



Memorandum of Cooperation (MoC)

**Partnership for the Conservation of Migratory Waterbirds and their Habitats
(Wings over Wetlands)**

between

The Secretariat of the Ramsar Convention on Wetlands
(hereinafter Ramsar Secretariat)

and

**The Secretariat of the Agreement on the Conservation of African-Eurasian
Migratory Waterbirds**
(hereinafter AEWA Secretariat)

and

BirdLife International
(hereinafter BirdLife)

and

Wetlands International
(hereinafter WI)

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A. Intent

1. This memorandum aims to consolidate and progress a programmatic partnership among like-minded international NGOs and Multilateral Environmental Agreements (MEAs) for flyway-scale conservation of migratory waterbirds and the wise-use of wetlands.

B. Preamble

Recognising and responding to

1. Recent developments that illustrate strong recognition, by national governments and the conservation community, of the need to strengthen global flyway conservation, including:
 - i The *Edinburgh Declaration on Global Flyways*, an outcome of the 'Waterbirds Around the World' conference (Edinburgh, Scotland, April 2004)
 - ii The first Strategic Plan for AEWA and the updated AEWA Action Plan, adopted at the fourth session of the Meeting of the Parties to AEWA (Antananarivo, Madagascar, September 2008)
 - iii Resolution X.22 of the 10th Conference of the Parties to the Ramsar Convention on Wetlands (Changwon, Republic of Korea, November 2008), on the promotion of international cooperation for the conservation of waterbird flyways
 - iv Resolution 9.2 of the ninth Meeting of the Conference of the Parties to the Convention of Migratory Species (CMS) (Rome, Italy, December 2008) outlining the conservation activities needed in global flyways and establishing a Working Group on Global Flyways
2. Notable experiences in flyway-scale conservation achieved through the Wings over Wetlands (WOW) project (UNEP/GEF African-Eurasian Flyways Project) and the UNEP/GEF Siberian Crane Wetlands Project. These have demonstrated the validity and usefulness of a flyway-scale approach, the lessons learned being outlined in the UNEP-GEF Biodiversity Issue paper 'The experience of UNEP GEF and Partners in Flyway Conservation'
3. Successes and achievements through the approach in the WOW project - scheduled to end in December 2010 – to which we here refer as the 'WOW approach'. Besides successful and well-received outputs like the Critical Site Network (CSN) tool and the Flyway Training Kit, this has brought together and forged effective institutional partnerships among the institutions most involved with flyway-level conservation work in the AEWA region: WI, BirdLife, the UNEP/ AEWA Secretariat and Ramsar Secretariat as well as the UN agencies (UNEP and UNOPS) that are executing and implementing the project
4. The essential support to flyway conservation efforts provided by products of the WOW project, specifically the Critical Site Network Tool and Flyway Training Kit, which require maintenance and promotion beyond the end of the project
5. The unique ecology of migratory waterbird species, and their dependence on a network of key wetland sites that are of immense value for human populations and also for other wildlife
6. The need for coordinated planning, management and monitoring across the entire network of critical sites and the flyway as a whole



7. Continued deterioration in the conservation status of migratory waterbird species and of critical wetland sites in Africa and Eurasia and indeed in other parts of the world, which face persistent old threats and challenging new ones, including climate change
8. The major contributions made by intergovernmental instruments in Africa and Eurasia – most notably the AEWA and Ramsar Convention on Wetlands – to migratory waterbird conservation and the wise-use of wetlands, as well as the legal umbrella and authorizing environment these frameworks provide for long-term joint action
9. The special role played by WI and BirdLife in providing long-term scientific, technical and policy advice and support for the implementation of AEWA and the Ramsar Convention, among other MEAs, as well as practical implementation of conservation measures for specific sites and species.

The AEWA and Ramsar Secretariats, BirdLife International and Wetlands International (hereinafter known as ‘the WOW partners’) have agreed:

C. Purpose and goals

1. To work together, building on the WOW approach, to translate WOW’s initial achievements into a long-term, collaborative, flyways-scale programme to achieve conservation of migratory waterbirds and improved management of wetlands that incorporate the needs of people, biodiversity and ecosystem values and services in a changing environment.
2. Through this collaboration, to add value and increase the impacts of each institution’s individual efforts to improve the conservation status of migratory waterbirds and the wetlands on which they depend. The partnership aims to provide a powerful framework to leverage and engage other international agencies, governments, technical institutions, NGOs and grass roots organisations to achieve these outcomes.
3. Building from the aims and achievements of the WOW project, specifically to work towards achieving the following collaborative goals (detailed further in Annex I):
 - i. Improving access to good flyway-scale information based on sound science
 - ii. Strengthening capacity in understanding and applying flyway conservation concepts
 - iii. Promoting effective communication and creating awareness
 - iv. Stimulating and maintaining effective management of flyway networks of sites for migratory species
 - v. Promoting conservation and flyway-scale approaches across the critical network of sites.

D. Geographic scope

1. The geographic scope of this Memorandum initially covers the entire African-Eurasian area and all Range States as defined in the AEWA. This scope will be reviewed at the end of an initial three-year term (or earlier if so decided by the WOW partners) in the light of the need and opportunity to promote transfer of successful approaches to or from other major flyways.

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E. Principles of partnership

1. The WOW partnership should be more than the sum of its parts and add value to individual efforts. WOW partners will respect the core values and principles of the other partners.
2. The partnership combines the necessary authorising environment of intergovernmental instruments with the capacity and networking strength of international NGOs.
3. At flyway scale, such a partnership approach is the best vehicle for building on the WOW Project and effectively addressing flyway conservation issues in the African-Eurasian region.
4. In areas of mutual interest, the WOW partners will work together in a spirit of trust from the earliest stages of planning to coordinate policies, programmes, activities and fundraising efforts in a manner that promotes healthy cooperation, recognising that this improves resource management, reduces misunderstanding, helps minimise conflicts and accelerates implementation.
5. Partners agree to use the WOW name and a clear and agreed WOW visual identity (together constituting the WOW brand) for communicating shared initiatives under this MoC. This brand will include the logos of the Partners. The WOW brand is jointly owned and shall not be applied to any initiative without approval of all partners.
6. The products of the WOW project, including the CSN tool and the Flyway Training Kit, are the results of joint efforts by the WOW partners and will be promoted and further developed jointly. The intention is that these products shall be made freely available and accessible to support migratory waterbird conservation.
7. Shared actions taking place through implementing this Memorandum (i.e. profiled and presented as the work of the WOW partnership) should be supported by new and additional resources raised collectively by the WOW partners. Such actions include a core of relevant governance, co-ordination and communication; maintenance, development and promotion of the CSN tool (over and above the update, development and maintenance of the underlying databases by BirdLife, Ramsar and WI); and promotion and implementation of the Flyway Training Programme.
8. Funded projects developed using the WOW brand and addressing one or more of the objectives of the areas of cooperation are to be developed by one or more of the partners. Project implementation should aim to involve more than one of the partners, and partners taking the lead are expected to be pro-active in involving others and finding avenues for collaboration. WOW project budgets shall normally include a contribution to the resources needed for the core activities mentioned above under 7.
9. All commitments under this Memorandum, including the core activities mentioned above under 7, are subject to the availability of adequate funds.
10. While recognising and strongly promoting the value of a partnership approach, all partners retain full authority to execute and accomplish their independent programmes, and to give their own independent views on any issues.
11. Each Party to this Memorandum has its own network of experts and partner institutions. These structures remain unaffected by this Memorandum. The WOW approach in no way excludes, but rather encourages, additional collaborative partnerships, though these will not be bound by the terms of this Memorandum.



12. This Memorandum in no way restricts partners from engaging in other flyway initiatives beyond the AEWA region or species, from transferring experiences, lessons learnt and institutional strengths from their engagement in WOW to other flyways or species and vice versa, and from promoting the WOW approach elsewhere as appropriate. These activities shall appropriately acknowledge any use (as agreed by all partners) of outputs from the WOW project or programme, but shall not be carried out under the MoC unless so agreed by all partners.

F. Operational modalities

1. Membership of the WOW partnership will initially include the AEWA Secretariat, BirdLife Ramsar Secretariat, and WI. The partnership may be expanded as appropriate, subject to agreement of all partners.
2. While recognising their different and complementary structures, niches, networks and modes of operation, the partners commit to working as equals and take equal responsibility for developing and taking forward collaborative activities to achieve the aims of this agreement (Annex II).
3. Implementation of this Memorandum shall be governed by a WOW Steering Committee that includes two representatives nominated by each organisation. The Steering Committee will meet face-to-face at least once each year and will communicate more often, as required. The Chairmanship will rotate annually among partners.
4. The Steering Committee shall define its own terms of reference (including roles and responsibilities) and rules of procedure, to include the tasks outlined in Annex III.
5. The Steering Committee may employ (through one or more partners) such staff as needed to support its work and operations, as resources allow.

G. Areas of collaborative work

1. Partners will work together to fulfil the vision outlined in the current AEWA and Ramsar Strategic Plans, and the BirdLife Strategy and WI Strategic Intent as these relate to migratory waterbird conservation, and specifically to fulfil the aims of the WOW project and build on and consolidate its outputs.
2. Priority areas of cooperation and mutual interest identified by the partners are listed in Annex I (to be amended by the Steering Committee from time to time).

H. Nature of relationship, intellectual property, data sharing

1. This Memorandum does not create any legal partnership between the signatories.
2. This Memorandum does not allow any partner to use the name, logos, emblems, trademarks or other intellectual property of any other partner, or its subsidiaries, affiliates and/or authorized agents, except as agreed by all partners for the purposes of joint publicity under the MoC.
3. The partners shall consult with each other regarding the Intellectual Property Rights as appropriate relating to any project or benefits derived thereof in respect of activities carried out under a separate legal instrument pursuant to this Memorandum.



4. Partners agree to make the datasets listed in Annex IV available in an appropriate form for use and presentation in connection with the Critical Site Network tool and such other flyway-related information tools as may be agreed by all partners. Each partner remains the custodian of its respective datasets, and this Memorandum does not change the data access rules applied by each partner.

I. Dispute settlement and United Nations privileges

1. Any dispute arising out of or in connection with this Memorandum shall be settled amicably between the partners. Should attempts at amicable negotiation fail, any such dispute shall, upon request by any party, be referred to arbitration in accordance with the UNCITRAL arbitration rules then prevailing.
2. Nothing in or relating to this Memorandum shall be deemed a waiver, express or implied, of any of the privileges and immunities of the United Nations, including its subsidiary organs.

J. Coming into effect and termination

1. This Memorandum shall take effect on the date when it has been signed by all partners involved.
2. Annexes I to IV are an integral part of this Memorandum but may be updated and amended as required following review and consensus agreement by the Steering Committee.
3. A partner may withdraw from the Memorandum through ninety (90) days written notice to all other partners.
4. Termination by one or more partners in this Memorandum shall not result in the dissolution of the WOW Partnership provided that at least three partners remain committed to its implementation.
5. The Memorandum shall remain in effect, unless terminated by withdrawals by partners or replaced by another subsequent agreement, for an initial period of three years. It may be extended for additional periods, following review and joint evaluation (including of geographic and taxonomic scope), upon agreement of all partners.
6. This Memorandum may be reviewed at any time at the request of any partner and modified by written agreement of all.
7. In the event that a partner commits a material breach of this Memorandum, the other partners may by unanimous decision terminate the breaching partner's participation in the Memorandum upon thirty (30) days written notice.

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K. Signatures

Bert Lenten
AEWA Secretariat

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Marco Lambertini
BirdLife International

A handwritten signature in black ink, appearing to be "Marco Lambertini".

Anada Tiéga
Ramsar Secretariat

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Jane Madgwick
Wetlands International

A handwritten signature in blue ink, appearing to be "Jane Madgwick".

Done at: Den Hague, The Netherlands

Date: 14 June 2010



L. Annexes

Annex I. Priority collaborative themes and work areas

- i) **Improving access to good flyway-scale information and sound science.** Priorities identified by the WOW partnership for this theme include:
- Improving the functionality of the CSN Tool portal
 - Addressing the 'policy relevance' and 'decision-making capabilities' of the CSN Tool
 - Training different audiences on how to use the CSN Tool and how to interpret the data
 - Ensuring that portal data is upgraded and that data flow is maintained via the International Waterbird Census (IWC), Important Bird Area (IBA) and Ramsar Site Information Service (RSIS)
 - Ensuring and further improving the quality of IWC, IBA and Ramsar data processes
 - Monitoring of existing sites / gap identification in underexplored areas
 - Ensuring that the CSN Tool is internalized by the partnership and helps guide programming and activities
 - Help bridge the disconnect between scientific research and conservation priorities.
- ii) **Strengthening capacity in understanding flyway conservation concepts**, what it entails and the tools available in the African-Eurasian region. Priorities identified by the WOW partnership for this theme include:
- Developing regional capacity to coordinate training activities within a given region on behalf of the partnership
 - Mainstreaming the Flyway Training Kit nationally and supporting institutions to internalise the Flyway Training Kit into their ongoing training work and programming and deliver the training.
- iii) **Promoting effective communication and creating awareness** among target audiences about flyways, the importance of conserving migratory waterbirds and their habitats. Priorities identified by the WOW partnership for this theme include:
- Communicating the importance, value, concept and practice of flyway-level conservation, and specifically the interdependencies and links between different sites for specific migratory waterbird species
 - Communicating the resources available (CSN Tool and Flyway Training Kit) for flyway-conservation
 - Promoting Government involvement with, and support to, existing schemes of data collection relevant to migratory waterbirds and wetlands
 - Promoting accession to AEWA and Ramsar among non-contracting parties, and effective implementation of both agreements among contracting parties

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- Promoting positive changes in attitudes and behaviours affecting conservation of migratory waterbirds and their habitats among target audiences, including decision makers
- iv) **Stimulating and maintaining management of networks of sites for migratory species.** Priorities identified by the WOW partnership for this theme include:
- Nurturing, supporting and strengthening national monitoring schemes in priority areas and ensuring they contribute to IWC, IBA and RSIS processes
 - Building capacity for the management and coordination of networks
 - Strengthening bird census & identification skills.
 - Strengthening waterbird habitat monitoring skills.
- v) **Promoting conservation and flyway-scale approaches across the critical network of sites** in the African-Eurasian region. Priorities identified by the WOW partnership for this theme include:
- Coordinated and synchronised site-level investments at specific points along the network of critical sites addressing a range of flyway conservation themes
 - Fostering the use and regular uptake of flyway-scale conservation tools (CSN Tool and Flyway Training Kit) at site level.

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Annex II. Institutional roles and profiles

The AEWA and Ramsar Secretariats, BirdLife International and Wetlands International form the founding partners of the WOW partnership. The primary roles and responsibilities of partners in implementing the partnership are envisaged, in broad terms, as follows (these may evolve over time):

- lead in development of proposals - BirdLife, WI and AEWA Secretariat
- support in development of proposals – AEWA Secretariat and Ramsar Secretariat
- endorsement of proposals– all partners
- facilitating access to financial resources from Contracting Parties and Range States and other key international players – AEWA Secretariat and Ramsar Secretariat
- raising of funds / leveraging – all partners
- lead in project implementation - BirdLife and WI
- support to project implementation through existing centres (e.g. Ramsar Regional Centre, Iran), initiatives (e.g. AEWA Africa Initiative) and processes – AEWA Secretariat and Ramsar Secretariat
- communicate the value of the flyways approach and the WOW partnership to their local and national networks and Contracting Parties – all partners
- participation in the WOW Steering Committee – all partners

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Annex III. Tasks to be undertaken (inter alia) by the WOW Steering Committee

1. The Steering Committee shall define its own terms of reference (including roles and responsibilities), terms of reference and nomination of the Chair and rules of procedure.
2. Ensure the maintenance of good collaborative relations among the partners and the smooth and effective implementation of the Memorandum
3. Appoint and supervise such staff (employed through one or more of the partners) to help co-ordinate and facilitate implementation as the level of WOW activities necessitates
4. Identify, review and ensure appropriate management of risks to the WOW partners through implementation of the Memorandum
5. Monitor and evaluate progress towards implementation of this Memorandum, and keep the Memorandum itself under regular review.
6. Maintain an overview of flyway-related initiatives in and relevant to the region (see Geographic Scope), and particularly those undertaken under this Memorandum
7. Set and review collective priorities for joint fundraising under the MoC and identify fundraising opportunities, facilitate and oversee the preparation and follow-up of joint project proposals and other fundraising efforts, and maintain an overview of funds raised and their application, including an up-to-date catalogue of current and potential WOW projects
8. Regularly review the coverage of projects and associated activities in relation to priorities identified for the flyway, also taking into account wider developments in flyway conservation and best practice, including the work of the CMS-led 'Flyway Working Group'
9. Ensure that adequate provision is made in project proposals for the implementation of this Memorandum, including co-ordination and communication work and the operations of the Steering Committee
10. Maintain oversight and control of the use of the WOW brand
11. Review membership and contribution of the current partners and of opportunities for expansion.
12. Agree guidance on internal and external communication processes and protocols, and ensure that these are implemented
13. Ensure that an appropriate WOW website, providing access to WOW products, tools and communication materials, is developed.
14. Ensure that partners continue to maintain datasets in a form appropriate for the CSN tool, that the tool remains functional and accessible, and is maintained and updated as needed
15. Ensure that the Flyway Training Kit is made easily available and updated as needed

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Annex IV. Data sets used and presented in the CSN tool to be provided by partners

AEWA Secretariat

- Up to date Table 1 of the AEWA Action Plan

Ramsar Secretariat (through WI)

- Ramsar Site Data from Ramsar Site Information Service
- Ramsar Site boundaries

BirdLife International

- Species range maps
- IBA boundaries
- Species and site information held in World Bird Database
- Links to relevant site and species fact sheets on the BirdLife DataZone

Wetlands International

- Population flyway boundaries
- Waterbird population estimates (population size, trend, 1% thresholds)
- Aggregated IWC data for CSN sites (presentation of raw data at site level is not possible according to our agreements with our data providers).

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