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“Making flyway conservation happen”

GUIDANCE ON MEASURES IN NATIONAL LEGISLATION FOR DIFFERENT POPULATIONS OF THE SAME SPECIES, PARTICULARLY WITH RESPECT TO HUNTING AND TRADE

Background

Resolution 4.3 requested the Technical Committee, amongst other things, to advise on a more adequate implementation of the AEWA Action Plan’s population approach in the national legislation, particularly with regard to a ban on hunting and trade, and, if needed, provide guidance on its consequences for Parties. Such guidance may clarify the question how to deal with different populations of the same species in a country.

This task was taken up by the Technical Committee in its Work Plan 2012-2015 under Working Group 1 (WG1). The Technical Committee examined and agreed on this guidance at its 12th meeting in March 2015.

Scope and Approach

WG1 looked into the issue of two or more overlapping populations of the same species occurring within the same country that are listed under various columns of AEWA Table 1, which might pose challenges with listing of species under national legislation, particularly with respect to hunting and trade.

For a start WG1 filtered Table 1 on the basis of whether a species is listed with one or more populations. Those that are listed with only one population on Table 1 are filtered out in Appendix 3. The remaining species were split on the basis of whether their populations are listed on the same column of Table 1 or not. Those species whose populations are listed on the column are filtered out in Appendix 2.

Thus only those populations whose populations are listed on different columns and if occurring in the same country can pose a challenge with respect to consistently and adequately applying the AEWA provisions, remained in Appendix 1. Using the Critical Site Network Tool (CSN Tool) this shortlist was further analysed for spatial overlap of the ranges of populations of the same species at country level.

Where spatial overlap has been identified, these overlaps have been further described in which country and in which part of the annual cycle (breeding, non-breeding) they occur. The overlaps between populations listed on different columns have been colour-coded as follows:

Red – Column A population, which overlaps with Column B and/or C population(s)

Yellow – Column B population, which overlaps with Column C population(s)

Green – Column B population, which overlaps with Column A and C populations

Blue – i) Column B population, which overlaps only with Column A population(s); or ii) Column C population, which overlaps with Column A and/or B population(s)

Populations highlighted in **red**, **yellow** and **green** require attention so that measures are appropriately taken in the national legislation in accordance with AEWA obligations. Range States of populations highlighted in **blue** and **green** (the latter for their overlaps with Column A populations) should implement such measures in their national legislation – these range states have been further specifically mentioned against each species and have also been highlighted in **blue**.

Guidance

Appendix 1 presents a broad brush analysis of spatial and temporal overlaps of different populations of the same species occurring in the same country and listed on different columns of AEWA Table 1. This can be used as an indicative pointer of populations which will require attention in the national legislation and which countries shall review and adjust, their national legislation, as necessary, against the AEWA obligations with respect to these populations.

Those countries which have been indicated are encouraged to undertake further finer scale analysis of spatial and temporal overlaps of the different populations on their territory. On the basis of the results of such analysis, countries shall undertake, as a matter of priority, a review and revision, as necessary, of their national legislation so as to provide for adequate measures in accordance with AEWA obligations.

With respect to hunting and trade legislation, the indicated countries are advised to proceed as follows:

- 1) If one or more column A populations are implicated, in cases when populations are spatially and/or temporally segregated, hunting seasons shall be open in the areas of occurrence and/or for the time of occurrence of the huntable population(s) only (unless it is breeding season or pre-nuptial migration). Trade shall be allowed also only within the areas with open hunting season and only within the time span of the permitted hunting period(s). Alternatively, all trade of the species in question can be banned.
- 2) If one or more column B populations are implicated, in cases when populations are spatially and/or temporally segregated, in the areas of occurrence and/or for the time of occurrence of the column B population(s) the legislation shall correspond to the provisions for column B populations as in the AEWA Action Plan, unless the national legislation applies these measures universally.
- 3) In the circumstances where the overlap of populations is neither temporally limited nor spatially distinct, the legislation should be tailored to the population with the poorer conservation status (i.e. the population listed on a higher column in AEWA Table 1).

As listings on Table 1 are dynamic, the Technical Committee shall, after each Meeting of the Parties, provide a summary of the changes to the analysis in Appendix 1 so that Parties can take appropriate actions.

Actions requested from the Meeting of the Parties

The Meeting of the Parties is invited to review and adopt this guidance.