least one Signatory is a member of the African Union. Thereafter, it will become effective for any other Signatory on the first day of the month following the date of signature by that Signatory.
25. Any Signatory may withdraw from this Memorandum of Understanding by written notification to the Secretariat. The withdrawal will take effect for that Signatory six months after the date on which the Secretariat has received the notification.
26. The Secretariat will be the Depositary of this Memorandum of Understanding.
27. The working language for all matters relating to this Memorandum of Understanding, including meetings, documents and correspondence, is English.

Done at xxxxxxxx, on xxxxxxxx:

Signatory and Authority Represented:

Appendix 1

List of African-Eurasian Migratory Raptors

Appendix 2

Map and list of Range States of Africa and Eurasia covered by the Memorandum of Understanding

Appendix 3

Action Plan for the Conservation of Migratory Raptors in Africa and Eurasia