



4th SESSION OF THE MEETING OF THE PARTIES
15 – 19 September 2008, Antananarivo, Madagascar

“Flyway Conservation at Work – Review of the Past, Vision for the Future”

DRAFT RESOLUTION 4.3
HUNTING AND TRADE LEGISLATION

Recalling paragraphs 2.1 and 4.1 of the Action Plan to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds, which specify actions for sustainable hunting of and trade in migratory waterbirds;

Further recalling the *guidelines on sustainable harvest of migratory waterbirds* and the *guidelines on regulating trade in migratory waterbirds*, which were adopted at the first session of the Meeting of the Parties;

Recalling also that the preparation of international reviews, necessary for the implementation of the Agreement’s Action Plan according to its paragraph 7.4, was given high priority by the Meeting of the Parties at its third session;

Noting that the *review on pertinent hunting and trade legislation* in countries relating to the species listed in Annex 2 to the Agreement (document AEWA/MOP 4.9) is one of these reviews prepared by the Agreement Secretariat, in close cooperation with the Technical Committee;

Thanking Contracting Parties and partner organizations for having enabled the preparation of the Review by submitting information;

Conscious that the Review shows that the implementation of paragraph 2.1 and 4.1 of the Action Plan is still inadequate;

Recognising that some Contracting Parties lack the expertise and finances to implement and sufficiently enforce all requirements of the Action Plan;

Welcoming the ongoing Sustainable Hunting Initiative of the European Union and the introduction of a *European Charter on Hunting and Biodiversity* by the Council of Europe;

Noting from the Review that amendments to the Action Plan need to be envisaged in order to fill existing gaps in regulation and provide more detailed guidance to Parties to ensure adequate implementation of the requirements of the Action Plan;

Aware that there is a need to develop a reliable and harmonized system for the collection of harvest data in order to assess the annual harvest of populations listed in Table 1 of the AEWA Action Plan;

Welcoming the development of the European Hunting Bag Data Collection Programme (ARTEMIS) of the Federation of Associations of for Hunting and Conservation of the EU;

Acknowledging that due to a lack of funding the International Implementation Priorities (IIP) 2006-2008 projects on the “Evaluation of waterbird harvests in the Agreement area” and the “Evaluation of socio-economic impacts of waterbird hunting” have not been realised;

Conscious that the periods during which bird populations covered by the Agreement return to their breeding grounds are not well understood in all parts of the Agreement area;

Convinced that further action is needed to improve the situation.

The Meeting of the Parties:

1. *Urges* all Parties to fully implement the Action Plan's paragraphs 2.1 and 4.1, especially to provide strict protection from hunting¹ and trade to all populations listed in Column A; and to prohibit trade in all birds of populations, which have been taken in contravention of AEWA provisions concerning the taking of birds;
2. *Further urges* the Parties to promote the membership of hunters to hunting organisations and to establish or enhance cooperation with hunting organisations in order to involve hunters in activities contributing to waterbird management and conservation, including training of hunters, data collection and habitat management;
3. *Recommends* Parties to develop innovative ways of linking appropriate income such as from hunting license systems to the management and conservation of migratory waterbirds;
4. *Directs* the Secretariat [resources permitting] to facilitate training and technical assistance to the Parties in order to enhance the implementation and enforcement of requirements on hunting and trade deriving from the AEWA Action Plan;
5. *Invites* the governments of Contracting Parties and of other countries as well as donor organisations, to support the implementation of the IIP projects on the "Evaluation of waterbird harvests in the Agreement area" and the "Evaluation of socio-economic impacts of waterbird hunting";
6. *Instructs* the Secretariat [resources permitting] in close cooperation with the Technical Committee, to update the relevant conservation *guidelines on sustainable harvest of migratory waterbirds and on regulating trade in migratory waterbirds* based on the findings of the Review;
7. *Further instructs* the Secretariat to seek cooperation respectively with the bodies in charge of the Bern Convention and the Birds Directive in order to avoid any contradiction in the level of conservation of AEWA species regarding hunting and trade;
8. *Requests* the Technical Committee to review and to provide guidance on the interpretation and implications of the Action Plan as specified in Annex 1 to this Resolution;
9. *Invites* FACE to share with the Agreement experiences made with and lessons learned from the European Hunting Bag Data Collection Programme (ARTEMIS) as a contribution towards the development of a reliable and harmonised system for the collection of harvest data throughout the AEWA region;
10. *Finally decides* that the recommendations made in the Review shall be addressed before MOP7.

¹ With exception of those populations which are marked with an asterisk and for which Single Species Action Plans have been established in accordance with Paragraphs 2.1.1 and 2.2 of the Action Plan.

Annex 1

The Technical Committee is requested:

1. To provide a definition of the term “long-established cultural practice” used in paragraph 2.1.1 of the Action Plan; to review the conservation status of populations listed in Column A and marked with an asterisk; to provide advice to the Meeting of the Parties how to improve their conservation status.
2. To review the exemptions listed in paragraph 2.1.3 a-e) of the Action Plan and to advise on whether the term “other overriding public interests” should be amended or defined.
3. To provide guidance on a species-by-species basis to the Parties on how to deal with look-alike species with regard to hunting.
4. To review paragraph 2.1.2 (a) of the AEWA Action Plan and its passage “if the taking has an unfavourable impact on the conservation status of the population concerned” and to provide guidance to the Meeting of the Parties on the impact of this passage for the implementation of this paragraph.
5. To review the periods during which huntable bird populations of conservation concern covered by the Agreement return to their breeding grounds and, if needed, to provide further guidance on the implementation of paragraph 2.1.2 (a) AEWA Action Plan.
6. To elaborate a definition or enumeration of examples for the term “modes of taking” used in paragraph 2.1.2 (b) of the Action Plan.
7. To review paragraph 2.1.2 (c) and its term “where appropriate” in order to provide Parties with elaborate guidance on the question whether bag limits are to be established in the respective countries.
8. To review paragraph 2.5 of the Action Plan and to provide advice on whether the term “if they consider it necessary” should be deleted from the text or amended.
9. To review paragraphs 2.1.2 and 4.1 of the Action Plan and, if needed, to provide advice to the Meeting of the Parties on how to amend the text in the way that provisions on “hunting modes”, but also on limitations on hunting seasons as well as limits on taking, clearly refer to Column B *and* C populations.
10. To provide guidance to the Parties on how to implement Paragraph 4.1.1 and, if needed, to advise on amendments to be made to the Action Plan in order to provide Parties with more specific requirements with respect to the “principle of sustainable use”.