

## 8<sup>th</sup> SESSION OF THE MEETING OF THE PARTIES

26 – 30 September 2022, Budapest, Hungary

“Strengthening Flyway Conservation in a Changing World”

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### DRAFT RESOLUTION 8.15

#### [INTERNATIONAL SYNERGIES IN] ADDRESSING CAUSES OF WATERBIRD MORTALITY

Recalling the 8<sup>th</sup> edition of the *Conservation Status Report* (document AEWA/MOP 8.19) which shows that 43% of the AEWA populations are in long-term decline including many globally threatened species, and that the causes of such declines, which occur in every flyway, are frequently due to enhanced mortality;

Recalling that AEWA's *Action Plan* highlights several causes of actual or potential mortality arising from legal taking, illegal killing, unfavourable or endangering conditions, collisions with and the effects of built infrastructure, disturbance, bycatch, pollution, non-native species, aquaculture, and lead poisoning from fishing weights and gunshot, the regulation of which is desirable to help achieve the objectives of the Agreement;

Recalling also Target 1.6 of AEWA's *Strategic Plan 2019-2027* which seeks that "AEWA priorities relating to four causes of unnecessary additional mortality and other key threats to migratory waterbirds and their habitats<sup>1</sup> are integrated in key multilateral processes<sup>2</sup>", with the delivery of this target envisaging the following actions:

- a) Identify those multilateral processes that can contribute most to progressing AEWA priorities (led by Technical Committee in consultation with Secretariat and Partners).
- b) Identify strategic opportunities for positively influencing these processes (meetings of technical bodies, working groups etc.) and ensure, as far as possible, that AEWA's views are represented.
- c) Communicate/advocate AEWA priorities in a clear and timely manner.
- d) Ensure that AEWA Parties take coherent, mutually reinforcing aligned positions under different conventions and related processes."

Conscious of the significant degree of commonality of membership and synergies in mandates of AEWA and other relevant multilateral biodiversity processes thus facilitating the development of mutually beneficial actions;

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<sup>1</sup> "Causes of unnecessary additional mortality and other key threats include: energy infrastructure (especially powerlines, wind turbines); illegal taking & killing; fisheries bycatch; and invasive alien species." Note that other sources of mortality are also significant for some waterbirds including non-energy infrastructure developments, the effects of habitat loss, climate change, and unsustainable hunting/harvesting.

<sup>2</sup> "Examples of relevant multilateral processes include, but are not limited to, Agenda 2030, Convention on Biological Diversity, Convention on Migratory Species, Ramsar Convention, Regional Fisheries Management Organisations (RFMOs), UN Framework Convention on Climate Change."

*Concerned* that despite these synergies in mandate and geography, the joint integration and implementation of AEWA and other policy instruments such as the Baltic Marine Environment Protection Commission (HELCOM) is lagging, especially with regards to assessing cumulative pressures across critical parts of the flyway as well as planning and implementation of spatial and temporal mitigation actions;

*Recalling* Resolution 6.12 on *Avoiding additional and unnecessary mortality for migratory waterbirds*<sup>3</sup> which summarised AEWA's previous relevant decisions and guidance on multiple causes of mortality, and document AEWA/MOP 7.34 (*Guidance on taking a systematic approach to responding to waterbird declines: a checklist of potential actions*) which further presented sources of guidance;

*Noting* document AEWA/MOP 8.40 '*Opportunities for addressing causes of waterbird mortality*' which outlines, in the context of Strategic Plan Target 1.6, opportunities to reduce waterbird mortality by identifying those multilateral processes that can contribute most to progressing AEWA priorities and specific strategic opportunities for positively influencing these processes;

*Recognising* the multiple sources of guidance and information on how to reduce waterbird mortality provided in AEWA's Conservation Guidelines<sup>4</sup> and past decisions (*inter alia* Resolutions 7.6, 6.4, 6.11 and as fully listed in Appendix 1 of Resolution 6.12) as well as decisions and guidelines of the Convention on Migratory Species (CMS)<sup>5</sup>, yet *appreciating* that problems arise from frequent lack of implementation of mitigating actions rather than lack of guidance, and thus *acknowledging* the need to better understand the root causes of poor implementation such that this can be addressed;

*Recalling* that climate mitigation and adaptation need to be tackled in synergy with biodiversity conservation, as highlighted by the 2020 IPBES-IPCC workshop on biodiversity and climate change<sup>6</sup>, and *Recognising* that waterbirds are particularly vulnerable if such synergies are not implemented locally, for example with regards to the extensive transition to clean energy;

*Concerned* that some state actors may wish to accelerate such transition to clean and renewable energy by relaxing and simplifying permitting processes to the detriment of biodiversity;

*Aware* that energy infrastructure such as offshore wind can not only have a negative impact on waterbird mortality through direct killing, but through habitat loss, disturbance and other indirect effects, which thereby significantly increases the spatial impact of that infrastructure;

*Welcoming* the UN Decade on Nature Restoration and noting the importance of integrating biodiversity 'net gain' into infrastructure developments and associated offsetting measures in order to benefit waterbird habitat restoration across the flyway;

*Recalling* the AEWA International Single Species Action Plans adopted for the globally threatened Velvet Scoter *Melanitta fusca* and Long-tailed Duck *Clangula hyemalis* as well as AEWA Resolution 7.6. on seabird

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<sup>3</sup> [https://www.unep-aewa.org/sites/default/files/document/aewa\\_mop6\\_res12\\_mortality\\_en.pdf](https://www.unep-aewa.org/sites/default/files/document/aewa_mop6_res12_mortality_en.pdf)

<sup>4</sup> [In particular, AEWA Guidelines nos. 5 \(sustainable harvests\), 6 \(regulating trade\), 8 \(conflicts including bird strikes and fisheries\), 11 \(infrastructure development\); 12 \(emergency situations\) and 14 \(electricity power grids\).](#)

<sup>5</sup> [Including CMS Resolutions 7.3 \(oil pollution\), 7.4 \(electrocution\), 7.5 \(wind turbines\), 10.26 and 11.15 \(poisoning\), 11.16 \(illegal killing, taking and trade\), 11.27 \(power lines\), 11.27 \(renewable energy\) and 11.30 \(impacts of marine debris\).](#)

<sup>6</sup> Pörtner, H.O., et al. 2021. *Scientific outcome of the IPBES-IPCC co-sponsored workshop on biodiversity and climate change*. IPBES Secretariat, Bonn, Germany. DOI:10.5281/zenodo.4659158.

conservation which highlight the threat of offshore windfarm development to AEWA-listed seabirds;

*Noting* the Joint Working Group on Seabirds of HELCOM, OSPAR, and the International Council for the Exploration of the Sea (ICES) formed to jointly work on the migration modelling with respect to windfarms in the Baltic;

*Conscious* of the anticipated Post-2020 Global Biodiversity Framework, which may establish targets relevant to AEWA ([Resolution 8.9] and document AEWA/MOP 8.36), especially in the context of improving the status of migratory waterbird and other species through reduction of unnecessary mortality and other conservation actions.

The Meeting of the Parties:

1. *Welcomes* document AEWA/MOP 8.40 '*Opportunities for addressing causes of waterbird mortality*' as guidance to support delivery of *Strategic Plan* Target 1.6, *Urges* Parties and *Directs* the Secretariat, resources permitting, to respond to the opportunities identified there to reduce waterbird mortality by devising concrete activities to integrate AEWA priorities into other relevant frameworks and processes.
2. *Urges* Parties, with the support of the Secretariat and the Technical Committee, where resources permit, to develop, in line with other multilateral biodiversity processes, the following initial actions that will increase thematic synergies:

### ***Energy infrastructure***

2.1 Mainstream migratory waterbird conservation aspects into relevant energy infrastructure development policy and processes, *inter alia*, by ensuring that the development and growth in energy infrastructure follows a stepwise approach, where those sites least affecting waterbird population dynamics and distribution are developed first, and only upon knowledge gained during this first stage, is subsequent development of other sites taken forward, based on adaptive management and with attention to ecological carrying capacity throughout the process, always ensuring that energy development within protected areas is avoided;

2.2 Establish buffer zones between energy infrastructure and protected areas, as well as other critical sites for waterbirds, taking into account local species-specific avoidance distances;

2.3 Integrate the AEWA flyway perspective into international, national and local grid and renewable energy planning processes, notably Marine Spatial Plans, such as the REPowerEU Plan, and in these fora highlight the impact on waterbird population dynamics across the flyway;

2.4 Ensure that Strategic Environmental Assessments and other pertinent assessment processes associated with energy infrastructure development include and respond to AEWA provisions and guidelines;

2.5 Work with the Convention on Migratory Species (CMS), especially its Energy Task Force (Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation), to review the extent and quality of national implementation measures taken, and which follow recommended measures in respective guidelines on minimizing impact of power lines and renewable energy developments to reduce waterbird mortality;

2.6 Encourage relevant supportive actions by energy stakeholders and industry groups to implement best practice guidance to reduce and eliminate waterbird mortality arising from energy sector operations;

- 2.7 Seek membership of CMS Energy Task Force to support and influence their work;
- 2.8 Work with CMS, HELCOM, OSPAR and the Bern Convention to collate and disseminate/promote examples of evolving innovations in mitigation techniques relevant to energy infrastructure, and identify examples of successful implementation;
- 2.9 Work with HELCOM and OSPAR to ensure Marine Spatial Plans across the Baltic (and more widely as appropriate) and specifically offshore wind developments are based on ecological carrying capacity and cumulative impact assessments for the entire ocean basin, with due consideration of potential flyway-wide effects of local infrastructure development;
- 2.10 Together with HELCOM and OSPAR, develop a best-practice demonstration project in a critical flyway site where energy infrastructure is undergoing strong growth (such as in the Baltic) to illustrate that climate and biodiversity protection can be successfully integrated where Marine Spatial Planning and other relevant planning tools are based on sensitivity mapping, cumulative impact assessments and the application of the ecosystem-based approach;
- 2.11 Work with the Ramsar Convention to identify actual examples of compensation for damage resulting from renewable energy installations in accordance with Ramsar Resolution VII.24, and accordingly how future compensation measures could be encouraged more routinely, in the context of updating its 2012 “*Guidance for addressing the implications for wetlands of policies, plans and activities in the energy sector*”<sup>7</sup> (Ramsar Resolution XI.10).

#### ***Illegal killing, taking & trade***

- 2.12 Review species listings under the Convention on International Trade in Endangered Species against AEWA population priorities to assess potential for any changes desirable;
- 2.13 Influence and work with the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT), the Bern Convention’s Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds, and European Commission, especially encouraging adequate funding, and to ensure appropriate consideration of migratory waterbird issues;
- 2.14 Work with MIKT and CMS to analyse lessons learned from initiatives to address bird trapping and killing in the Mediterranean basin so as to develop follow-up actions and initiatives in other regions.

#### ***Fisheries bycatch***<sup>8</sup>

- 2.15 Work with CMS, HELCOM, OSPAR and the European Commission to promote follow-up attention to bycatch issues at future COPs;
- 2.16 Work with the Agreement on the Conservation of Albatrosses and Petrels (ACAP) to explore opportunities for collaboration/synergy given their long engagement with bycatch issues;
- 2.17 Identify priority Regional Fisheries Management Organisations (RFMOs) from the AEWA perspective; identify potential representatives for AEWA on each, and secure representation – seeking guidance from ACAP and other relevant CMS agreements as to effective influencing strategies;

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<sup>7</sup> <https://www.ramsar.org/sites/default/files/documents/pdf/cop11/res/cop11-res10-e.pdf>

<sup>8</sup> Recalling that Resolution 6.9 determined that in addressing seabird conservation issues, AEWA’s priority should be those species, regions, or threats not already the subject of pre-existing international or conservation frameworks, for example - but not restricted to - tropical seabirds or those impacted by small or artisanal fisheries not regulated by RFMOs.

2.18 Work with the UN Food & Agriculture Organisation to better understand implementation monitoring of the 1999 *International Plan of Action for Reducing incidental catch of seabirds in longline fisheries* in the context of AEWA.

***Invasive alien species***

2.19 Work with the Bern and Ramsar Conventions, European Union, and other relevant frameworks/actors to promote and support prioritized approaches to the eradication of non-native invasive species, especially mammals from those offshore islands of importance for AEWA-listed breeding seabirds, and wetlands more widely.

3. *Requests* the Technical Committee, working with the Secretariat, where resources permit, to explore how information could be gathered from Parties and others on lack of/poor implementation of guidance on reducing mortality. This information will support the development of strategies for better support, including regional and/or sector-based in initiatives Initially such an assessment might be piloted to address mortality issues arising from energy infrastructure development with any conclusions on improving the implementation of guidance to be reported to MOP9.

4. *Requests* the Technical Committee, working with the Secretariat, where resources permit, to assess national reporting processes under other multilateral and/or international processes, *inter alia* the Ramsar Convention, CMS and the Convention on Biological Diversity, as well as relevant national reporting to the European Union, to assess sources of relevant information on waterbird mortality additional to information within AEWA national reports, and make recommendations as to how this information could be routinely summarised.

5. *Requests* the Technical Committee, working with the Secretariat, where resources permit, to update the list of AEWA and CMS decisions and guidelines relevant to avoiding additional and unnecessary mortality contained in Appendix 1 of Resolution 6.12 and the inventory of relevant multilateral instruments and processes summarised in document AEWA/MOP 8.40 '*Opportunities for addressing causes of waterbird mortality*'. This synthesis will be made available on the AEWA's website in a form that can be regularly updated and broadened including material and opportunities for addressing waterbird mortality from fields beyond those motivated by biodiversity conservation.

6. *Encourages* Parties to actively implement, and nationally disseminate, the multiple guidances on how to reduce waterbird mortality as listed in Appendix 1 of Resolution 6.12 and also in Resolution 7.6 concerning seabird bycatch, 6.4 concerning risk of look-alike shooting, non-native species, and lead gunshot, and 6.11 concerning renewable energy impacts, and feed-back experiences in their triennial national reports.

7. *Urges* Parties and *Encourages* stakeholders, both in prior planning and post-project appraisal phases of interventions to reduce mortality, make explicit the methods used to evaluate project cost-effectiveness, the degree of success achieved, and problems encountered and resolved (using guidance in document AEWA/MOP 7.34<sup>9</sup>), to publish these assessments in order to learn lessons from experience and help build an international body of good practice important both for AEWA as well as delivery of anticipated targets under the Post-2020 Global Biodiversity Framework.

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<sup>9</sup> '*Guidance on taking a systematic approach to responding to waterbird declines: a checklist of potential actions*'